

No. 16393

**FEDERAL REPUBLIC OF GERMANY
and
ANDEAN DEVELOPMENT CORPORATION**

**Agreement concerning financial assistance. Signed at
Caracas on 17 January 1977**

Authentic texts: German and Spanish.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SOCIÉTÉ ANDINE DE DÉVELOPPEMENT**

Accord d'aide financière. Signé à Caracas le 17 janvier 1977

Textes authentiques : allemand et espagnol.

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

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE ANDEAN DEVELOPMENT
CORPORATION CONCERNING FINANCIAL ASSISTANCE

The Government of the Federal Republic of Germany and the Andean Development Corporation (Corporación Andina de Fomento), with headquarters at Caracas, Republic of Venezuela (hereinafter referred to as “the Corporación”),

Considering the friendly relations existing between the Federal Republic of Germany, on the one hand, and the Corporación Andina de Fomento and its member countries, on the other hand,

Desiring to strengthen and intensify these friendly relations by fruitful cooperation 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 member countries of the Corporación,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Corporación to obtain a loan not exceeding a total of 15 million (fifteen million) Deutsche Mark from the Kreditanstalt für Wiederaufbau (Reconstruction Loan Corporation), Frankfurt/Main, for projects which—in accordance with the statutes of the Corporación—promote subregional integration and the balanced economic development of the less developed member countries.

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 Corporación 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 Corporación shall guarantee the receipt by the Kreditanstalt für Wiederaufbau of all payments due under the contracts referred to in article 2, without any deduction for taxes and other public charges levied in its member countries.

Article 4. At the request of the Kreditanstalt für Wiederaufbau, the Corporación shall transfer to it the guarantees and securities obtained in connexion with the utilization of this loan, on the conditions agreed upon in the contracts to be concluded between the Corporación and the Kreditanstalt für Wiederaufbau in accordance with article 2 of this Agreement.

Article 5. The Corporación shall ensure that passengers and suppliers are allowed a free choice of transport enterprises for such transportation of passengers and goods by sea and by air as results from the granting of the loan and that no meas-

¹ Came into force on 17 January 1977 by signature, in accordance with article 8.

ures are taken 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.

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 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 Corporación Andina de Fomento within three months from the date of entry into force of this Agreement.

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

DONE at Caracas on 17 January 1977 in two original copies, each in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

Dr. RUDOLF SPANG
Ambassador of the Federal Republic of Germany

For the Andean Development Corporation:

[Signed]

Ing. JULIO SANJINÉS GOYTIA
Executive President
