

No. 14344

**FEDERAL REPUBLIC OF GERMANY
and
TUNISIA**

**Agreement concerning financial co-operation (with annex
and exchange of letters). Signed at Tunis on 27 March
1974**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 7 October 1975.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TUNISIE**

**Accord de coopération financière (avec annexe et échange de
lettres). Signé à Tunis le 27 mars 1974**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 7 octobre 1975.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ CONCERNING FINANCIAL CO-OPERATION BETWEEN
THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY
AND THE GOVERNMENT OF THE REPUBLIC OF TUNISIA

The Government of the Federal Republic of Germany and the Government of the Republic of Tunisia,

Considering the friendly relations existing between the Federal Republic of Germany and the Republic of Tunisia,

Desiring to strengthen and intensify these friendly relations by fruitful co-operation in the field of development assistance,

Being aware that the maintenance and intensification of these relations are the basis for the present Agreement,

Purposing to promote the development of the Tunisian economy,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Tunisia or other Tunisian borrowers, to be selected jointly by the two Governments, to obtain loans not exceeding a total of sixty million Deutsche Mark from the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt-on-Main, for projects under the Tunisian four-year plan, provided that, after being studied, such projects are found to merit support.

Article 2. 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Tunisia or another borrower, to be selected jointly by the two Contracting Parties, to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, a loan not exceeding fifteen million Deutsche Mark to finance the import of goods to supply the current civilian needs of Tunisian industry and of the Tunisian economy and related services, if any. The categories of goods which may be financed from this loan are set forth in a schedule annexed to this Agreement.

2. Payment obligations in respect of the imports referred to in paragraph 1 must arise out of delivery contracts concluded after 1 April 1974.

Article 3. 1. The utilization of the loans referred to in articles 1 and 2, and the conditions on which they are granted, shall be governed by the contracts to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau; the said contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

2. The Government of the Republic of Tunisia, in so far as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments and the resulting transfer in fulfilment of the borrower's liabilities under the loan agreements to be concluded.

Article 4. The Government of the Republic of Tunisia shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Republic of Tunisia at the time of the conclusion or execution of the loan agreements referred to in articles 1 and 2.

¹ Came into force on 27 March 1974 by signature, in accordance with article 8.

Article 5. With respect to such transportation of passengers and goods by sea and air as results from the granting of the loan, the Government of the Republic of Tunisia shall allow passengers and suppliers a free choice of transport enterprises, shall refrain from taking any measures that might exclude or impede the participation of transport enterprises which have their headquarters in the area of application of the German Contracting Party to this Agreement and shall grant the necessary permits, if any.

Article 6. Supplies and services for projects financed from the loans referred to in article 1 shall, unless otherwise stipulated in individual cases, be subject to international public tender.

Article 7. With the exception of those provisions of article 5 which relate to air traffic, this Agreement shall also apply to *Land Berlin*, provided that the Government of the Federal Republic of Germany has not made a contrary declaration to the Government of the Republic of Tunisia within three months of the entry into force of this Agreement.

Article 8. This Agreement shall enter into force on the date of its signature.

DONE at Tunis on 27 March 1974 in four copies, two in German and two in French, all the texts being equally authentic.

For the Government
of the Federal Republic
of Germany:

Dr. HEINZ NAUPERT

Dr. RAINER OPPELT

For the Government
of the Republic of Tunisia:

HAMED AMMAR

ANNEX

TO THE AGREEMENT CONCERNING FINANCIAL CO-OPERATION OF 27 MARCH 1974

- I. Schedule of goods which, in accordance with article 2, paragraph 1, Tunisia may import in an amount not exceeding fifteen million Deutsche Mark:
 1. Industrial raw materials and auxiliary materials, and semi-manufactures;
 2. Industrial equipment;
 3. Commercial vehicles;
 4. Products of the chemical industry;
 5. Agricultural machinery and implements;
 6. Other industrial products of importance for the economic development of Tunisia.
- II. Imports in accordance with the above schedule shall include as many categories of commodities as possible. Imports of goods not included in the schedule may be financed from the loan referred to in article 2, paragraph 1, only with the prior approval of the Government of the Federal Republic of Germany. The import of luxury goods, food-stuffs and goods for purposes other than civilian equipment shall be excluded from assistance under the arrangements for the purchase of goods.

EXCHANGE OF LETTERS

1

THE CHAIRMAN OF THE GERMAN DELEGATION

Tunis, 27 March 1974

Sir,

With reference to the Agreement concerning financial co-operation between the Government of the Federal Republic of Germany and the Government of the Republic of Tunisia, signed this day, I have the honour to inform you of the following:

The Government of the Federal Republic of Germany is particularly desirous that, with regard to deliveries resulting from the granting of the loan, every opportunity should be afforded to the products of the industry of *Land Berlin*.

I should be grateful if you would confirm to me that the Government of the Republic of Tunisia will meet this desire so far as possible.

Accept, Sir, etc.

[Dr. RAINER OPPELT]

Mr. Hamed Ammar
Chairman of the Tunisian Delegation

II

THE CHAIRMAN OF THE TUNISIAN DELEGATION

Tunis, 27 March 1974

Sir,

I have the honour to acknowledge receipt of your letter of today's date, reading as follows:

[*See letter I*]

I have the honour to confirm to you that the Government of the Republic of Tunisia will meet this desire so far as possible.

Accept, Sir, etc.

[HAMED AMMAR]

Dr. Rainer Oppelt
Chairman of the German Delegation
