

No. 18515

**FEDERAL REPUBLIC OF GERMANY
and
PERU**

**Agreement concerning financial co-operation (with annex).
Signed at Lima on 29 November 1978**

Authentic texts: German and Spanish.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PÉROU**

**Accord de coopération financière (avec annexe). Signé à
Lima le 29 novembre 1978**

Textes authentiques : allemand et espagnol.

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 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 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 15 million (15 million deutsche mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, to defray the foreign-exchange costs of importing goods and services to meet current civilian requirements. These supplies and services shall be limited to those specified in the annex to this Agreement for which supply or service contracts have been entered into after the entry into force of the loan agreement to be concluded pursuant to article 2.

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 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 the Republic of Peru at the time of the conclusion or execution of the contracts referred to in article 2.

Article 4. The Government of the Republic 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

¹ Came into force on 29 November 1978 by signature, in accordance with article 7.

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. The Government of the Federal Republic of Germany attaches particular importance, with regard to supplies and services resulting from the granting of the loan, to preference being given to the commercial opportunities provided by *Land Berlin*.

Article 6. 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 7. This Agreement shall enter into force on the date of its signature.

DONE at Lima on 29 November 1978 in duplicate, in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HANS-WERNER LOECK
[Ambassador of the Republic Federal of Germany]¹

ANTON ZAHN
[Chief of the Latin American Bureau of the Federal
Ministry for Economic Co-operation]¹

For the Government of the Republic of Peru:

[Ambassador]¹ JOSÉ DE LA PUENTE RADBILL
[Minister of Foreign Affairs]¹

ANNEX

List of goods and services which, pursuant to article 1 of the Intergovernmental Agreement of 29 November 1978 concerning financial co-operation, may be financed from the loan up to a total of DM 15 million (fifteen million deutsche mark):

- (a) Industrial raw materials and supplies, and semi-manufacturers;
- (b) Industrial equipment, agricultural machinery and implements;
- (c) Spare parts and accessories of all kinds;
- (d) Chemical products, in particular fertilizers, plant health requisites and pesticides, medications;
- (e) Other industrial products of importance for the development of the Republic of Peru;
- (f) Advisory services and licence fees;

¹ The text between brackets appears only in the Spanish authentic text.

(g) Transport, insurance and assembly costs (even in national currency) relating to the financed importation of goods.

Imports not covered by this list may be financed only with the prior approval of the Government of the Federal Republic of Germany.

The importation of consumer goods, especially of luxury items, for private use and of goods and installation serving military purposes are excluded from financing under the loan.
