

**No. 23678**

---

**FEDERAL REPUBLIC OF GERMANY  
and  
BENIN**

**Agreement concerning financial co-operation (with annex).  
Signed at Cotonou on 17 March 1983**

*Authentic texts: German and French.*

*Registered by the Federal Republic of Germany on 1 January 1986.*

---

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
BÉNIN**

**Accord de coopération financière (avec annexe). Signé à  
Cotonou le 17 mars 1983**

*Textes authentiques : allemand et français.*

*Enregistré par la République fédérale d'Allemagne le 1<sup>er</sup> janvier 1986.*

[TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE  
PEOPLE'S REPUBLIC OF BENIN CONCERNING FINANCIAL  
CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the People's Republic of Benin,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the People's Republic of Benin,

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 People's Republic of Benin,

Referring to the minutes of 8 October 1981 and 11 June 1982 of the intergovernmental negotiations which took place at Bonn and Cotonou,

Have agreed as follows:

*Article 1.* (1) The Government of the Federal Republic of Germany shall enable the Government of the People's Republic of Benin to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, financial contributions of up to a total of DM 58,000,000 (fifty-eight million deutsche mark) for the following projects:

- (a) A maximum of DM 10,500,000 (ten million five hundred thousand deutsche mark) for the timber and forestry project, provided that, after examination, the project qualifies for promotion;
- (b) A maximum of DM 42,500,000 (forty-two million five hundred thousand deutsche mark) for the regional town water supply project, provided that, after examination, the project qualifies for promotion;
- (c) A maximum of DM 1,500,000 (one million five hundred thousand deutsche mark) for the BOHICON oil works. Funds available for this project amount to a maximum sum of DM 18,500,000 (eighteen million five hundred thousand deutsche mark) including an amount of DM 17,000,000 (seventeen million deutsche mark) granted under the intergovernmental Agreement of 21 October 1975;<sup>2</sup>
- (d) A maximum of DM 3,500,000 (three million five hundred thousand deutsche mark) for the purpose of financing the foreign exchange costs of the goods and services provided to cover current civil requirements and the foreign exchange and national currency for transport, insurance and assembly costs incurred in connection with the importation of goods financed under this Agreement. Such

<sup>1</sup> Came into force on 17 March 1983 by signature, in accordance with article 8.

<sup>2</sup> United Nations, *Treaty Series*, vol. 1016, p. 275.

supplies and services shall be from among those specified in the list annexed to this Agreement, for which supply or service contracts have been concluded after signature of the financing contract to be concluded under article 2 of this Agreement.

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the People's Republic of Benin to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further financial contributions for preparation or for additional measures required for implementation and follow-up of the projects set forth in paragraphs 1(a), 1(b), and 1(c) above.

(3) The projects referred to in paragraphs 1(a) and 1(b) may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the People's Republic of Benin so agree.

*Article 2.* Utilization of the amounts referred to in article 1 as well as the terms and conditions on which they are granted shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the financial contributions; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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

*Article 4.* The Government of the People's Republic of Benin shall allow passengers and suppliers free choice of transport enterprises for such transport by air and sea of passengers and goods as results from the granting of the financial contributions, 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 permits for the participation of such enterprises.

*Article 5.* Supplies and services for projects referred to in article 1 paragraphs 1(a) and 1(b) shall, unless provided for in individual cases, be subject to international public tender.

*Article 6.* With regard to supplies and services resulting from the granting of the contributions, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic potential of *Land Berlin*.

*Article 7.* With the exception of those provisions of article 4 which refer to air transport, this Agreement shall apply also 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 People's Republic of Benin within the three months following the date of entry into force of this Agreement.

*Article 8.* This Agreement shall enter into force on the date of its signature.

DONE at Cotonou, on 17 March 1983, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

D. PAPENFUSS

For the Government of the People's Republic of Benin:

[Signed]

TH. AHOYO

ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE PEOPLE'S RE-  
PUBLIC OF BENIN CONCERNING FINANCIAL CO-OPERATION

(1) List of goods and services which, under article 1, paragraph 1(d), of the Agreement of 17 March 1983, may be financed from the financial contribution:

- (a) Industrial raw materials and by-products as well as semi-finished products,
- (b) Industrial equipment and agricultural machinery and tools,
- (c) Spare parts and accessories of all kinds,
- (d) Product of the chemical industry, especially fertilizers, pesticides and insecticides, pharmaceutical products,
- (e) Other industrial products which are important for the development of the People's Republic of Benin,
- (f) Consultancy Services, patents and licencing rights.

(2) Imported goods not included in this list may be financed only with the prior consent of the Government of the Federal Republic of Germany.

(3) Imports of luxury and consumer goods for private use and goods and installations for military purposes shall not be financed from the contribution.

---