

**No. 25134**

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**FEDERAL REPUBLIC OF GERMANY  
and  
BENIN**

**Agreement concerning financial co-operation (with annex).  
Signed at Cotonou on 25 July 1985**

*Authentic texts: German and French.*

*Registered by the Federal Republic of Germany on 24 July 1987.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
BÉNIN**

**Accord de coopération financière (avec annexe). Signé à  
Cotonou le 25 juillet 1985**

*Textes authentiques : allemand et français.*

*Enregistré par la République fédérale d'Allemagne le 24 juillet 1987.*

## [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 negotiations between the two Governments held at Bonn from 5 to 7 December 1984,

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 up to a total of DM 26,000,000 (twenty-six million deutsche mark) for the following projects:

- (a) Up to DM 8,000,000 (eight million deutsche mark) as an increment for the project "Timber and forestry industry, phase III", provided that, after examination, the project qualifies for promotion;
- (b) Up to DM 5,000,000 (five million deutsche mark) for the project "Development of tracks in Atlantique Province", provided that, after examination, the project qualifies for promotion;
- (c) Up to DM 4,000,000 (four million deutsche mark) for the project "Assembly bridges", provided that, after examination, the project qualifies for promotion;
- (d) Up to DM 7,000,000 (seven million deutsche mark) for the sectoral programme "Agriculture and water supply", provided that, after examination, the sectoral programme qualifies for promotion;
- (e) Up to the amount of DM 2,000,000 (two million deutsche mark) for the purpose of financing the foreign-exchange costs of goods and services intended to meet current civil requirements as well as the foreign-exchange and national-currency transport, insurance and assembly costs incurred in connection with the importation of goods financed under this Agreement (Aid in goods III), pursuant to the arrangement reached on the utilization of the said amount, as

<sup>1</sup> Came into force on 25 July 1985 by signature, in accordance with article 7.

recorded in the minutes of 7 December 1984 of the intergovernmental negotiations held at Bonn in 1984. Such supplies and services shall be from among those specified in the list annexed to this Agreement for which the delivery or service contracts have been concluded after the signature of the contract to be concluded under article 2.

(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 preparing the projects specified in paragraph 1 or for collateral measures required for the implementation and maintenance of these projects.

(3) The projects referred to in paragraph 1, subparagraphs (a) to (d), 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 of this Agreement, as well as the terms and conditions on which they are granted and the procedure for placing orders, shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient; 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 the People's Republic of Benin in connection with the conclusion and implementation 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 sea and air of persons 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.* With regard to supplies and services resulting from the granting of the financial contributions, 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 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 7.* This Agreement shall enter into force on the date of its signature.

DONE at Cotonou, on 25 July 1985, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HORST UHRIG

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

FREDERIC AFFO

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 may be financed from the financial contribution under article 1, paragraph (1), subparagraph (e), of the Intergovernmental Agreement of 25 July 1985:

- (a) Industrial raw materials, auxiliary materials and semi-finished goods;
- (b) Industrial equipment and agricultural machinery and implements;
- (c) Spare parts and accessories of all kinds;
- (d) Products of the chemical industry, especially fertilizers, pesticides and insecticides, and pharmaceutical products;
- (e) Other industrial products of importance for the development of the People's Republic of Benin;
- (f) Consultancy services, patents and licence fees.

The supplies and services concerned must come from the German area of application of the Agreement.

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, as well as of goods and installations for military purposes, shall not be financed from the financial contribution.

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