

Agreement

between

the Royal Government of Cambodia

and

the Government of the Federal Republic of Germany

concerning

Financial Cooperation

in 2011

The Royal Government of Cambodia
and
the Government of the Federal Republic of Germany,

in the spirit of the friendly relations existing between the Federal Republic of Germany and the Royal Government of Cambodia,

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 Kingdom of Cambodia,

referring to the Summary Record of the 2011 intergovernmental negotiations in Bonn dated 14 December 2011 and Note No. 153/11 of 27 December 2011 on the commitment of funds,

have agreed as follows:

Article 1

(1) The Government of the Federal Republic of Germany shall enable the Royal Government of Cambodia to obtain from Kreditanstalt für Wiederaufbau – Reconstruction Loan Corporation (KfW) financial contributions totalling 19 million euros for the following projects:

1. Programme on Social Health Protection III up to 4 million euros,
2. Programme on Land Policy and Land Management up to 3 million euros,

3. Rural Infrastructure Programme (RIP III) up to 4 million euros,
4. Flood repair measures for rural infrastructures up to 8 million euros,

if on examination they have been found eligible for promotion.

(2) The projects specified in paragraph (1) above may be replaced by other projects provided the Government of the Federal Republic of Germany and the Royal Government of Cambodia so agree.

(3) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Royal Government of Cambodia to obtain from KfW further financial contributions for the preparation of the projects specified in paragraph (1) above or for attendant measures necessary to implement and support the projects specified in paragraph (1) above.

Article 2

(1) The utilization of the amounts specified in Article 1 (1) of this Agreement and the terms and conditions on which they are made available, as well as the procedure for awarding contracts, shall be governed by agreements to be concluded between KfW and the recipients of the financial contributions, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The commitment to grant the amounts specified in Article 1 (1) of this Agreement shall lapse if the relevant financing agreements are not concluded within a period of eight years after the year in which the commitment was made. For the specified amounts the deadline shall be 31 December 2019.

(3) The Royal Government of Cambodia, where it is not itself the recipient of the financial contributions, shall guarantee any repayment due to KfW under the financing agreements to be concluded pursuant to paragraph (1) above.

Article 3

The Royal Government of Cambodia shall exempt KfW from all taxes and other public charges levied in the Kingdom of Cambodia in connection with the conclusion and implementation of the agreements referred to in Article 2 (1) of this Agreement.

Article 4

The Royal Government of Cambodia shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea 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 Federal Republic of Germany and grant any necessary permits for the participation of such enterprises.

Article 5

(1) An amount of six million euros from the grant-in-aid and financial contributions envisaged for the project Fund for Regional Economic Development in the Agreement of 10 March 2010 between the Government of the Federal Republic of Germany and the Royal Government of Cambodia concerning Financial Cooperation in 2009 shall be reprogrammed and used additionally for the project Land Policy and Land Management specified in Article 1 (1) 2 of the present Agreement, if on examination it has been found eligible for promotion, and shall be granted as a financial contribution.

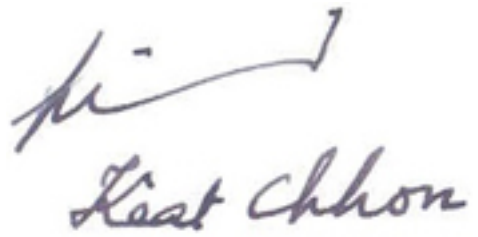
(2) In all other respects the provisions of the Agreement of 10 March 2010 between the Government of the Federal Republic of Germany and the Royal Government of Cambodia concerning Financial Cooperation in 2009 shall also apply to this project.

Article 6

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


Done at Phnom Penh on 9. August 2012 in duplicate in the German, Cambodian and English languages, all three texts being authentic. In case of divergent interpretations of the German and Cambodian texts, the English text shall prevail.

For the Royal Government
of Cambodia



H.E. Chhon

For the Government of the
Federal Republic of Germany



Wolfgang