

No. 18384

**FEDERAL REPUBLIC OF GERMANY
and
SRI LANKA**

**Agreement regarding technical co-operation. Signed at
Colombo on 18 October 1973**

Authentic texts: German, Sinhalese and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
SRI LANKA**

**Accord de coopération technique. Signé à Colombo le
18 octobre 1973**

Textes authentiques : allemand, cinghalais et anglais.

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

**AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF SRI LANKA REGARDING TECHNICAL CO-
OPERATION**

The Government of the Federal Republic of Germany and the Government of the Republic of Sri Lanka,

On the basis of the friendly relations existing between the two States and their peoples;

Desiring to intensify these relations;

Considering their common interest in promoting the technical, economic and social development of their States, and

Recognizing the benefits to be derived by both States from closer co-operation;

Have agreed as follows:

Article 1. (1) The Contracting Parties shall endeavour to co-operate and assist each other in technical matters.

(2) The Contracting Parties may, on the basis of this Agreement, conclude, as a rule through an exchange of notes in the English language, arrangements regarding individual projects of technical co-operation.

Article 2. (1) The arrangements referred to in article 1 (2) of this Agreement may provide that the Government of the Federal Republic of Germany shall

1. Assist the Government of the Republic of Sri Lanka in the establishment of schools, training workshops, training centres and model establishments in Sri Lanka, dispatch teachers and specialists and provide equipment;
2. Engage consultants to make studies for specific projects;
3. Dispatch experts to Sri Lanka to carry out special tasks and provide them with their professional equipment;
4. Place advisers at the disposal of the Government of the Republic of Sri Lanka;
5. Support the co-operation of the two countries in the field of education and training;
6. Promote the co-operation of scientific institutions in both countries by dispatching or recruiting scientific or technical personnel and by providing articles of equipment.

(2) All personnel sent to Sri Lanka by or by order of the Government of the Federal Republic of Germany under this Agreement will hereinafter be referred to as "specialists".

(3) The Government of the Federal Republic of Germany shall meet the cost of transporting and insuring the equipment it has supplied for the individual projects as far as the project station; this shall not include the cost of storage in Sri Lanka.

Article 3. (1) The Government of the Federal Republic of Germany shall endeavour

¹ Came into force on 18 October 1973 by signature, in accordance with article 11 (1).

1. To promote the advanced training of specialists, high-level personnel, scholars and scientists from Sri Lanka in the Federal Republic of Germany or other countries;
2. To arrange for the training and advanced training of nationals of Sri Lanka in the Federal Republic of Germany or at institutions promoted under German Technical Assistance programmes.

(2) The execution of the measures envisaged in paragraph 1 above, especially with regard to the acceptance of applicants for training under promotion programmes, shall be subject to separate arrangements.

(3) The Government of the Republic of Sri Lanka shall afford to nationals of Sri Lanka trained in the Federal Republic of Germany opportunities with regard to careers, appointments and advancements that are available to those with comparable educational qualifications.

Article 4. The Government of the Republic of Sri Lanka shall

1. Provide for the projects in Sri Lanka the necessary land and buildings, including such equipment for the buildings as is not supplied by the Government of the Federal Republic of Germany;
2. Exempt the Federal Republic of Germany from harbour dues, import and export duties, storage and other public charges regarding the articles supplied by the Government of the Federal Republic of Germany for the projects;
3. Bear the cost of operating and maintaining the projects;
4. Provide at its expense the necessary local counterpart personnel;
5. Ensure that, after a reasonable period of time, the specialists are replaced by qualified specialists of Sri Lanka. As far as the latter are to receive training in the Federal Republic of Germany or another country, it shall in good time and with the assistance of the appropriate German mission or of experts designated by that mission nominate a sufficient number of candidates for such training;
6. Ensure that all authorities and organizations concerned with the implementation of this Agreement are in good time fully informed about the contents of this Agreement.

