

Agreement

between

the Royal Government of Cambodia

and

the Government of the Federal Republic of Germany

concerning

Financial Cooperation

in 2013

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

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

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 2013 intergovernmental negotiations in Phnom Penh dated 4 December 2013 and the Agreement of 20 May 2013 between our two Governments concerning Financial Cooperation in 2012,

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 KfW (Reconstruction Loan Corporation) financial contributions amounting to 23,000,000 euros (twenty-three million euros) for the following projects:

1. Social Health Protection IV up to 12,000,000 euros (twelve million euros)

2. Rural Infrastructure Programme IV up to 2,000,000 euros (two million euros)
3. Economic Infrastructure Programme to Sustain Land Reform
Implementation up to 9,000,000 euros (nine million euros)

if on examination they have been found eligible for support;

(2) The projects specified in paragraph (1) above may be replaced by other projects provided the [Royal Government of Cambodia](#) and the [Government of the Federal Republic of Germany](#) 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 utilisation 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 loans or 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 seven years after the year in which the commitment was made. For the specified amounts the deadline shall be 31 December 2020.

(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, 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 Federal Republic of Germany and grant any necessary permits for the participation of such enterprises.

Article 5

(1) An amount of 3,000,000 euros (three million euros) from the financial contribution envisaged for the project Programme on Land Policy and Land Management in Article 1 (1) of the Agreement of 9 August 2012 between the [Royal Government of Cambodia and the Government of the Federal Republic of Germany](#) concerning Financial Cooperation in 2011 shall be reprogrammed and used for the project Rural Infrastructure Programme IV, if on examination it has been found eligible for support. The commitment to grant the amount shall lapse if the relevant financing agreements are not concluded within a period of eight years after the year 2011 in which the commitment was made. For the specified amount the deadline shall be 31 December 2019.

(2) An amount of 6,000,000 euros (six million euros) from the reprogrammed financial contribution committed in 2009 and envisaged for the project Programme on Land Policy and Land Management in Article 5 (1) of the Agreement of 9 August 2012

between the Royal Government of Cambodia and the Government of the Federal Republic of Germany concerning Financial Cooperation in 2011 shall be reprogrammed once more and used for the project Rural Infrastructure Programme IV, if on examination it has been found eligible for support. The commitment to grant the amount shall lapse if the relevant financing agreements are not concluded within a period of eight years after the year 2009 in which the commitment was made. For the specified amount the deadline shall be 31 December 2017.

(3) In all other respects the provisions of the Agreement of 9 August 2012 between the Royal Government of Cambodia and the Government of the Federal Republic of Germany concerning Financial Cooperation in 2011 shall apply to the Rural Infrastructure Programme IV.

Article 6

- (1) This Agreement shall enter into force on the date of signature thereof.
- (2) Registration of this Agreement with the Secretariat of the United Nations, in accordance with Article 102 of the United Nations Charter, shall be initiated by the Federal Republic of Germany immediately following its entry into force. The other contracting party shall be informed of registration and of the UN registration number, as soon as this has been confirmed by the Secretariat of the United Nations.

Done at Phnom Penh on ... 23 July 2014 in the Cambodian, German and English languages, all three texts being authentic. In case of divergent interpretations of the Cambodian and German texts, the English text shall prevail.

For the Royal Government
of Cambodia



Keat Chhon

For the Government
of the Federal Republic of Germany

