

No. 18520

**FEDERAL REPUBLIC OF GERMANY
and
TUNISIA**

**Agreement concerning financial co-operation. Signed at
Tunis on 5 December 1978**

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 14 April 1980.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TUNISIE**

**Accord de coopération financière. Signé à Tunis le 5 dé-
cembre 1978**

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 14 avril 1980.

[TRANSLATION — TRADUCTION]

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

The Government of the Federal Republic of Germany and the Government of the Republic of Tunisia,

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

Desiring to consolidate and strengthen these friendly relations through financial co-operation as partners,

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

Intending 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 Government of the Republic of Tunisia or other borrowers to be chosen jointly by both Governments to raise loans up to a total of DM 150 million (one hundred and fifty million deutsche mark) from the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the following projects, provided that upon examination, they are found to be eligible for support:

- (a) For the "Bou Heurtma, Phase II" project, up to DM 78.5 million (seventy-eight million five hundred thousand deutsche mark);
- (b) For the "Drinking Water Supply for the Rural Population in South Tunisia" project, up to DM 70 million (seventy million deutsche mark);
- (c) For the "Jendouba Centre for Training and Further Education" project, up to DM 1 million (one million deutsche mark);
- (d) For irrigation studies in the Tabarka and Siliana areas, up to DM 0.5 (five hundred thousand deutsche mark).

(2) The projects 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 Republic of Tunisia so agree.

Article 2. (1) The utilization of the loans and the terms and conditions on which they will be granted shall be determined by the contracts to be concluded between the borrowers 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 Tunisia, in so far as it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in deutsche mark to be made in fulfilment of the borrowers' liabilities under the contracts to be concluded in accordance with paragraph 1 above.

¹ Came into force on 5 December 1978 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 public charges levied in the Republic of Tunisia 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 Republic of Tunisia 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 of transport enterprises having their place of business in the German area of application of the present 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 and services resulting from the granting of the loans, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic opportunities provided by *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 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 5 December 1978, in duplicate in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic
of Germany:

KLAUS TERFLOTH

For the Government of the Republic of Tunisia:

I. KHELIL