Article 5. The Government of the Republic of Sri Lanka shall

1. Permit specialists, their families and other members of their household to enter or leave the country free of charge at any time, and grant free of charge work and residence permits as required;
2. Levy no taxes or other fiscal charges on any emoluments and remunerations paid from German budget sources to the specialists;
3. Permit the specialists, their families and other members of their household for the duration of their stay to import articles on the same basis as applicable to UN experts. Motor vehicles and durable household goods so imported should not be sold except with the permission of the Government of the Republic of Sri Lanka;
4. Issue to the specialist an identification document in which is stated the name of the holder, the post he holds and the name of the sending Agency or Organization.

Article 6. (1) The Government of the Federal Republic of Germany shall ensure that the service or work contracts concluded with the specialists contain obligations pledging them

1. To do their best, within the framework of the arrangements concluded in connection with their work, to help achieve the purposes set forth in Article 55 of the UN Charter;
2. Not to interfere in the internal affairs of the Republic of Sri Lanka;
3. To respect the laws and customs of the Republic of Sri Lanka;
4. Not to engage in any gainful occupation other than that to which they have been assigned; and
5. To co-operate in a spirit of mutual confidence with the official agencies in the Republic of Sri Lanka.

(2) If the Government of the Republic of Sri Lanka wishes a specialist to be recalled in the interest of co-operation on a basis of partnership, it shall in good time contact the appropriate German mission and explain the reasons for its request. Similarly, when intending to recall a specialist of its own accord, the Government of the Federal Republic of Germany shall contact the Government of the Republic of Sri Lanka at the earliest possible date. In both cases the Governments shall co-operate in a spirit of mutual confidence, in order to overcome, in the interests of all concerned, any difficulties that may arise over the recall of a specialist. The Government of the Federal Republic of Germany shall replace a recalled specialist as soon as possible.

Article 7. The Government of the Republic of Sri Lanka shall:

1. Take all necessary steps with a view to ensuring that the specialists and their families receive full protection for their person and their property; the same shall apply to all persons forming part of their household except if they are nationals of the Republic of Sri Lanka;
2. Afford persons referred to under paragraph 1 above any assistance they may require for their repatriation in times of international crisis;
3. Grant, in case of arrest of a specialist, or a member of his family or of a person forming part of his household except if they are nationals of the Republic of Sri Lanka, the German diplomatic mission the right to speak with the arrested person at any time, to take care of its personal well-being and to obtain, from the competent authorities, information about the charges raised against the arrested person and on the present state and further course of the procedure.

Article 8. The Government of the Republic of Sri Lanka shall assume civil liability for acts of the specialists directly arising out of the execution of their duties under this Agreement other than such acts as are criminal or fraudulent.

Article 9. The provisions of this Agreement shall also apply to the specialists, who, on the entry into force of this Agreement, are already active in Sri Lanka within the framework of technical co-operation between the Government of the Federal Republic of Germany and the Government of the Republic of Sri Lanka.

The same shall apply to the other persons, mentioned in article 7, paragraph 1.

Article 10. 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 Republic of Sri Lanka within three months of the entry into force of this Agreement.

Article 11. (1) This Agreement shall enter into force on the date of signature thereof and shall be valid for a period of five years.

(2) This Agreement shall be tacitly extended for successive periods of one year, unless it is terminated in writing by either Contracting Party three months prior to the expiry of any such period.

(3) Any projects of technical co-operation started prior to the expiry of this Agreement shall remain subject to its provisions after expiry until their completion.

DONE at Colombo on 18 October 1973 in six originals, two each in the German, Sinhala and English languages, all six texts being equally authentic. In case of differences, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed — Signé]¹

For the Government
of the Republic of Sri Lanka:

[Signed — Signé]²

¹ Signed by G. Feilner — Signé par G. Feilner.

² Signed by H. A. de S. Gunasekera — Signé par H. A. de S. Gunasekera.