

No. 24821

BRAZIL
and
FEDERAL REPUBLIC OF GERMANY

Protocol concerning financial co-operation – *Development Bank BNDES IX/PROMICRO Project. Signed at Brasília on 11 May 1987*

Authentic texts: Portuguese and German.

Registered by Brazil on 27 May 1987.

BRÉSIL
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE

Protocole de coopération financière – *Projet Banque de développement BNDES IX/PROMICRO. Signé à Brasília le 11 mai 1987*

Textes authentiques : portugais et allemand.

Enregistré par le Brésil le 27 mai 1987.

[TRANSLATION — TRADUCTION]

PROTOCOL¹ BETWEEN THE GOVERNMENT OF THE FEDERATIVE
REPUBLIC OF BRAZIL AND THE GOVERNMENT OF THE
FEDERAL REPUBLIC OF GERMANY CONCERNING FINAN-
CIAL CO-OPERATION

The Government of the Federative Republic of Brazil and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between the Federative Republic of Brazil and the Federal Republic of Germany,

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 Protocol,

Intending to contribute to the economic and social development of the Federative Republic of Brazil,

Have agreed as follows:

Article I. The Government of the Federal Republic of Germany shall enable the Government of the Federative Republic of Brazil or other recipients to be selected jointly by the two Governments, to raise a loan of up to DM 19,200,000 (nineteen million two hundred thousand deutsche mark) for the “Development Bank BNDES IX/PROMICRO” project (PN 85.6576.4).

Article II. (1) Utilization of the loan referred to in Article I, and the terms and conditions on which it is granted, shall be governed by the contract to be concluded between the recipients and the Kreditanstalt für Wiederaufbau, Frankfurt am Main; this contract shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Federative Republic of Brazil, to the extent that it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau, Frankfurt am Main, all payments in deutsche mark in discharge of the borrower’s liabilities under the contract to be concluded pursuant to paragraph 1 hereof.

Article III. The Kreditanstalt für Wiederaufbau, Frankfurt am Main, shall be exempt from all taxes and other fiscal charges levied in the Federative Republic of Brazil in connection with the conclusion and implementation of the contract referred to in article II.

Article IV. By agreement between the competent Brazilian and German authorities, on the transport of goods and passengers,

(a) In the case of transport by air, a Contracting Party shall not exclude or impede the participation, on an equal footing, of the regular transport enterprises of

¹ Came into force on 11 May 1987 by signature, in accordance with article VIII.

the other Contracting Party and it shall grant the necessary permits for such transport;

(b) In the case of transport by sea, the provisions of the Agreement between the Federative Republic of Brazil and the Federal Republic of Germany concerning transport by sea of 4 April 1979 and the relevant Supplementary Protocol of the same date shall apply.

Article V. Supplies and services for projects financed for the loan shall, unless otherwise provided for in individual cases, be subject to international public tender.

Article VI. 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 VII. With the exception of those provisions of Article IV which refer to air transport, this Protocol 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 Federative Republic of Brazil within the three months following the date of entry into force of this Protocol.

Article VIII. This Protocol shall enter into force on the date of its signature.

DONE at Brasília on 11 May 1987 in duplicate in the Portuguese and German languages, both texts being equally authentic.

For the Government
of the Federative Republic
of Brazil:

[Signed]

ROBERTO DE ABREU SODRÉ

For the Government
of the Federal Republic
of Germany:

[Signed]

WALTER GORENFLOS