

No. 27422

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**FEDERAL REPUBLIC OF GERMANY**  
**and**  
**TOGO**

**Agreement concerning financial cooperation. Signed at Lomé  
on 12 August 1988**

*Authentic texts: German and French.*

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

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**  
**et**  
**TOGO**

**Accord de coopération financière. Signé à Lomé le 12 août  
1988**

*Textes authentiques : allemand et français.*

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

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF  
THE TOGOLESE REPUBLIC CONCERNING FINANCIAL CO-  
OPERATION

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

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

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 Togolese  
Republic,

Have agreed as follows:

*Article 1*

(1) The Government of the Federal Republic of Germany shall enable the  
Government of the Togolese Republic to obtain from the Kreditanstalt für Wie-  
deraufbau (Development Loan Corporation), Frankfurt am Main, financial contri-  
butions of up to DM 50,000,000 (fifty million deutsche mark) for the following  
projects:

- (a) A financial contribution of up to DM 15,000,000 (fifteen million deutsche mark)  
for the project “Structural assistance to support the implementation of a third  
adjustment programme, to be co-financed with the World Bank”, provided that,  
after examination, the project qualifies for promotion;
- (b) A financial contribution of up to DM 13,000,000 (thirteen million deutsche mark)  
for the project “Electricity supply to Kpalimé”, provided that, after examination,  
the project qualifies for promotion;
- (c) A financial contribution of up to DM 4,700,000 (four million seven hundred  
thousand deutsche mark) for the project “Transmission line Atakpamé-Notsé”,  
provided that, after examination, the project qualifies for promotion;
- (d) A financial contribution of up to DM 5,000,000 (five million deutsche mark) for  
the project “By-pass road for Lomé”, provided that, after examination, the proj-  
ect qualifies for promotion;
- (e) A financial contribution of up to DM 10,000,000 (ten million deutsche mark) for  
the project “Drinking water supply to the city of Sokodé”, provided that, after  
examination, the project qualifies for promotion;

<sup>1</sup> Came into force on 12 August 1988 by signature, in accordance with article 7.

- (f) A financial contribution of up to DM 2,000,000 (two million deutsche mark) for the project "Studies and experts fund III";
- (g) A financial contribution of up to DM 300,000 (three hundred thousand deutsche mark) for the project "Harbour master at Lomé".

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

(3) The projects referred to in paragraph 1, subparagraphs (a) to (e) above, may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Togolese Republic so agree.

#### Article 2

Utilization of the amounts referred to in article 1 of this Agreement, the terms and conditions on which they are granted and the procedures to be followed in concluding transactions shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the Togolese Republic; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

#### Article 3

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

#### Article 4

The Government of the Togolese Republic 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 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

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 Togolese Republic 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 Lomé on 12 August 1988, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic  
of Germany:

HEINZ WERSDÖRFER

For the Government of the Togolese Republic:

ADODO

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