



Material für die Presse

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**Agreement
between
the Government of the Federal Republic of Germany
and
the Government of the Islamic Republic of Afghanistan
concerning
Bilateral Cooperation**

The Government of the Federal Republic of Germany
and
the Government of the Islamic Republic of Afghanistan
(hereinafter referred to as the Contracting Parties) -

Reaffirming the spirit of the longstanding friendly relations between the Federal Republic of Germany and the Islamic Republic of Afghanistan, based on mutual respect for national sovereignty and territorial integrity, and in agreement with the principles of the Charter of the United Nations,

Mindful of a joint responsibility to preserve peace, to realize the common values of democracy, respect for human rights and the rule of law, recognizing the importance of good governance principles and public administration reform, and transparency, mutual accountability for the cooperation between national and international structures to improve, and for the judicial sector and the implementation of the rule of law to be strengthened, in accordance with the commitments made by the Government of the Islamic Republic of Afghanistan and the International Community within the framework of the conferences in Kabul (June 2010) and London (January 2010),

Recognizing the threats still posed by terrorism and violent extremism in Afghanistan and with the intention that Afghanistan will never again become a safe haven for any terrorist group,



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Committing to create a democratic, politically stable Afghanistan with a growing economy in a stable region, actively promoting respect for human rights, including the rights of women and children, in accordance with the provisions of the constitution of the Islamic Republic of Afghanistan and recognizing the positive role played by civil society and independent media,

Mindful of the historical contribution of both peoples to their shared world cultural heritage and aware that the maintenance and preservation of cultural objects are obligatory tasks,

Aiming to strengthen their relations, including through Afghanistan's long-term negotiations concerning an agreement on the Islamic Republic of Afghanistan's long-term cooperation with the North Atlantic Treaty Organization and on a long-term cooperation with European Union, and in accordance with the goals of the relevant resolutions of the United Nations,

With reference to the decisions made at the International Afghanistan Conference in Bonn held on 5 December 2011 and desiring to enter into a partnership for the benefit of a secure future for the Afghans following the end of the transition phase in 2014, through sustainable economic and social development of both countries and for the good of their people,

Recalling the Treaty of Friendship between Germany and Afghanistan of 3 March 1926,

Reaffirming the Agreement of 31 January 1958 concerning the movement of goods and payments, the Agreement of 31 January 1958 concerning economic and technical cooperation, the Agreement of 18 April 1961 on culture, the Agreement of 19 May 1977 concerning Financial Assistance, the Agreement of 10 December 1977 concerning Financial Assistance, the Agreement of 15 March 2002 concerning the granting of training assistance and equipment aid within the framework of the Stability Pact for Afghanistan, the Agreement of 17 February 2003 concerning the establishment of a medical support component in rebuilding the police force in Afghanistan, the Treaty of 19 and 20 April 2005 concerning the Encouragement and Reciprocal Protection of Investments, the Agreement of 23 October 2006 concerning the project office for rebuilding the police force in Afghanistan within the framework of the Stability Pact for Afghanistan, and the Agreements of 8 February 1973, 10 November 2007, and 14 August 2008 concerning Financial Cooperation,



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And to supplement the envisaged agreement between the European Union and the Islamic Republic of Afghanistan concerning partnership and development,

Have agreed as follows:

Article 1 Political Cooperation

The Contracting Parties shall continue their political dialogue on the basis of the conclusions of the International Afghanistan Conference in Bonn of 5 December 2011. The political dialogue shall particularly focus on the areas of bilateral relations, regional and international issues, good governance, and human rights.

Article 2 Cooperation in the area of security

(1) Cooperation in the military field shall be accomplished through military training and bilateral annual programmes. Both instruments will be renegotiated annually on the basis of available capacity, previous scope of use and their efficiency. Military training aid includes the training of members of the Afghan armed forces in Bundeswehr facilities in the Federal Republic of Germany. Bilateral annual programmes are based on the principle of reciprocity above all and, in addition to official visits by high-ranking representatives, may provide for working and informational visits as well as bilateral technical discussions and discussions among experts. Separate agreements shall regulate the temporary stationing residence of members of the Afghan armed forces in the territory of the Federal Republic of Germany, mutual protection of classified military information, and the status of German military staff in the territory of the Islamic Republic of Afghanistan within the framework of cooperation measures.

(2) The Contracting Parties shall continue cooperation in support of the development of the Afghan National Police on the basis of the existing agreements and available capacity, through training and mentoring as well as project related support.

(3) Germany will make an appropriate contribution to financing Afghanistan's security forces (army and police force), as agreed at the



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International Conference on Afghanistan in Bonn on 5 December 2011.

Article 3

Development cooperation, civil reconstruction, education cooperation

(1) The Agreement of 31 January 1958 concerning economic and technical cooperation, last modified by the Arrangement of 19 October 1978 and the Arrangement of 12 July 2005 concerning the protection of the person and property of the experts and the members of their families belonging to their household seconded to the Islamic Republic of Afghanistan within the scope of German development cooperation shall be replaced as soon as possible by a framework agreement concerning development cooperation.

(2) The main emphasis of development cooperation shall be:

1. Sustainable economic development,
2. Formal basic and vocational education,
3. Energy supply,
4. The water sector, and
5. Good governance.

Supplementary development cooperation measures may be implemented in other areas based on mutual agreements.

(3) The regional and sectoral focus of Afghan-German development cooperation and civil reconstruction shall be subject to agreement in the intergovernmental negotiations on development cooperation.

(4) To complement the long-term development cooperation, the Federal Republic of Germany shall support the Islamic Republic of Afghanistan with targeted civilian measures to promote political stability in the following areas:

1. Higher education,
2. Health, and
3. Judicial system development, and
4. Civil aviation.

(5) In order to be able to respond to the current and future political and developmental challenges, other areas of support may be agreed upon at any time.



