

No. 29697

**GERMANY
and
BENIN**

**Agreement concerning financial cooperation. Signed at
Cotonou on 2 November 1990**

Authentic texts: German and French.

Registered by Germany on 23 March 1993.

**ALLEMAGNE
et
BÉNIN**

**Accord de coopération financière. Signé à Cotonou le 2 no-
vembre 1990**

Textes authentiques : allemand et français.

Enregistré par l'Allemagne le 23 mars 1993.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF BENIN CONCERNING FINANCIAL COOPER-
ATION

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

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

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 Benin,

Taking into account the negotiations between the two Governments which took place in Cotonou from 28 to 30 May 1990,

Have agreed as follows:

Article 1

(1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Benin to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, financial contributions totalling up to DM 50,000,000 (fifty million deutsche mark) for the following projects:

(a) Up to DM 25,000,000 (twenty-five million deutsche mark) for the project “Structural assistance, co-financed with the World Bank, in support of the second structural adjustment programme”, if, upon examination, the project is considered to deserve such support;

(b) Up to DM 10,000,000 (ten million deutsche mark) for the “Sectoral programme—phase IV”, if, upon examination, the project is considered to deserve such support;

(c) Up to DM 3,000,000 (three million deutsche mark) for the project “Water supply in Lokossa and Athième”, if, upon examination, the project is considered to deserve such support;

(d) Up to DM 5,000,000 (five million deutsche mark) for the Plan of Action to preserve tropical forests;

(e) Up to DM 2,000,000 (two million deutsche mark) for the project “Construction of rural roads in Atlantique province”;

¹ Came into force on 2 November 1990 by signature, in accordance with article 7.

(f) Up to DM 5,000,000 (five million deutsche mark) for the project “Water supply in Abomey, Bohicon and Parakou”.

(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 Benin to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, additional financial contributions for preparing the projects referred to in paragraph 1 or for collateral measures required for the implementation and maintenance of the said projects.

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

Article 2

Utilization of the amounts specified in article 1 of this Agreement, the terms and conditions on which they are granted and the procedure for awarding contracts shall be governed by the agreements to be concluded between the recipient of the financial contributions and the Kreditanstalt für Wiederaufbau; the said agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3

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

Article 4

The Government of the Republic of Benin 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 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 Benin within three months of the entry into force of this Agreement.

Article 7

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

DONE at Cotonou on 2 November 1990, in duplicate, in the German and French languages, both texts being equally authentic.

For the Government
of the Federal Republic of Germany:

FRITZ HERMANN FLIMM

For the Government
of the Republic of Benin:

THÉOPHILE NATA
