

No. 21729

FEDERAL REPUBLIC OF GERMANY
and
TUNISIA

Agreement concerning financial co-operation — *Tunis metropolitan railway*. 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 — *Chemin de fer métropolitain de Tunis*. 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
REPUBLIC 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 those 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. The Government of the Federal Republic of Germany shall enable the Government of the Republic of Tunisia or another borrower to be designated jointly by the two governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, for the project “Tunis metropolitan railway” a loan of up to DM 90 million (ninety million deutsche mark).

Article 2. (1) The 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 borrowers and the Kreditanstalt für Wiederaufbau, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Republic of Tunisia, in so far as 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 obligations incumbent on the borrower under the contracts to be concluded as provided for in 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 implementation of the contracts to be concluded pursuant to article 2 of the present 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 persons and goods as results from the granting of the financial contribution, 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.

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

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 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 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 Tunis on 13 December 1980 in duplicate, in the German and French languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

KAHLE

For the Government of the Republic of Tunisia:

M. AHMED BEN ARFA
