

No. 27406

FEDERAL REPUBLIC OF GERMANY
and
COSTA RICA

**Agreement concerning financial cooperation. Signed at Bonn
on 25 May 1987**

**Exchange of notes constituting an agreement amending
the above-mentioned Agreement. San José, 8 June and
22 July 1988**

Authentic texts of the Agreement: German and Spanish.

Authentic text of the exchange of notes: Spanish.

Registered by the Federal Republic of Germany on 17 July 1990.

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
COSTA RICA

**Accord de coopération financière. Signé à Bonn le 25 mai
1987**

**Échange de notes constituant un accord modifiant l'Accord
susmentionné. San José, 8 juin et 22 juillet 1988**

Textes authentiques de l'Accord : allemand et espagnol.

Texte authentique de l'échange de notes : espagnol.

Enregistrés par la République fédérale d'Allemagne le 17 juillet 1990.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF COSTA RICA CONCERNING FINANCIAL CO-
OPERATION

The Government of the Federal Republic of Germany and

The Government of the Republic of Costa Rica,

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

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 Costa Rica,

Have agreed as follows:

Article 1

1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Costa Rica and/or other recipients to be designated jointly by the two Governments to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation) of Frankfurt am Main, loans totalling up to DM 22,000,000 (twenty-two million deutsche mark).

2. The amount mentioned in the first sentence of paragraph 1 shall be used for projects to be carried out in the following development areas:

- (a) Agriculture;
- (b) Agro-industries;
- (c) Harbour equipment and highway construction apparatus.

3. The development areas referred to in paragraph 2 may be replaced by others if the Government of the Federal Republic of Germany and the Government of the Republic of Costa Rica so agree.

Article 2

1. The loans referred to in article 1 shall be made at an annual interest rate of 2 per cent for a 30-year term; the remaining terms and conditions on which they are granted and the procurement procedure to be followed shall be governed by contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipients of the loans; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

¹ Came into force on 15 February 1989, the date on which the Government of Costa Rica notified the Government of the Federal Republic of Germany of the completion of the relevant national requirements, in accordance with article 7.

2. The Government of the Republic of Costa Rica, in so far as it is not itself a borrower, shall stand surety *vis-à-vis* the Kreditanstalt für Wiederaufbau for all deutsche mark payments to be made in discharge of obligations incumbent on the borrowers under the contracts referred to in paragraph 1.

Article 3

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

Article 4

The Government of the Republic of Costa Rica shall allow passengers and suppliers free choice of transport enterprises for such transport by sea and air of passengers and goods as results from the granting of the loans, 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 loans, 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 Republic of Costa Rica within the three months following the entry into force of this Agreement.

Article 7

This Agreement shall enter into force on the date when the Government of the Republic of Costa Rica notifies the Government of the Federal Republic of Germany that the relevant national requirements have been complied with.

DONE at Bonn on 25 May 1987, in duplicate, in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic
of Germany:

HANS-DIETRICH GENSCHER

For the Government of the Republic of Costa Rica:

RODRIGO MADRIGAL NIETO

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF COSTA RICA AMENDING THE AGREEMENT OF 25 MAY 1987 CONCERNING FINANCIAL COOPERATION²

ÉCHANGE DE NOTES CONSTITUANT UN ACCORD¹ ENTRE LE GOUVERNEMENT DE LA RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE ET LE GOUVERNEMENT DE LA RÉPUBLIQUE DU COSTA RICA MODIFIANT L'ACCORD DE COOPÉRATION FINANCIÈRE DU 25 MAI 1987²

I

[SPANISH TEXT — TEXTE ESPAGNOL]

REPÚBLICA DE COSTA RICA
MINISTERIO DE RELACIONES EXTERIORES Y CULTO

San José, 8 de junio de 1988

PE.SD.E./687-88

Señor Embajador:

En referencia al Convenio entre el Gobierno de la República Federal de Alemania sobre Cooperación Financiera, firmado en Bonn, el 25 de mayo de 1987, tengo el honor de proponer a Vuestra Excelencia en nombre del Gobierno de la República de Costa Rica, la modificación del inciso (2) del Artículo 1 del mencionado Convenio.

