Agreement

between

The Government of the Kingdom of Cambodia

and

The Government of the Federal Republic of Germany

regarding Technical Cooperation

in 2005

The Government of the Kingdom 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 Kingdom of Cambodia,

desiring to strengthen and intensify those friendly relations through Technical 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 intergovernmental negotiations in Phnom Penh dated 18 October 2005,

have agreed as follows:

Article 1

(1) In pursuance of the Agreement of 6 May 1994 between the Government of the Federal Republic of Germany and the Government of the Kingdom of Cambodia regarding Technical Cooperation, the following projects shall be promoted:

1. Support to the Land Management Reform
2. Rural Development Program II - Tonle Sap Region
3. Targeting - Identification of Poor Households
4. Private Sector Development Program - Rural Areas
5. Support to the Health Sector Reform
6. Support to Gender Equity and Women's Rights
7. Study and Expert Fund

if on examination they have been found eligible for promotion.

(2) For the projects specified in paragraph 1 above the Government of the Federal Republic of Germany shall make available at its own expense contributions totalling CUR 14,500,000 (fourteen million five hundred thousand euro) in the form of personnel, inputs and, where appropriate, financial contributions. It shall charge the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) with the implementation of the projects specified in paragraph 1 (I) to (7) above.

(3) The Government of the Kingdom of Cambodia shall guarantee that each project is provided with an itemized budget of As own in order to ensure its smooth implementation and shall ensure that the institutions it will charge with implementation provide the necessary contributions for the projects specified in paragraph 1 above.

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

(5) The commitments for the projects specified in paragraph 1 above and for the Technical Cooperation sum specified in paragraph 2 above shall lapse without replacement if the implementation and financing agreements referred to in Article 2 of the present Agreement are not concluded within a period of eight years after the year in which the commitments were made. For the commitments made this year, without prejudice to the provisions of para graph 4 above, this deadline shall be 31 December 2013. If, in the given period, implementation and, where appropriate, financing agreements are concluded for a part of the commitments only, this cancellation clause shall apply solely to the amounts not covered by those agreements.

Article 2

Details of the projects specified in Article 1 (1) of the present Agreement and of the contributions and obligations shall be laid down in individual implementation agreements and, where appropriate, financing agreements, to be concluded between the implementing institutions charged or to be charged under Article 1 (2) and (3) of the present Agreement with the implementation of the projects. These implementation and financing agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3

(1)The Government of the Kingdom of Cambodia shall exempt the materials, motor vehicles, goods, items of equipment and spare parts supplied for the projects referred to in Article 1 (1) of this Agreement on behalf and at the expense of the Government of the Federal Republic of Germany from licences, customs duties, harbour dues, import and export duties and other public charges as well as storage fees, and shall ensure that these inputs are cleared by customs without delay.

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

Article 4

In all other respects the provisions of the Agreement of 6 May 1994 regarding Technical Cooperation referred to in Article 1 (1) above shall apply to the present Agreement.

Article 5

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

Done at Phnom Penh on 14th June 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 Government
of the Kingdom of Cambodia

For the Government
of the Federal Republic of Germany