

No. 29694

**FEDERAL REPUBLIC OF GERMANY
and
BANGLADESH**

**Agreement concerning financial cooperation (with annex).
Signed at Dhaka on 20 September 1990**

Authentic texts: German, Bangla and English.

Registered by Germany on 23 March 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
BANGLADESH**

**Accord de coopération financière (avec annexe). Signé à
Dacca le 20 septembre 1990**

Textes authentiques : allemand, bangla et anglais.

Enregistré par l'Allemagne le 23 mars 1993.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH CONCERNING FINANCIAL COOPERATION

The Government of the Federal Republic of Germany
and
the Government of the People's Republic of Bangladesh,

in the spirit of the friendly relations existing between the Federal Republic of Germany and the People's Republic of Bangladesh,

desiring to strengthen and intensify those friendly relations through financial cooperation in a spirit of partnership,

aware that the maintenance of those relations constitutes the basis of this Agreement,

intending to contribute to social and economic development in the People's Republic of Bangladesh,

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 Bangladesh or other recipients to be determined jointly by the two Governments to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main,

¹ Came into force on 20 September 1990 by signature, in accordance with article 8.

financial contributions up to a total of DM 90,000,000 (ninety million Deutsche Mark).

- (2) The financial contributions referred to in paragraph 1 above shall be used as follows:
- (a) up to DM 30,000,000 (thirty million Deutsche Mark) shall be used to meet foreign exchange costs resulting from the purchase of goods and services in the German area of application of this Agreement and in developing countries to cover current civilian requirements, and to meet foreign exchange and local currency costs of transport, insurance and assembly arising in connection with the importation of goods financed under this Agreement. The supplies and services must be such as are covered by the list annexed to this Agreement and for which supply or service contracts have been concluded after 15 February 1990;
 - (b) up to DM 17,000,000 (seventeen million Deutsche Mark) shall be used for the project Rehabilitation of Ashuganj Power Station, Blocks I and II, including the necessary assignment of consultants for the implementation of the said rehabilitation and for the operation and maintenance of Blocks III to V, if, after examination, the project has been found eligible for promotion;
 - (c) up to DM 30,000,000 (thirty million Deutsche Mark) shall be used for Flood Protection projects if, after examination, the projects have been found eligible for promotion;

- (d) up to DM 13,000,000 (thirteen million Deutsche Mark) shall be used for the project Fourth Health and Family Welfare Project if, after examination, the project has been found eligible for promotion.
- (3) 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 Bangladesh to obtain from the Kreditanstalt für Wiederaufbau further financial contributions for the preparation of the projects referred to in paragraph 2 (b) to (d) above or for attendant measures required for their implementation and support.
- (4) The projects referred to in paragraph 2 (b) to (d) above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the People's Republic of Bangladesh so agree.

Article 2

The utilization of the amounts referred to in Article 1 of this Agreement as well as the terms and conditions on which they are made available shall be governed by the provisions of the agreements to be concluded between the recipients of the financial contributions and the Kreditanstalt für Wiederaufbau, which agreements 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 Bangladesh shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the People's Republic of Bangladesh in

connection with the conclusion and implementation of the agreements referred to in Article 2 of the present Agreement.

Article 4

The Government of the People's Republic of Bangladesh shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea, land or air of persons and goods as results from the granting of the financial contributions, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their 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

The procedure to be followed in awarding contracts for supplies and services for projects financed from the financial contributions pursuant to Article 1 (2) of this Agreement shall be determined in the financing agreements to be concluded between the recipients of the financial contributions and the Kreditanstalt für Wiederaufbau.

Article 6

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 7

This Agreement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the People's Republic of Bangladesh within three months of the date of entry into force of this Agreement.

Article 8

This Agreement shall enter into force on the date of signature thereof.

DONE at Dhaka on 20th September 1990

in duplicate in the German, Bangla and English languages, all three texts being authentic. In case of divergent interpretations of the German and Bangla texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed — Signé]¹

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

[Signed — Signé]²

¹ Signed by Karl-Heinz Scholtyssek — Signé par Karl-Heinz Scholtyssek.

² Signed by Faizur Rahman Chaudhury — Signé par Faizur Rahman Chaudhury.

Annex to the Agreement of 20th September 1990
 between the Government of the Federal Republic of
 Germany and the Government of the People's Republic
 of Bangladesh concerning Financial Cooperation

1. List of goods and services eligible for financing from the financial contribution under Article 1 (2) (a) of the Agreement of 20. 09. 1990 :
 - (a) Industrial raw and auxiliary materials as well as semi-manufactures,
 - (b) industrial equipment as well as agricultural machinery and implements,
 - (c) spare parts and accessories of all kinds,
 - (d) chemical products, in particular plant protection agents, pesticides, medicaments and dyes,
 - (e) means of transport,
 - (f) other industrial products of importance for the development of the People's Republic of Bangladesh,
 - (g) advisory services, patents and licence fees.
2. Imports not included in the above list may only be financed with the prior approval of the Government of the Federal Republic of Germany.

3. The importation of luxury and consumer goods for personal needs as well as any goods and facilities serving military purposes may not be financed from the financial contribution.
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