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Article 4

Academic and cultural cooperation

(1) On the basis of the existing Agreement of 18 April 1961 on culture, the Contracting Parties shall, within the framework of their budgetary laws, agree on concrete measures for developing, and enhancing mutual relations in the field of cultural policy.

(2) Academic cooperation shall focus on broadly based cooperation in all areas of institutions of higher education, research institutions and academic organizations, organizations and establishments of non-school education and training for adults, libraries, and archives.

(3) The Contracting Parties shall make possible and facilitate the promotion measures of the other Contracting Party in their territories as far as domestic law permits and support local initiatives and institutions in this context to the best of their ability. The Contracting Parties shall, within the framework of the relevant national legislation, facilitate the establishment and/or work in their own territory of the other Contracting Party's institutions in the areas of culture and academia, such as cultural institutes, institutions of higher learning, academic organizations, research institutions, general and vocational schools, institutions for basic and further training for teachers, adult education or vocational education and training, libraries and reading rooms or other institutions completely or predominantly financed through public funds.

(4) The Contracting Parties shall cooperate in the fields of preserving and maintaining the cultural heritage and protected cultural monuments, ensembles, and sites while ensuring the involvement of the relevant authorities according to national law.

(5) The Contracting Parties shall expand cooperation in fighting the illegal trade of cultural objects. They shall make efforts to advance the ratification and implementation of the relevant international agreements.



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Article 5

Economic cooperation

(1) The Contracting Parties shall continue their economic cooperation on the basis of the existing agreements.

(2) The Contracting Parties agree to integrate the instruments used by both sides to promote trade and investment to expand and strengthen their economic cooperation as well as in the area of foreign trade. This includes the following areas in particular:

1. Export financing,
2. Export credit insurance,
3. Investments, strengthening of small and mid-sized enterprises and
4. Trade fair policy and implementation.

(3) Regular, reciprocal visits by business delegations shall contribute to strengthening economic ties between the two countries.

(4) The Contracting Parties affirm their intention to implement and develop the “Joint Declaration of Intent” of 20 June 2011 issued by the Ministry of Mines of the Islamic Republic of Afghanistan and the Federal Ministry for Economic Cooperation and Development of the Federal Republic of Germany in the interest of both countries.

(5) The Government of the Federal Republic of Germany shall continue to advise the Afghan side on matters relating to economics and natural resources within the framework of Afghan-German development cooperation and, if needed, develop its advisory activities further within the scope of other forms of cooperation.

Article 6

Cooperation in the area of civil aviation

(1) The Contracting Parties shall investigate further measures to support Afghanistan’s aviation sector.

(2) To accomplish this, the Contracting Parties will seek to reach agreement on and implementing measures to promote the establishment of a civil aviation sector in Afghanistan. This may include the following areas:



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1. Establishing and extending a civil aviation authority,
2. Establishing an air traffic accident investigation bureau,
3. Basic and further training,
4. Support for developing an ICAO-conform legal framework, and
5. Operating concepts for airports.

Article 7

Afghan-German intergovernmental working group on cooperation

(1) The Contracting Parties shall establish an Afghan-German intergovernmental working group on cooperation. This working group shall be led by the Federal Foreign Office of the Government of the Federal Republic of Germany and by the Ministry of Foreign Affairs of the Government of the Islamic Republic of Afghanistan; it shall implement the regular dialogue as partners resulting from this treaty and agree on goals, priorities, and measures of future cooperation within the scope of this Agreement. The dialogue on Afghan-German development cooperation shall be conducted within the framework of the regular Afghan-German intergovernmental talks on development cooperation.

(2) The intergovernmental working group shall monitor the projects to implement this Agreement. Afghan-German development cooperation measures shall be the subject of the regular intergovernmental talks on development cooperation.

Article 8

Foundations of cooperation

(1) The Contracting Parties shall aim for stable and transparent framework conditions for their cooperation. The Government of the Islamic Republic of Afghanistan shall support measures by the Government of the Federal Republic of Germany resulting from this Agreement and ensure that every form of state support by the Islamic Republic of Afghanistan will be made available in the country. The Contracting Parties shall ensure that all the authorities involved in implementing this Agreement are informed of its content in a timely and comprehensive manner.

(2) Cooperation is possible in areas other than the ones named above. The Contracting Parties shall reach separate agreements concerning this.



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(3) The Contracting Parties shall upon request inform each other without delay through diplomatic channels of the authorities responsible for implementing this Agreement.

Article 9 Final clauses

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

(2) This Agreement shall remain valid for a period of five years after it enters into force. It shall be tacitly extended for successive periods of five years, unless one of the Contracting Parties terminates it by writing to the other Contracting Party through diplomatic channels at least one year prior to the expiry of any such period. The notice period shall begin with the date of receipt by the other Contracting Party.

(3) This Agreement may be amended or supplemented in writing at any time if both parties agree.

(4) The Contracting Parties shall settle disputes or differences of opinion arising from the application or interpretation of this Agreement through consultations by diplomatic channels.

(5) Registration with the Secretariat of the United Nations of this Agreement concerning Bilateral Cooperation, in accordance with Article 102 of the United Nations Charter, shall be initiated by the Federal Republic of Germany without delay following its entry into force. The Contracting Parties 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 Berlin on 16 May 2012 in duplicate, in the German, Pashto, Dari, and English languages, all four texts being authentic. In case of divergent interpretations of the German, Pashto, and Dari texts, the English text shall prevail.

For the Government of the
Federal Republic of Germany

For the Government of the
Islamic Republic of Afghanistan