

**No. 18439**

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**FEDERAL REPUBLIC OF GERMANY  
and  
PERU**

**Agreement concerning financial co-operation. Signed at  
Lima on 25 November 1977**

*Authentic texts: German and Spanish.*

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

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
PÉROU**

**Accord de coopération financière. Signé à Lima le  
25 novembre 1977**

*Textes authentiques : allemand et espagnol.*

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

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL  
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE  
REPUBLIC OF PERU CONCERNING FINANCIAL CO-  
OPERATION

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.* (1) The Government of the Federal Republic of Germany shall enable Servicios Industriales de la Marina (SIMA), Callao, to raise a loan of up to DM 22,200,000 (twenty-two million two hundred thousand Deutsche Mark) from the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the co-financing of the foreign exchange costs of the "Floating dock for merchant ships" project.

(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 the part of the value of the orders that is not covered by financial assistance up to a total of DM 13,800,000 (thirteen million eight hundred thousand Deutsche Mark), in respect of such export arrangements as are entered into by enterprises having their main place of business in the German area to which this Agreement applies, for the purpose of implementing the project referred to in paragraph 1. The following articles of this Agreement shall also apply to the loan granted in addition to financial assistance, in so far as Kreditanstalt für Wiederaufbau is the lender.

*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 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.

<sup>1</sup> Came into force on 25 November 1977 by signature, in accordance with article 8.

*Article 3.* The Government of the Republic of Peru shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of Peru at the time of the conclusion or execution of the contracts to be concluded in accordance with article 2.

*Article 4.* The Government of the Republic of Peru shall allow passengers and suppliers free choice 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 equal footing, of transport enterprises with 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 public tender in the German area to which this Agreement applies, unless otherwise provided in individual cases.

*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 25 November 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 of Peru

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