

No. 18442

**FEDERAL REPUBLIC OF GERMANY
and
MAURITANIA**

**Agreement concerning financial co-operation. Signed at
Nouakchott on 20 January 1978**

Authentic texts: German and French.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MAURITANIE**

**Accord de coopération financière. Signé à Nouakchott le
20 janvier 1978**

Textes authentiques : allemand et français.

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
ISLAMIC REPUBLIC OF MAURITANIA CONCERNING FINAN-
CIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Islamic Republic of Mauritania,

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

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

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

Intending to contribute to economic and social development in the Islamic Republic of Mauritania,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Islamic Republic of Mauritania or another borrower to be chosen jointly by both Governments to raise with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main:

- (a) A loan of up to DM 1,500,000 (one million five hundred thousand Deutsche Mark) to finance primarily the foreign exchange costs of purchasing technical equipment and spare parts for the construction or repair of 18 small dams in Hodh, provided that, upon examination, the project is found to be eligible for support. The said costs must relate to deliveries and services for which the delivery or service contracts are concluded after the entry into force of the loan contract to be concluded in accordance with article 2 of this Agreement;
- (b) A loan of up to DM 4,000,500 (four million five hundred thousand Deutsche Mark) for the project “Boghé Plain I Irrigation Programme”, provided that, upon examination, it is found to be eligible for support.

(2) The project referred to in paragraph 1 above may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Islamic Republic of Mauritania so agree.

Article 2. (1) The utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the provisions of 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 Islamic Republic of Mauritania, in so far as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all

¹ Came into force on 20 January 1978 by signature, in accordance with article 8.

payments in Deutsche Mark to be made in fulfilment of the borrower's liabilities under the contracts to be concluded in accordance with paragraph 1 above.

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

Article 4. The Government of the Islamic Republic of Mauritania shall allow passengers and suppliers free choice of transport enterprises for such transportation of passengers and goods by sea or air as results from the granting of the loans, refrain from taking any measures that might exclude or impede the participation on equal terms of transport enterprises having their place of business in the German area of application of this Agreement, and issue the relevant permits that may be required for the participation of such enterprises.

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

Article 6. With regard to deliveries 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 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 has not made a contrary declaration to the Government of the Islamic Republic of Mauritania within three months from the date of entry into force of this Agreement.

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

DONE at Nouakchott on 20 January 1978, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:
NAGEL

For the Government of the Islamic Republic of Mauritania:
BÂ IBRAHIMA
