

No. 52686*

**Germany
and
Myanmar**

Agreement between the Government of the Federal Republic of Germany and the Government of the Republic of the Union of Myanmar regarding development cooperation. Nay Pyi Taw, 2 April 2015

Entry into force: *2 April 2015 by signature, in accordance with article 11*

Authentic texts: *English, German and Myanmar*

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**Allemagne
et
Myanmar**

Accord entre le Gouvernement de la République fédérale d'Allemagne et le Gouvernement de la République de l'Union du Myanmar relatif à la coopération au développement. Naypyidaw, 2 avril 2015

Entrée en vigueur : *2 avril 2015 par signature, conformément à l'article 11*

Textes authentiques : *anglais, allemand et myanmar*

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Agreement

between

the Government of the Federal Republic of Germany

and

the Government of the Republic of the Union of Myanmar

regarding

Development Cooperation

**The Government of the Federal Republic of Germany
and
the Government of the Republic of the Union of Myanmar,**

hereinafter referred to as the Contracting Parties –

in the spirit of the friendly relations existing between the Government of the Federal Republic of Germany and the Government of the Republic of the Union of Myanmar,

desiring to strengthen and intensify those friendly relations through development cooperation in a spirit of partnership -

have agreed as follows:

**Article 1
Aims of cooperation**

The Contracting Parties shall cooperate with a view to combating poverty and furthering their economic, social and environmentally sound development. They shall jointly endeavour to achieve globally sustainable development reflected equally in economic efficiency, social justice, environmental viability and political stability.

Article 2

Basis for cooperation

(1) This cooperation shall be governed by the principles, procedures and obligations agreed below; these shall be the basis for the agreements reached between the Contracting Parties on specific measures and for the implementation arrangements under private law laying down further details of such measures.

(2) Prior to finalizing any agreements on development measures, the Contracting Parties shall conduct a dialogue in a spirit of partnership on the basis for and current issues regarding cooperation. The aims, focuses, development measures and implementing partners for future cooperation shall be agreed upon in intergovernmental negotiations or other intergovernmental understandings.

Article 3

Definitions

The following definitions shall apply for the purposes of this Agreement:

1. **Offices:** representations established by the implementing organizations to provide support for the implementation and steering of development measures and to represent the organization itself;
2. **Loans:** repayable financing which incurs interest;
3. **Borrower:** the Government entity entitled to a loan granted by the Government of the Federal Republic of Germany or by an implementing organization within the scope of official development cooperation;

4. **Direct contributions:** advice and basic and further training provided through the employment of experts of the Government of the Federal Republic of Germany or of the implementing organizations, contributions and supplies directly provided, commissioned or financed by the Government of the Federal Republic of Germany or an implementing organization, as well as other comparable measures;
5. **Implementing organizations:** agencies and organizations such as those specified in Article 4 (4) charged by the Government of the Federal Republic of Germany with the implementation of development measures;
6. **Implementing partners:** the Government of the Republic of the Union of Myanmar or other institutions jointly selected by the Contracting Parties with which the respective implementing organization concludes the implementation arrangement (for example the recipient of the financial contribution, the borrower, the agency executing the development measure);
7. **Implementation arrangements:** contracts under private law concluded by the implementing organizations with the implementation partners on the basis of agreements pursuant to Article 4 (1) or intergovernmental understandings pursuant to Article 2 (2), which shall be subject to the laws and regulations applicable in the Federal Republic of Germany (in particular financing and loan agreements, implementing arrangements, as well as special arrangements laying down further details of the arrangements mentioned before, and other contractual provisions relating to these arrangements);
8. **Recipient:** the entity entitled to a non-repayable financial contribution (grant) granted by the Government of the Federal Republic of Germany via an implementing organization within the scope of official development cooperation;
9. **Seconded experts:** experts who are seconded by the Government of the Federal Republic of Germany and the implementing organizations or their contractors and who