

No. 21730

**FEDERAL REPUBLIC OF GERMANY
and
TUNISIA**

Agreement concerning financial co-operation – *Various projects (89.8 million DM)*. Signed at Tunis on 13 December 1980

Authentic texts: German and French.

Registered by the Federal Republic of Germany on 17 March 1983.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TUNISIE**

Accord de coopération financière – *Projets divers (89,8 millions de DM)*. Signé à Tunis le 13 décembre 1980

Textes authentiques : allemand et français.

Enregistré par la République fédérale d'Allemagne le 17 mars 1983.

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE RE-
PUBLIC OF TUNISIA CONCERNING FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Republic of Tunisia,

In the spirit of the friendly relations existing between the Federal Republic of Germany and the Republic of Tunisia,

Desiring to strengthen and enhance these friendly relations through financial co-operation as partners,

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 Tunisia,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Tunisia or other borrowers to be selected jointly by the two Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the following projects, provided that after examination they qualify for promotion, loans up to a total of DM 89,800,800 (eighty-nine million eight hundred thousand deutsche mark), of which DM 4,800,000 (four million eight hundred thousand deutsche mark), shall come from funds to be rescheduled from previous grants. From the total made available, loans may be contracted for the following projects:

- (a) "Potable water supply for rural settlements with less than 500 inhabitants", up to an amount of DM 25,000,000 (twenty-five million deutsche mark);
- (b) "Promotion of small- and medium-scale industries", up to an amount of DM 18,300,000 (eighteen million three hundred thousand deutsche mark);
- (c) "Promotion of the fisheries sector in Tunisia", up to an amount of DM 35,000,000 (thirty-five million deutsche mark);
- (d) "Rural development project of Mahdia Governorate", up to an amount of DM 8,000,000 (eight million deutsche mark);
- (e) "Diversion of the waters of Oued Ousafa to Lakhmès dam", up to the amount of DM 3,500,000 (three million five hundred thousand deutsche mark).

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

Article 2. (1) Utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the contracts to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

¹ Came into force on 13 December 1980 by signature, in accordance with article 8.

(2) The Government of the Republic of Tunisia, to the extent that it is not itself a borrower, shall stand surety *vis-à-vis* the Kreditanstalt für Wiederaufbau for all deutsche mark payments to be made in discharge of the borrowers' liabilities under the contracts to be concluded pursuant to article 1 above.

Article 3. The Government of the Republic of Tunisia shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Republic of Tunisia in connection with the conclusion and execution of the contracts referred to in article 2 of this Agreement.

Article 4. The Government of the Republic of Tunisia shall allow passengers and suppliers free choice of transport enterprises for such transport by sea, land and air of passengers and goods as results from the granting of the loans, refrain from taking any measures that might exclude or impede the participation 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 the projects referred to in article 1, paragraph 1, subparagraphs (a), (c), (d) and (e), of this Agreement 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 loans, 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 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 Tunisia 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 Tunis on 13 December 1980, in two originals, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

[Signed]

KAHLE

For the Government of the Republic of Tunisia:

[Signed]

M. AHMED BEN ARFA