



Agreement

between

the Royal Government of Cambodia

and

the Government of the Federal Republic of Germany

regarding

Financial Cooperation

in 2015 - 2016

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 2015 intergovernmental negotiations of 2 December 2015 in Berlin,

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 totalling 22,100,000 euros (twenty-two million one hundred thousand euros) for the following projects:

- (a) Rural Infrastructure Programme V (RIPV) up to 9,000,000 euros (nine million euros),
- (b) Rural Infrastructure Programme VI (RIPVI) up to 5,100,000 euros (five million one hundred thousand euros),

- (c) German Contribution to the Health Equity and Quality Improvement Programme (H-EQIP) up to 6,000,000 euros (six million euros),
- (d) Accompanying Measures for the German Contribution to the Health Equity and Quality Improvement Programme (H-EQIP) up to 2,000,000 euros (two 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 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 accompanying 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 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 2022.

(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 6,000,000 euros (six million euros) from the financial contribution envisaged for the project German Support to the Cambodian Health Sector Support Programme in the Agreement of 23 July 2014 between the Royal Government of Cambodia and the Government of the Federal Republic of Germany concerning Financial Cooperation in 2013, as amended by the Arrangements of 24 November 2014 and 25 December 2014, shall be reprogrammed and used additionally for the German Contribution to the Health Equity and Quality Improvement Programme (H-EQIP) specified in Article 1 (1) (c) of this Agreement, if on examination it has been found eligible for support.

(2) For this specified amount, the deadline shall be 31 December 2020.

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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 Charter of the United Nations, shall be initiated by the Government of 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 09 March 2016 in the German, Khmer and English languages, all three texts being authentic. In case of divergent interpretations of the German and Khmer texts, the English text shall prevail.

For the Royal Government of
Cambodia



Keat Chhon
Deputy Prime Minister (Standing)
First Vice Chairman of the
Council for the Development of Cambodia

For the Government of the
Federal Republic of Germany



Joachim Baron Marschall von Bieberstein
Ambassador of the Federal
Republic of Germany in Cambodia