

No. 16346

**FEDERAL REPUBLIC OF GERMANY
and
JORDAN**

**Agreement concerning financial assistance (with exchange
of notes). Signed at Amman on 25 October 1975**

Authentic texts: German and English.

Registered by the Federal Republic of Germany on 1 February 1978.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
JORDANIE**

**Accord d'aide financière (avec échange de notes). Signé à
Amman le 25 octobre 1975**

Textes authentiques : allemand et anglais.

Enregistré par la République fédérale d'Allemagne le 1^{er} février 1978.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE HASHEMITE KINGDOM OF JORDAN AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY CONCERNING FINANCIAL ASSISTANCE

The Government of the Hashemite Kingdom of Jordan and the Government of the Federal Republic of Germany,

In the spirit of the friendly relations existing between the Hashemite Kingdom of Jordan and the Federal Republic of Germany,

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

Aware that the maintenance of those relations constitutes the basis of the present Agreement,

Intending to promote economic and social development in the Hashemite Kingdom of Jordan and with reference to the Note of 25/10/1975 from the Government of the Federal Republic of Germany and the Note in reply of 25/10/1975 from the Government of the Hashemite Kingdom of Jordan,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Hashemite Kingdom of Jordan or other borrowers to be jointly selected by both Governments to raise with the *Kreditanstalt für Wiederaufbau* (Development Loan Corporation), Frankfurt/Main, for the projects:

- (a) Phosphate warehouses and conveying installations in the port of Aqaba;
- (b) Equipment for port operations at Aqaba (II);
- (c) Two generators for Aqaba;
- (d) Development of railway connexion between El Hasa and Aqaba,

loans up to a total of DM 101,400,000 (one hundred and one million four hundred thousand German Marks) if, after examination, the projects have been found to be eligible for promotion.

(2) The projects referred to in paragraph 1 above may be replaced by other projects if the Contracting Parties so agree.

Article 2. (1) The amount of DM 101,400,000 referred to in article 1 (1) above consists of:

- DM 45,000,000 granted as a further loan for the year 1975,
- DM 400,000 from the loan agreement concluded on 27 May 1973 between the Government of the Hashemite Kingdom of Jordan and the *Kreditanstalt für Wiederaufbau*, Frankfurt/Main, and
- DM 56,000,000 from the loan agreement concluded on 25 October 1974.

The Government of the Hashemite Kingdom of Jordan agrees that the loan agreement of 27 May 1973 concluded with the *Kreditanstalt für Wiederaufbau*, Frankfurt/Main, is amended accordingly and the loan agreement of 25 October 1974 becomes invalid.

¹ Came into force on 25 October 1975 by signature, in accordance with article 9.

(2) Article 1 (1) of the Agreement of 15 October 1974¹ between the Government of the Federal Republic of Germany and the Government of the Hashemite Kingdom of Jordan concerning Financial Assistance as well as the Note Verbale of 29 November 1974 from the Embassy of the Hashemite Kingdom of Jordan in Bonn and the Note in reply of 17 April 1975 from the Government of the Federal Republic of Germany shall be replaced by the present Agreement.

Article 3. (1) The utilization of the loans amounting to DM 101,400,000 pursuant to article 1 (1) as well as the terms and conditions on which they are granted shall be governed by the provisions of the agreements to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau which shall be subject to the legal provisions applicable in the Federal Republic of Germany.

(2) The Government of the Hashemite Kingdom of Jordan to the extent that it is not itself the borrower shall guarantee to the Kreditanstalt für Wiederaufbau all payments in German Marks in fulfilment of the borrowers' liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 4. The Government of the Hashemite Kingdom of Jordan shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in Jordan at the time of the conclusion, or during the execution, of the agreement referred to in article 2 of the present Agreement.

Article 5. The Government of the Hashemite Kingdom of Jordan shall allow passengers and suppliers free choice of transport enterprises for such transportation by sea or air of persons and goods as results from the granting of the loan, abstain from taking any measures that might exclude or impair the participation of transport enterprises having their place of business in the German area of application of the present Agreement, and grant the relevant permits for the participation of such enterprises as required.

Article 6. Supplies and services for projects financed from the loans pursuant to article 1 of the present Agreement shall, unless otherwise provided in individual cases, be subject to international public tender.

Article 7. With regard to the supplies resulting from the granting of the loans, the Government of the Federal Republic of Germany attaches particular importance to preference being given to products of industries of Land Berlin.

Article 8. With the exception of those provisions of article 5 which refer to air transport, this Agreement shall also apply to Land Berlin provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the Hashemite Kingdom of Jordan within three months after the entry into force of the present Agreement.

Article 9. The present Agreement shall enter into force on the date of signature thereof.

¹ United Nations, *Treaty Series*, vol. 983, p. 371.

DONE at Amman on 25th October 1975 in duplicate in the English and German languages, both texts being equally authentic.

