

No. 25154

**FEDERAL REPUBLIC OF GERMANY
and
MADAGASCAR**

**Agreement concerning financial co-operation. Signed at
Bonn on 14 May 1986**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 24 July 1987.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MADAGASCAR**

**Accord de coopération financière. Signé à Bonn le 14 mai
1986**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 24 juillet 1987.

{TRANSLATION — TRADUCTION}

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
DEMOCRATIC REPUBLIC OF MADAGASCAR CONCERNING
FINANCIAL CO-OPERATION

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 co-operation 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 item 7.3 in the minutes of the intergovernmental negotiations of 6 May 1982 and item 2.1.2 in the minutes of the intergovernmental negotiations of 4 July 1984,

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 raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the project "Harbour handling equipment, phase II", a loan of up to a total of DM 6,705,386.10 (six million, seven hundred and five thousand three hundred and eighty-six deutsche mark);

(2) The partial amount of DM 46,864.98 (forty-six thousand eight hundred and sixty-four deutsche mark) not used in the cement works study (Intergovernmental Agreement of 17 January 1981) and the partial amount of DM 19,986.94 (nineteen thousand nine hundred and eighty-six deutsche mark) left over from the Secren study and unused (Intergovernmental Agreement of 27 March 1981) shall constitute a total of DM 66,851.92 (sixty-six thousand eight hundred and fifty-one deutsche mark) to be allocated to fund I for studies and specialists (Intergovernmental Agreement of 27 March 1981), thus increasing the amount available for this project to a total of DM 766,851.92 (seven hundred and sixty-six thousand, eight hundred and fifty-one deutsche mark).

(3) 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 further loans from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for implementing of the project "Harbour handling equipment, phase II".

¹ Came into force on 14 May 1986 by signature, in accordance with article 7.

(4) The project referred to in paragraph 1 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. Utilization of the amount referred to in article 1, paragraph 1 of this Agreement, as well as the terms and conditions on which it is granted and the procedure for placing orders, shall be governed by the contract to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the loan; this contract shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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 the Democratic Republic of Madagascar in connection with the conclusion and implementation of the contract referred to in article 2.

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 loan, 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 loan, 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 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 Democratic Republic of Madagascar 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 Bonn on 14 May 1986, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

ANDREAS MEYER-LANDRUT

For the Government of the Democratic Republic of Madagascar:

J. BEMANANJARA