

No. 14894

**FEDERAL REPUBLIC OF GERMANY
and
PERU**

**Agreement concerning financial assistance (*Zinc refinery in
Cajamarquilla*). Signed at Lima on 21 November 1975**

Authentic texts: German and Spanish.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PÉROU**

**Accord d'aide financière (*Usine de transformation du zinc
à Cajamarquilla*). Signé à Lima le 21 novembre 1975**

Textes authentiques : allemand et espagnol.

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 PERU CONCERNING FINANCIAL ASSISTANCE

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

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

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 Peru,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Peru, or any other borrower to be selected by agreement between the two Governments, to obtain from the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt-on-Main, for the project "Zinc refinery in Cajamarquilla"—provided that, after being studied, it is found to merit support—a further loan not exceeding a total of 80 million Deutsche Mark, in addition to the amount of 15 million Deutsche Mark still available for this project under the Agreement concerning financial assistance of 11 August 1972.

(2) The Government of the Federal Republic of Germany and the Government of the Republic of Peru may decide by agreement to substitute other projects for the project specified in paragraph 1.

Article 2. (1) 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.

(2) The Government of the Republic of Peru shall, if it is not itself the borrower, guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark in fulfilment of the obligations of the borrower under the loan contracts to be concluded in accordance with paragraph 1.

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

Article 4. The Government of the Republic of Peru 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

¹ Came into force on 21 November 1975 by signature, in accordance with article 8.

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.

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 Peru 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 Lima, on 21 November 1975, in duplicate in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

HANS-DIETRICH GENSCHER
Minister for Foreign Affairs

For the Government of the Republic of Peru:

[Signed]

MIGUEL ANGEL DE LA FLOR VALLE
Major-General
Minister for Foreign Affairs
