

No. 22650

**FEDERAL REPUBLIC OF GERMANY
and
PERU**

**Agreement concerning financial co-operation. Signed at
Lima on 23 December 1982**

Authentic texts: German and Spanish.

Registered by the Federal Republic of Germany on 29 December 1983.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
PÉROU**

Accord de coopération financière. Signé à Lima le 23 décembre 1982

Textes authentiques : allemand et espagnol.

Enregistré par la République fédérale d'Allemagne le 29 décembre 1983.

[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 through financial co-operation between the two countries,

Aware that the maintenance of these relations constitutes the basis of this Agreement,

Intending to contribute to social and economic 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 obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, for the project “Basic health care in Cuzco/Apurimac”, provided that, after examination, the project qualifies for promotion, a loan of up to DM 7,000,000 (seven million Deutsche Mark).

(2) The amount of DM 7,000,000 shall include a provision of two million five hundred thousand Deutsche Mark which was made in the Agreement of 29 March 1982² for the project “Aid in goods for renovating five rural hospitals”, but which by agreement between the Government of the Federal Republic of Germany and the Government of the Republic of Peru shall be used for the project “Basic health care in Cuzco/Apurimac”. The amount of five million five hundred thousand Deutsche Mark specified in the Agreement of 29 March 1982 shall be reduced accordingly to three million Deutsche Mark.

(3) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Republic of Peru to obtain from the Kreditanstalt für Wiederaufbau, Frankfurt am Main, loans or financial contributions for preparing the project referred to in paragraph 1 or financial contributions for collateral measures required for the implementation and maintenance of the said project.

(4) 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 Republic of Peru so agree. Financial contributions granted for collateral measures in accordance with paragraph 3 shall be converted into loans if they are not used for such measures.

¹ Came into force on 23 December 1982 by signature, in accordance with article 8.

² United Nations, *Treaty Series*, vol. 1325, p. 215.

Article 2. Utilization of the amount specified in article 1 as well as the terms and conditions on which it is made available shall be governed by the contracts to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the loan; these contracts shall be subject to the laws and regulations 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 in connection with the conclusion and 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 transport enterprises for such transport by sea and air of passengers and goods 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 application of this Agreement, and grant any necessary permits for the participation of such enterprises.

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

Article 6. With regard to supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic potential of *Land Berlin*.

Article 7. With the exception of those provisions of article 4 which refer to air transport, this Agreement shall apply also 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 the three months following 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 Lima on 23 December 1982, in two originals, in the German and Spanish languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. HANS-JOACHIM HILLE

Ambassador of the Federal Republic of Germany

For the Government of the Republic of Peru:

JAVIER ARIAS STELLA

Minister for Foreign Affairs of Peru