

No. 14809

**FEDERAL REPUBLIC OF GERMANY
and
TUNISIA**

**Agreement concerning financial co-operation (with annex).
Signed at Bonn on 20 December 1974**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 15 June 1976.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TUNISIE**

**Accord de coopération financière (avec annexe). Signé à
Bonn le 20 décembre 1974**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 15 juin 1976.

[TRANSLATION — TRADUCTION]

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

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 this Agreement,

Intending to promote economic and social development in the Republic of Tunisia,

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 borrowers to be selected jointly by the two Governments, to obtain loans not exceeding a total of DM 65 million (sixty-five 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 Governments to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, a loan not exceeding DM 15 million (fifteen million Deutsche Mark) to finance the import of goods to supply the current essential civilian requirements of Tunisian industry and of the Tunisian economy and related services, if any.

(2) The foregoing shall apply only to goods and services covered by the list annexed to this Agreement which are the subject of delivery contracts concluded after 1 January 1975.

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 legislation 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 in

¹ Came into force on 20 December 1974 by signature, in accordance with article 9.

Deutsche Mark in compliance with the borrower's obligations under the loan contracts to be concluded in accordance with paragraph (1).

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 contracts referred to in article 3, paragraph (1).

Article 5. With respect to such carriage of passengers and goods by sea and air as results from the granting of the loans, 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 having their headquarters in the German area of application of this Agreement and shall grant any permits necessary for the participation of such enterprises.

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

Article 7. The Government of the Federal Republic of Germany is particularly desirous that, for goods supplied as a result of the granting of the loans, preference should be given to the products of the industry of *Land Berlin*.

Article 8. With the exception of the provisions of article 5 concerning air traffic, this Agreement shall also apply to *Land Berlin*, unless the Government of the Federal Republic of Germany declares otherwise to the Government of the Republic of Tunisia within three months of the entry into force of this Agreement.

Article 9. This Agreement shall enter into force on the date of signature.

DONE at Bonn on 20 December 1974, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:
GEHLHOFF

For the Government of the Republic of Tunisia:
ESSAAFI

A N N E X

MENTIONED IN ARTICLE 2 OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF TUNISIA CONCERNING FINANCIAL CO-OPERATION

1. List of goods which, in accordance with article 2 of the Governmental Agreement of 20 December 1975, the Republic of Tunisia may import in an amount not exceeding DM 15 million (fifteen million Deutsche Mark):

- a) industrial raw materials and auxiliary materials, and semi-manufactured;
- b) industrial equipment;
- c) commercial vehicles;

- d)* products of the chemical industry;
- e)* agricultural machinery and implements;
- f)* other industrial products of importance for the economic development of Tunisia.

2. Imports in accordance with the above list shall include as many categories of commodities as possible. Imports of goods not included in the list may be financed only with the prior approval of the Government of the Federal Republic of Germany. The import of luxury goods, consumer goods and all goods intended for military purposes shall be excluded from financing under the assistance for the import of goods.