La modificación se lee de la siguiente manera:

“(2) La suma mencionada en la primera frase del párrafo 1 habrá de destinarse a proyectos a realizar en los siguientes ámbitos de fomento:

- a) Agricultura y Recursos Forestales,
- b) Agroindustrias,
- c) Infraestructura Física y Social,
- d) Cooperativas,
- e) Desarrollo Rural Integrado,
- f) Estudios de Preinversión.”

En caso de que el Gobierno de la República Federal de Alemania se declare conforme con la propuesta presentada, esta nota y la nota de respuesta de Vuestra Excelencia constituirán un Acuerdo entre ambos Gobiernos que entrará en vigor en la fecha de su nota de respuesta.

¹ Came into force on 22 July 1988, the date of the note in reply, in accordance with the provisions of the said notes.

² See p. 24 of this volume.

¹ Entré en vigueur le 22 juillet 1988, date de la note de réponse, conformément aux dispositions desdites notes.

² Voir p. 26 du présent volume.

Should the Government of the Federal Republic of Germany concur with this proposal, this note and your reply shall, as of the date of that reply, constitute an agreement between our two Governments.

I take this opportunity, etc.

[Signed]

CARLOS RIVERA BIANCHINI

Acting Minister for Foreign Affairs
and Worship

His Excellency
Mr. Harald N. Nestroy
Ambassador of the Federal Republic of
Germany
San José

Si cette proposition rencontre l'agrément de la République fédérale d'Allemagne, cette note et votre note en réponse constitueront un Accord entre les deux gouvernements, lequel entrera en vigueur à la date de votre note de réponse.

Je saisis cette occasion, etc.

Le Ministre des relations extérieures
et du culte par intérim,

[Signé]

CARLOS RIVERA BIANCHINI

Son Excellence
Monsieur Harald N. Nestroy
Ambassadeur de la République fédérale
d'Allemagne
En ville

[TRANSLATION]

AMBASSADOR OF THE FEDERAL
REPUBLIC OF GERMANY

San José,
22 July 1988

Wi 444.00/2

Sir,

With respect to your note of 8 June 1988 under reference number PE.SD.E./687-88, I have the honour to reply as follows:

The Government of the Federal Republic of Germany concurs with the amendment of article 1, paragraph 2, of the Agreement on financial cooperation signed at Bonn on 25 May 1987 to read as follows:

[See note I]

I should like, in particular, to point out that article 6 of the Agreement of 25 May 1987 is also applicable to this exchange of notes.

I take this opportunity, etc.

[Signed]

HARALD N. NESTROY

Ambassador of the Federal Republic
of Germany

His Excellency

Mr. Carlos Rivera Bianchini
Acting Minister for Foreign Affairs and
Worship
San José

[TRADUCTION]

L'AMBASSADEUR DE LA RÉPUBLIQUE
FÉDÉRALE D'ALLEMAGNE

San José,
le 22 juillet 1988

Wi 444.00/2

Monsieur le Ministre,

Me référant à votre note PE.SD.E./687-88 du 8 juin 1988, j'ai l'honneur de vous donner la réponse suivante :

Le Gouvernement de la République fédérale d'Allemagne est d'accord pour modifier le paragraphe 2 de l'article premier de l'Accord de coopération financière signé à Bonn le 25 mai 1987, de manière qu'il se lise comme suit :

[Voir note I]

Je souhaite mentionner tout particulièrement que l'article 6 de l'Accord du 25 mai 1987 s'applique également au présent échange de notes.

Je saisis cette occasion, etc.

L'Ambassadeur de la République
fédérale d'Allemagne :

[Signé]

HARALD N. NESTROY

Son Excellence

Monsieur Carlos Rivera Bianchini
Ministre des relations extérieures et du
culte par intérim
San José