

No. 18517

**FEDERAL REPUBLIC OF GERMANY
and
PERU**

**Agreement concerning financial co-operation—*Loan of
DM 15 million. Signed at Lima on 9 April 1979***

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 — *Prêt de DM 15 mil-
lions. Signé à Lima le 9 avril 1979***

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 as partners in financial co-operation,

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 to raise a loan up to a total of DM 15 million (fifteen million deutsche mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the “Tinajones IV (Chotano Tunnel)” project.

(2) In addition, the Government of the Federal Republic of Germany shall enable the Government of the Republic of Peru to apply the unused balance amounting to DM 8,487,000 (eight million four hundred eighty-seven thousand deutsche mark) from the total of DM 20 million, granted pursuant to the Agreement of 18 May 1968 for the “Tinajones II (Conchano Interbasin Transfer Canal)” project, to the project referred to in paragraph 1, thereby making a total credit of DM 23,487,000 available for the “Tinajones IV” project.

Article 2. 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.

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 transport enterprises having their principal place of business in the German area of

¹ Came into force on 9 April 1979 by signature, in accordance with article 8.

application of this Agreement, and shall grant the necessary permits, if any, for the participation of such enterprises.

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

Article 6. 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 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 9 April 1979 in duplicate, in the German and Spanish languages, both texts being equally authentic.

For the Federal Republic of Germany:

Dr. PETER HERMES
[Secretary of State]¹
[Minister for Foreign Affairs]¹

For the Government of the Republic of Peru:
[Ambassador]¹ CARLOS GARCÍA-BEDOYA ZAPATA
[Minister for Foreign Affairs]¹

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