

No. 14890

**FEDERAL REPUBLIC OF GERMANY
and
ECUADOR**

Agreement concerning financial assistance (*Guayaquil Thermal Power Station Project*). Signed at Quito on 17 November 1975

Authentic texts: Spanish and German.

Registered by the Federal Republic of Germany on 21 July 1976.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
ÉQUATEUR**

Accord d'aide financière (*Projet de la centrale thermique de Guayaquil*). Signé à Quito le 17 novembre 1975

Textes authentiques : espagnol et allemand.

Enregistré par la République fédérale d'Allemagne le 21 juillet 1976.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF ECUADOR CONCERNING FINANCIAL
ASSISTANCE

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

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

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

Being aware that the maintenance of these relations is the basis for the present Agreement,

Purposing to contribute to economic and social development in the Republic of Ecuador,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Ecuador to obtain a loan not exceeding a total of DM 20 million (twenty million Deutsche Mark) from the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt-on-Main, for the project "Guayaquil thermal power station".

Article 2. The utilization of this loan and the conditions on which it is granted shall be governed by the contracts to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; the said contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of Ecuador shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Republic of Ecuador at the time of the conclusion or execution of the contracts referred to in article 2.

Article 4. The Government of the Republic of Ecuador shall allow passengers and suppliers a free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan; it shall refrain from taking any measures that might exclude or impede the participation on an equal footing, of transport enterprises which have their headquarters within the German area of application of this Agreement and shall issue any permits that may be necessary for the participation of such transport enterprises.

Article 5. Contracts for deliveries and performances relating to projects financed by the loan shall be awarded by international public tender, unless otherwise stipulated in individual cases.

¹ Came into force on 17 November 1975 by signature, in accordance with article 8.

Article 6. The Government of the Federal Republic of Germany is particularly desirous that, for deliveries resulting from the granting of the loan, preference should be given to the products of the industry of *Land Berlin*.

Article 7. With the exception of those provisions of article 4 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 Ecuador within three months from the entry into force of this Agreement.

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

DONE at Quito on 17 November 1975, in duplicate in the Spanish and German languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

ROLF NAGEL
Ambassador

For the Government of the Republic of Ecuador:

[Signed]

CARLOS AGUIRRE ASANZA
Brigadier
Minister for Foreign Affairs
