

**No. 20775**

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**FRANCE  
and  
GERMAN DEMOCRATIC REPUBLIC**

**Agreement on the development of co-operation between  
enterprises of the two States in third-country markets.  
Signed at Paris on 6 January 1981**

*Authentic texts: French and German.*

*Registered by France on 25 February 1982.*

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**FRANCE  
et  
RÉPUBLIQUE DÉMOCRATIQUE ALLEMANDE**

**Accord sur le développement de la coopération entre les  
entreprises des deux Etats sur les marchés tiers. Signé à  
Paris le 6 janvier 1981**

*Textes authentiques : français et allemand.*

*Enregistré par la France le 25 février 1982.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE FRENCH REPUBLIC AND THE GERMAN DEMOCRATIC REPUBLIC ON THE DEVELOPMENT OF CO-OPERATION BETWEEN ENTERPRISES OF THE TWO STATES IN THIRD-COUNTRY MARKETS

The Government of the French Republic and the Government of the German Democratic Republic, hereinafter referred to as "the Parties",

Considering the importance of economic, industrial and technical co-operation for the development of relations between the two States,

Bearing in mind the experience acquired and progress made in the development of economic co-operation on a stable and long-term basis, with respect for mutual interest,

Desiring to broaden this co-operation by making use of the industrial and technical potential of the two States,

Considering that the development of this co-operation is in keeping with the provisions of the Final Act of the Conference on Security and Co-operation in Europe,<sup>2</sup> and in particular with those provisions which are concerned with economic co-operation,

Referring to the Agreement between the Government of the French Republic and the Government of the German Democratic Republic on economic, industrial and technical co-operation of 24 April 1980,<sup>3</sup> in particular its article I, and to the Programme on the Development of Economic, Industrial and Technical Relations between the French Republic and the German Democratic Republic for the period from 1980 to 1985, of 1 February 1980, in particular its article 4,

Have agreed as follows:

*Article I.* The Parties recognize that co-operation between the enterprises of the two States in third-country markets offers mutually advantageous possibilities for ensuring and developing their economic, industrial and technical co-operation on a long-term basis. They encourage initiatives of enterprises of the two States to this end, provided that such initiatives are in keeping with the will of the Government and the applicable regulations of each third country. They shall facilitate the implementation of their joint projects within the framework of their respective regulations.

*Article II.* Within the framework of the legislative and regulatory provisions of the two States, enterprises shall assess the expediency of their co-operation in third-country markets and agree on the forms and methods of such co-operation.

<sup>1</sup> Came into force on 6 January 1981 by signature, in accordance with article X.

<sup>2</sup> *International Legal Materials*, vol. 14, 1975, p. 1292.

<sup>3</sup> United Nations, *Treaty Series*, vol. 1215, p. 29.

*Article III.* The co-operation of enterprises of the two States in third-country markets may include the following forms and methods:

- Identification and study of projects which may be carried out jointly, including common use of consultants;
- Reciprocal provision of information regarding requests and invitations to tender originating in third countries;
- Formulation and submission of joint tenders;
- Drafting and conclusion of contracts;
- Co-ordination and execution of deliveries and services under the contracts concluded:
  - Studies;
  - Exploration;
  - Delivery of industrial installations, equipment and machines;
  - Assembly and construction work;
  - Technical assistance, in particular the sending of specialists and the training of personnel;
  - Joint opening of installations.

*Article IV.* Taking into account the industrial capabilities of the two States, the co-operation of enterprises in third-country markets shall be promoted, in particular, in the following areas:

- The chemical industry;
- The iron and steel industry, in particular heavy metallurgy;
- The mining industries (in particular, open-cast mining installations);
- The building and building-materials industries;
- Electronics and electrical engineering;
- Transportation materials;
- Engineering industries (in particular, machine tools);
- Agriculture and the agro-food industries;
- The textile industry;
- School and hospital equipment.

*Article V.* In the implementation of their joint projects in third-country markets, the enterprises of the French Republic and of the German Democratic Republic shall determine the appropriate forms of partnerships, in particular the formation of consortia and mixed companies and the arrangement of sub-contracting agreements.

The enterprises of the two States may develop co-operation programmes in third-country markets.

*Article VI.* Bearing in mind the importance of questions of financing, the two Parties shall endeavour, within the framework of their respective regulations, to ensure that credits are granted on the most favourable terms possible in order to encourage the execution of projects of common interest with third countries.

Where necessary, the two Parties shall hold consultations for that purpose.

*Article VII.* In effecting the preparation and execution of their joint projects in third-country markets, the enterprises of the two States may also benefit from the provisions of articles VII and VIII of the Agreement between the Government of the French Republic and the Government of the German Democratic Republic on economic, industrial and technical co-operation of 24 April 1980.

*Article VIII.* The Mixed Commission established by the Agreement between the Government of the French Republic and the Government of the German Democratic Republic on economic, industrial and technical co-operation of 24 April 1980 shall be responsible for the implementation of this Agreement.

To this end, the two Parties shall inform each other on a regular basis of the projects and sectors which offer their enterprises the best prospects for co-operation.

*Article IX.* This Agreement shall not affect the obligations of the two Parties which arise from other international agreements to which they are parties on the day this Agreement enters into force.

*Article X.* This Agreement is concluded for a period of five years. It shall enter into force on the date of its signature.

It shall be extended automatically from year to year unless it is denounced by one of the Contracting Parties, with six months' notice.

The expiry of this Agreement shall not affect the implementation of projects under negotiation, or the execution of contracts already concluded, or the guarantee of rights acquired by virtue of this Agreement.

INITIALED AND DONE at Berlin, on 20 November 1980, in duplicate, in the French and German languages, both texts being equally authentic.

SIGNED at Paris on 6 January 1981.

For the Government  
of the French Republic:

[Signed]

M. COINTAT  
Minister for Foreign Trade

For the Government  
of the German Democratic Republic:

[Signed]

BEIL