

No. 18440

**FEDERAL REPUBLIC OF GERMANY
and
PERU**

**Agreement concerning financial assistance. Signed at Lima
on 15 December 1977**

Authentic texts: German and Spanish.

Registered by the Federal Republic of Germany on 28 March 1980.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PÉROU**

Accord d'aide financière. Signé à Lima le 15 décembre 1977

Textes authentiques : allemand et espagnol.

Enregistré par la République fédérale d'Allemagne le 28 mars 1980.

[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,

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

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

Aware that the maintenance of these relations constitutes the basis for this Agreement,

Intending to promote economic and social development in the Republic of Peru,
Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Peru, or another borrower to be selected jointly by the two Governments, to raise a loan up to a total of DM 100,000,000 (one hundred million Deutsche Mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the “Jequetepeque Irrigation” project.

Article 2. (1) Utilization of this loan as well as the terms and conditions on which it is to be granted shall be governed by the contracts to be concluded between the borrower and the Kreditanstalt für Wiederaufbau; such contracts shall be subject to the legal provisions applicable in the Federal Republic of Germany.

(2) The Government of the Republic of Peru, if it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in Deutsche Mark in discharge of the borrower’s liabilities under the contracts to be concluded pursuant to paragraph 1 of this article.

Article 3. The Government of the Republic of Peru shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal 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 Peru shall allow passengers and suppliers free choice of means of transport for such transportation of persons and goods by sea or air as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation, on an equal footing, of transport enterprises having their principal place of business in the German area of application of this Agreement, and grant the relevant permits that may be necessary for the participation of such enterprises.

Article 5. Supplies and services for projects financed from the loan shall be subject to international public tender, unless otherwise provided in individual cases.

¹ Came into force on 15 December 1977 by signature, in accordance with article 8.

Article 6. The Government of the Federal Republic of Germany attaches particular importance, with regard to supplies resulting from the granting of the loan, to preference being given to products of the industry of *Land Berlin*.

Article 7. With the exception of those provisions of article 4 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 declaration to the contrary to the Government of the Republic of Peru within three months after 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 15 December 1977, in duplicate in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

NORBERT BERGER
Ambassador of the Federal Republic of Germany

For the Government of the Republic of Peru:

JOSÉ DE LA PUENTE RADBILL
Minister for Foreign Affairs
