

No. 24440

**FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR**

**Agreement concerning financial co-operation. Signed at
Antananarivo on 12 July 1985**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 12 November 1986.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MADAGASCAR**

**Accord de coopération financière. Signé à Antananarivo le
12 juillet 1985**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 12 novembre 1986.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
DEMOCRATIC REPUBLIC OF MADAGASCAR CONCERNING
FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Democratic Republic of Madagascar,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the Democratic Republic of Madagascar,

Desiring to strengthen and enhance these friendly relations through financial co-operation as partners,

Aware that the maintenance of these relations constitutes the basis of this Agreement,

Intending to contribute to social and economic development in the Democratic Republic of Madagascar,

Referring to item 7.2 of the minutes of the intergovernmental negotiations of 6 May 1982,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Democratic Republic of Madagascar to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt-am-Main, for the “Ihosity-Sakaraha route (RN.7)” project, a further loan of up to a total of DM 17,500,000 (seventeen million five hundred thousand deutsche mark).

This increase will bring the amount made available by the Government of the Federal Republic of Germany for developing the Ihosity-Sakaraha route (RN.7) to a total of DM 59,375,000 (fifty-nine million three hundred and seventy-five thousand deutsche mark).

An amount of DM 5,005,386.10 (five million, five thousand three hundred and eighty-six deutsche mark), which is no longer needed under project “National highway 6, Port Bergé-Antsohihy” (Intergovernmental Agreement of 20 July 1972), will be used to finance part of the loan referred to in the first paragraph of this article. The amount available for the above-mentioned project will therefore be only DM 19,994,613.90 (nineteen million, nine hundred and ninety-four thousand, six hundred and thirteen deutsche mark).

Article 2. The utilization of the amount referred to in article 1, the terms and conditions on which it is granted and the procedure to be applied for placing orders shall be governed by the contracts to be concluded between the recipient and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

¹ Came into force on 12 July 1985 by signature, in accordance with article 7.

Article 3. The Government of the Democratic Republic of Madagascar shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Democratic Republic of Madagascar in connection with the conclusion and execution of the contracts referred to in article 2.

Article 4. The Government of the Democratic Republic of Madagascar shall allow passengers and suppliers free choice of transport enterprises for such transport by sea and air of persons and goods as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation of transport enterprises having their principal place of business in the German area of application of this Agreement, and grant any necessary permit for the participation of such enterprises.

Article 5. With regard to supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic potential of *Land Berlin*.

Article 6. With the exception of those provisions of article 4 which refer to air transport, this Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany does not make a declaration to the contrary to the Government of the Democratic Republic of Madagascar within the three months following the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force on the date of its signature.

DONE at Antananarivo on 12 July 1985, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

ROUETTE

For the Government of the Democratic Republic of Madagascar:

AMPY PORTOS