

No. 16808

**FEDERAL REPUBLIC OF GERMANY
and
TUNISIA**

**Agreement concerning financial co-operation. Signed at
Tunis on 16 September 1977**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 30 June 1978.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TUNISIE**

**Accord de coopération financière. Signé à Tunis le 16 sep-
tembre 1977**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 30 juin 1978.

[TRANSLATION — TRADUCTION]

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

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 of these relations is the basis for the present Agreement,

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

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Compagnie tunisienne de Navigation, Tunis, to obtain a financial assistance loan in the amount of DM 32 million (thirty-two million Deutsche Mark) from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for the project "Construction of a car ferry".

(2) The Government of the Federal Republic of Germany has declared that it is prepared in principle, in accordance with the existing domestic guidelines and provided that the other conditions as to coverage are fulfilled, to furnish guarantees for that part of the order which is not covered by financial assistance, in an amount not exceeding DM 48 million (forty-eight million Deutsche Mark), in respect of such export arrangements as are entered into by enterprises having their headquarters within the German area of application of this Agreement for the purpose of the implementation of the project referred to in paragraph 1.

The following articles of this Agreement shall also apply to the loan which is envisaged in addition to financial assistance, in so far as the Kreditanstalt für Wiederaufbau is the lender.

Article 2. (1) The utilization of these loans and the conditions on which they are 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 Tunisia shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark in fulfilment of the borrower's liabilities under the contracts to be concluded in accordance with paragraph 1.

¹ Came into force on 16 September 1977 by signature, in accordance with article 8.

Article 3. 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 contracts referred to in article 2.

Article 4. The Government of the Republic of Tunisia 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 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 loans shall be awarded by public tender exclusively within the German area of application of this Agreement, 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 Tunisia 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 Tunis on 16 September 1977, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. KLAUS TERFLOTH

For the Government of the Republic of Tunisia:

HAMED BEN AMMAR
