

No. 21663

FEDERAL REPUBLIC OF GERMANY
and
EGYPT

Agreement on financial co-operation—*Locomotives and railway equipment programmes.* Signed at Cairo on 28 April 1980

Authentic texts: German, Arabic and English.

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

RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
ÉGYPTE

Accord de coopération financière. — *Programme d'achat de locomotives et de matériel ferroviaire.* Signé au Caire le 28 avril 1980

Textes authentiques : allemand, arabe et anglais.

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

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT ON FINANCIAL CO-OPERATION

The Government of the Federal Republic of Germany and the Government of the Arab Republic of Egypt,

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

Desiring to strengthen and intensify those friendly relations through fruitful financial co-operation in a spirit of partnership,

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

Intending to contribute to economic and social development in the Arab Republic of Egypt,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Arab Republic of Egypt or other borrowers to be determined jointly by the two Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, loans up to a total of DM 60 million (sixty million deutsche mark) for the programmes

(a) Locomotives

(b) Brickworks equipment, equipment for the Egyptian Railways

and to meet the accompanying costs of transport, insurance, assembly and consultancy if, after examination, the programmes have been found eligible for promotion.

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

(3) The disbursement of the loans shall be subject to fulfilment on time of the payment liabilities assumed under the Agreed Protocol of 8 February 1973 between the Government of the Federal Republic of Germany and the Government of the Arab Republic of Egypt.²

Article 2. (1) The utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the provisions of the agreements 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 Arab Republic of Egypt, to the extent that it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all

¹ Came into force retroactively on 28 April 1980, the date of signature, after the Government of the Arab Republic of Egypt had notified the Government of the Federal Republic of Germany (on 30 July 1980) that the national requirements had been fulfilled, in accordance with article 8.

² United Nations, *Treaty Series*, vol. 1157, p. 211.

payments in deutsche mark to be made in fulfilment of the borrowers' liabilities under the agreements to be concluded pursuant to paragraph 1 above.

Article 3. The Government of the Arab Republic of Egypt shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other public charges levied in the Arab Republic of Egypt in connection with the conclusion and implementation of the agreements to be concluded pursuant to article 2 of the present Agreement.

Article 4. The Government of the Arab Republic of Egypt shall allow passengers and suppliers free choice of transport enterprises for such transportation by land, sea or air of persons and goods as results from the granting of the loans, abstain from taking any measures that might exclude or impair the participation on equal terms of transport enterprises having their 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 financed from the loans shall, unless otherwise provided for in individual cases,

- In the case of programmes pursuant to article 1 (1) (a) of this Agreement, be subject to public tender in the German area of application of this Agreement, and
- In the case of programmes pursuant to article 1 (1) (b) of this Agreement, 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 preferential use being made of 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 contrary declaration to the Government of the Arab Republic of Egypt within three months of the date of entry into force of this Agreement.

Article 8. This Agreement shall enter into force retroactively on the date of signature as soon as the Government of the Arab Republic of Egypt notifies the Government of the Federal Republic of Germany that the national requirements for such entry into force have been fulfilled by the Arab Republic of Egypt.

DONE at Cairo on April 28th, 1980 in duplicate in the German, Arabic and English languages, all three texts being authentic. In case of divergent interpretations of the German and Arabic texts, the English text shall prevail.

For the Government
of the Federal Republic of Germany:

[Signed — Signé]¹

[Signed — Signé]²

For the Government
of the Arab Republic of Egypt:

[Signed — Signé]³

¹ Signed by Hille — Signé par Hille.

² Signed by Moltrecht — Signé par Moltrecht.

³ Signed by Abdel Aziz Zahwy — Signé par Abdel Aziz Zahwy.