For the Government
of the Hashemite Kingdom
of Jordan:

[Signed — Signé]¹

For the Government
of the Federal Republic
of Germany:

[Signed — Signé]²

¹ Signed by Dr. Hanna Odeh—Signé par Hanna Odeh.

² Signed by Peter Dassel—Signé par Peter Dassel.

5. Diese Vereinbarung gilt auch für das Land Berlin, sofern nicht die Regierung der Bundesrepublik Deutschland gegenüber der Regierung des Haschemitischen Königreichs Jordanien innerhalb von drei Monaten nach Inkrafttreten dieser Vereinbarung eine gegenteilige Erklärung abgibt.

Falls sich die Regierung des Haschemitischen Königreichs Jordanien mit den unter den Punkten 1 bis 5 gemachten Vorschlägen einverstanden erklärt, werden diese Note und die das Einverständnis Ihrer Regierung ausdrückende Note Eurer Exzellenz eine Vereinbarung zwischen unseren beiden Regierungen bilden, die mit dem Datum Ihrer Antwortnote in Kraft tritt.

Genehmigen Sie, Exzellenz, die Versicherung meiner ausgezeichnetsten Hochachtung.

Seiner Exzellenz Herrn Dr. Hanna Odeh
Präsident des Nationalen Planungsrates
Amman

[TRANSLATION — TRADUCTION]

Amman, October 25, 1975

Excellency,

[See note II]

Accept, Excellency, etc.

His Excellency Dr. Hanna Odeh
President of the National Planning Council
Amman

II

Amman, October 25, 1975

Excellency,

I have the honour to refer to your note dated 25th October, 1975, which reads as follows:

“I have the honour to refer to the negotiations held on 20 May 1975 in Bonn between our two Governments and to propose on behalf of the Government of the Federal Republic of Germany that the following Arrangement be concluded.

1. (1) The Government of the Federal Republic of Germany and the Government of the Hashemite Kingdom of Jordan agree that a total of DM 101,400,000 (one hundred and one million four hundred thousand German Marks) can be made available as financial assistance to promote the following projects, if, on examination, they have been found eligible for promotion:

- (a) Phosphate warehouses and conveying installations in the port of Aqaba;
 - (b) equipment for port operations at Aqaba (II);
 - (c) two generators for Aqaba;
 - (d) development of the railway El Hasa–Aqaba connection;
- or other projects to be jointly selected.

(2) The Government of the Federal Republic of Germany shall for this purpose provide additional financial assistance at a value of DM 45 million (forty-five million German Marks).

(3) The Government of the Hashemite Kingdom of Jordan agrees that a sum of DM 400,000 (four hundred thousand German Marks) out of the loan agreement concerning DM 4,000,000 (four million German Marks) concluded on 27 May 1973 between it and the Kreditanstalt für Wiederaufbau (Development Loan Corporation) and the total sum of DM 56,000,000 (fifty-six million German Marks) provided under the loan agreement concluded on 25 October 1974 shall be used to finance the projects pursuant to subparagraph (1) (a) to (d) above.

(4) Details shall be settled in an agreement between the two Governments and in the loan agreements between the Government of the Hashemite Kingdom of Jordan and the Kreditanstalt für Wiederaufbau, Frankfurt am Main.

2. The Government of the Federal Republic of Germany proceeds on the understanding that the review of the projects shall take place immediately on submission of the relevant documents.

3. The Government of the Hashemite Kingdom of Jordan shall incorporate in the supply contracts in respect of the projects referred to in paragraph 1 (1) (a) above provisions enabling subsequent consideration to be given to proposals of the Kreditanstalt für Wiederaufbau, Frankfurt am Main, on the technical and economic aspects of the projects.

4. The Government of the Federal Republic of Germany proceeds on the understanding that the Government of the Hashemite Kingdom of Jordan will not submit new requests to the Government of the Federal Republic of Germany concerning the construction of the international airport at Amman-Jiza.

5. This Arrangement shall also apply to Land Berlin, provided that the Government of the Federal Republic of Germany does not make a contrary declaration to the Government of the Hashemite Kingdom of Jordan within three months of the date of entry into force of this Arrangement.

If the Government of the Hashemite Kingdom of Jordan agrees to the proposals contained in paragraphs 1 to 5 above, this Note and Your Excellency's Note in reply thereto expressing your Government's agreement shall constitute an Arrangement between our two Governments, to enter into force on the date of your Note in reply.

Accept, Excellency, the assurances of my highest consideration."

I would like to inform your Excellency that the foregoing is acceptable and correctly represents the intention of the Government of the Hashemite Kingdom of Jordan and that this Note and Your Excellency's Note in reply constitute an Arrangement between our two Governments, to enter into force on 25th October, 1975.

Accept, Excellency, the assurances of my highest consideration.

[Signed — Signé]¹

His Excellency the Chargé d'affaires
of the Federal Republic of Germany
Dr. Peter Dassel
Amman