

**No. 29890**

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**GERMANY  
and  
MADAGASCAR**

**Agreement concerning financial cooperation. Signed at  
Antananarivo on 16 September 1991**

*Authentic texts: German and French.*

*Registered by Germany on 2 April 1993.*

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**ALLEMAGNE  
et  
MADAGASCAR**

**Accord de coopération financière. Signé à Antananarivo le  
16 septembre 1991**

*Textes authentiques : allemand et français.*

*Enregistré par l'Allemagne le 2 avril 1993.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE  
DEMOCRATIC REPUBLIC OF MADAGASCAR CONCERNING  
FINANCIAL COOPERATION

The Government of the Federal Republic of Germany and the Government of the Democratic Republic of Madagascar,

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

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 Democratic Republic of Madagascar,

Referring to the minutes of the intergovernmental negotiations of 17 May 1990,  
Have agreed as follows:

*Article 1*

1. The Government of the Federal Republic of Germany shall enable the Government of the Democratic Republic of Madagascar to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the projects:

- “Betsiboka rice project, extension of phase III”, a loan and, if necessary, a subsidy in the form of a financial contribution, of up to a total of DM 8.3 million (eight million three hundred thousand deutsche mark) for collateral measures required for the implementation and maintenance of this project;
- “Financial cooperation experts and studies fund (III)”, a subsidy in the form of a financial contribution of up to DM 1 million (one million deutsche mark);
- “Environmental action plan I — protected areas”, a loan and, if necessary, a subsidy in the form of a financial contribution, of up to a total of DM 7 million (seven million deutsche mark) for collateral measures required for the implementation and maintenance of this project,
- “Environmental action plan II — cartography”, a loan and, if necessary, a subsidy in the form of a financial contribution, of up to a total of DM 5 million (five million deutsche mark) for collateral measures required for the implementation and maintenance of this project;
- “Mahajanga — Katsepy ferry” — 1986 allocation — a loan of up to DM 2.0 million (two million deutsche mark);

provided that, on examination, these projects qualify for promotion.

<sup>1</sup> Came into force on 16 September 1991 by signature, in accordance with article 5.

2. This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Democratic Republic of Madagascar to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, further loans or financial contributions for the implementation of the projects mentioned in paragraph 1 above.

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

#### Article 2

1. Utilization of the amounts referred to in article 1 of this Agreement, as well as the terms and conditions on which they are granted and the procedure for placing orders, shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipients of the loans and financial contributions; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

2. The Government of the Democratic Republic of Madagascar, 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 the borrower's obligations under the contracts to be concluded pursuant to paragraph 1 above.

#### Article 3

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

#### Article 4

The Government of the Democratic Republic of Madagascar 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 loans and 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

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

DONE at Antananarivo on 16 September 1991, in duplicate in the German and French languages, both texts being equally authentic.

For the Government  
of the Federal Republic of Germany:

H. RAUSCH

For the Government  
of the Democratic Republic of Madagascar:

MAURICE RAMAROZAKA