

No. 25469

FEDERAL REPUBLIC OF GERMANY
and
GUINEA

Agreement concerning financial co-operation (with annex).
Signed at Conakry on 12 July 1986

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 9 November 1987.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
GUINÉE

Accord de coopération financière (avec annexe). Signé à
Conakry le 12 juillet 1986

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 9 novembre 1987.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF GUINEA CONCERNING FINANCIAL COOPERA-
TION

The Government of the Federal Republic of Germany and the Government of the Republic of Guinea,

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

Desiring to strengthen and enhance these friendly relations through financial cooperation 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 Republic of Guinea,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Guinea to obtain financial contributions of up to a total of DM 22,000,000 (twenty-two million deutsche mark) from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the following projects:

- (a) Up to DM 15,000,000 (fifteen million deutsche mark) for the purpose of financing the foreign-exchange costs of the goods and services purchased to cover current civil requirements and the foreign-exchange and national-currency costs of transport, insurance and assembly (goods assistance V) incurred in connection with goods imports financed under this Agreement. Such goods and services shall be from among those specified in the list annexed to this Agreement for which the supply or service contracts were concluded after the entry into force of this Agreement.
- (b) Up to DM 7,000,000 (seven million deutsche mark) for the sectoral programme "Agriculture and Transport", provided that, on examination, the project is considered deserving of support.

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Republic of Guinea to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further financial contributions for preparing the projects referred to in paragraph 1 or for collateral measures required for implementation and maintenance of the projects.

(3) The projects referred to in paragraph 1, subparagraph *b*, may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Republic of Guinea so agree.

¹ Came into force on 12 July 1986 by signature, in accordance with article 7.

Article 2. The utilization of the amounts referred to in article 1, the terms and conditions on which they are granted and the procurement procedure to be applied shall be governed by the agreements to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the financial contributions; these agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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

Article 4. The Government of the Republic of Guinea 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 on equal terms 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 preferential use being made of the economic potential of *Land Berlin*.

Article 6. With the exception of the provisions of article 4 which relate 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 Republic of Guinea 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 Conakry on 12 July 1986, in two original copies, each in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

TRUHART

For the Government of the Republic of Guinea:

EDUARD BENJAMIN

ANNEX TO THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF
GUINEA CONCERNING FINANCIAL COOPERATION

1. List of goods and services which, under article 1, paragraph 1, subparagraph *a*, of the intergovernmental agreement of 12 July 1986, may be financed from the financial contribution:

- a*) Connection units for news transmission;
- b*) Equipment for the Donkea hydroelectric power station;
- c*) Spare parts and accessories for power-supply generators;
- d*) Means of production for farms, fishery and forestry;
- e*) Equipment and capital goods for simple infrastructural measures;
- f*) Spare parts and accessories for the procurements specified under *d*) and *e*).

The goods and services in question must originate in the German field of application of this 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 and goods and installations for military purposes shall not be financed from the financial contribution.
