

No. 18511

FEDERAL REPUBLIC OF GERMANY
and
MOROCCO

**Agreement concerning financial co-operation. Signed at
Rabat on 9 November 1978**

Authentic texts: German and Arabic.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MAROC

**Accord de coopération financière. Signé à Rabat le
9 novembre 1978**

Textes authentiques : allemand et arabe.

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
KINGDOM OF MOROCCO CONCERNING FINANCIAL CO-
OPERATION

The Government of the Federal Republic of Germany and the Government of the Kingdom of Morocco,

Desiring to strengthen and enhance the friendly relations between the two States by fruitful co-operation in the field of development assistance,

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

Intending to promote the economic and social development of the Kingdom of Morocco,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Morocco, or other borrowers to be jointly selected by the two Governments, to raise a loan up to a total of DM 65 million (sixty-five million deutsche mark) with the Kreditanstalt für Wiederaufbau, Frankfurt-on-Main, for the project "Infrastructural Measures for the Nador Iron and Steel Works", provided that, on examination, it is deemed worthwhile.

(2) The project referred to in paragraph 1 may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Kingdom of Morocco so agree.

Article 2. (1) Utilization of this loan as well as the terms and conditions on which it is 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 Kingdom of Morocco, if 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.

Article 3. The Government of the Kingdom of Morocco shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Kingdom of Morocco at the time of the conclusion or execution of the contracts referred to in article 2.

Article 4. The Government of the Kingdom of Morocco shall allow passengers and suppliers free choice of transport enterprises for such transportation of passengers and goods by sea and air as results from the granting of the loan, refrain from taking any measures that might exclude or impede the equal participation of transport enterprises having their principal place of business in the German area of

¹ Came into force on 9 November 1978 by signature, in accordance with article 8.

application of this Agreement, and grant the relevant permits that may be necessary for the participation of such transport enterprises.

Article 5. Supplies and services for projects financed from the loan 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 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 traffic, 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 Kingdom of Morocco within three months after 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 Rabat on 9 November 1978, in duplicate in the German and the Arabic languages, both texts being equally authentic.

For the Government of the Federal Republic
of Germany :

Dr. WALTER JESSER

For the Government of the Kingdom of Morocco:

Dr. ZINE EL ABIDINE EL ALAOUI
