

No. 21996

---

**FEDERAL REPUBLIC OF GERMANY  
and  
PORTUGAL**

**Agreement on co-operation in scientific research and  
technological development. Signed at Bonn on 15 June  
1981**

*Authentic texts: German and Portuguese.*

*Registered by the Federal Republic of Germany on 28 June 1983.*

---

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
PORTUGAL**

**Accord relatif à la coopération dans les domaines de la  
recherche et du développement technologique. Signé à  
Bonn le 15 juin 1981**

*Textes authentiques : allemand et portugais.*

*Enregistré par la République fédérale d'Allemagne le 28 juin 1983.*

## [TRANSLATION — TRADUCTION]

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE PORTUGUESE REPUBLIC ON CO-OPERATION IN SCIENTIFIC RESEARCH AND TECHNOLOGICAL DEVELOPMENT

The Government of the Federal Republic of Germany and the Government of the Portuguese Republic (hereinafter referred to as the Contracting Parties),

Desiring to promote further the close and friendly relations existing between them,

Considering their common interest in improving living conditions in each of the two States by promoting scientific research and technological development,

Recognizing the benefits to be derived by both States from close co-operation in pursuing these objectives,

Have agreed as follows:

*Article 1.* (1) The Contracting Parties shall promote co-operation between the two States in scientific research and technological development, particularly in the following areas:

- (a) Harnessing of energy sources including the development of alternative energy sources;
- (b) Exploration and development of natural resources, and of marine resources in particular.

(2) The substance, scope and implementation of the co-operation shall in each individual case be the subject of special agreements to be concluded between the Contracting Parties or between such public or private agencies as may be designated by them.

*Article 2.* (1) The co-operation may be promoted by means of:

- (a) Exchanges of information;
- (b) Exchanges of scientists and other research and technical personnel;
- (c) Meetings of experts, and other joint activities;
- (d) Provision or procurement of advisory and other services;
- (e) Implementation of co-operative or co-ordinated research or development projects.

(2) The Contracting Parties shall facilitate such co-operation to the best of their abilities by providing materials and equipment.

(3) The apportionment of the costs of co-operative measures shall be determined by the special agreements to be concluded under article 1, paragraph (2) above.

<sup>1</sup> Came into force on 21 September 1981, after the Contracting Parties had informed each other (on 16 and 21 September 1981) of the completion of their internal legal procedures, in accordance with article 11 (1).

*Article 3.* In order to promote implementation of this Agreement and of the special agreements to be concluded pursuant to article 1, paragraph (2) above, representatives of the Contracting Parties shall meet regularly to inform each other of the progress made with regard to activities of common interest and to consult each other about measures that may be required. Groups of experts may be appointed to discuss specific questions.

*Article 4.* (1) The exchange of information may take place either between the Contracting Parties themselves or between the agencies designated by them, in particular, research institutes and specialized documentation centres and libraries.

(2) The Contracting Parties or the agencies designated by them may transmit the information obtained to public institutions or to such non-profit institutions or corporations as are supported by public authorities. The transmittal of information to them or to other agencies or persons shall be precluded or limited if the other Contracting Party or the agencies designated by it so decide before or at the time of the exchange.

(3) Each Contracting Party shall ensure that the persons or agencies entitled to information under this Agreement or under the special agreements to be concluded for its implementation do not transmit such information to agencies or persons not authorized under this Agreement or under the special agreements to be concluded in accordance with article 1, paragraph (2), of this Agreement to receive such information.

*Article 5.* (1) This Agreement shall not apply to:

(a) Information which, by virtue of the rights of third parties or of arrangements concluded with third parties, may not be communicated;

(b) Classified government information, unless prior approval is granted by the competent authorities;

(2) Information of commercial value shall be communicated on the basis of special arrangements regulating at the same time the conditions of transmittal;

(3) The special agreements to be concluded under article 1, paragraph (2) above, shall determine who shall be entitled to information of commercial value resulting from joint research and development.

*Article 6.* (1) The Contracting Parties shall endeavour to cause the partners in co-operation to indicate to each other as accurately as possible the degree of reliability and applicability of information exchanged or materials and equipment provided. The fact that the Contracting Parties may be involved in the transmittal of information in the context of this co-operation does not constitute in itself any grounds for liability on the part of the Contracting Parties.

(2) The special agreements to be concluded in accordance with article 1, paragraph (2) above, shall, if necessary, make provision for liability in respect of damage sustained by the Contracting Parties or by third parties in connection with the implementation of the co-operation under this Agreement.

*Article 7.* (1) In connection with the implementation of this Agreement, the Government of the Portuguese Republic shall grant the same tax and customs benefits as are provided for in the Agreement between the Government of the Federal Republic of Germany and the Government of the Portuguese Republic

on technical co-operation, signed at Lisbon on 9 June 1980, with the exception of the provision in article 3, paragraph (b), second sentence, of the aforesaid Agreement.

(2) This arrangement shall be taken into consideration when specifying the details of the co-operation to be provided under the special agreements to be concluded under article 1, paragraph (2).

*Article 8.* This Agreement shall be applied in accordance with the laws and regulations in force in each of the two countries. International obligations assumed by the Contracting Parties shall remain unaffected.

*Article 9.* Any disputes concerning the interpretation or application of this Agreement shall be settled in mutual consultation between the two Contracting Parties, unless otherwise agreed upon in the special agreements to be concluded in accordance with article 1, paragraph (2).

*Article 10.* 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 Portuguese Republic within the three (3) months following the date of entry into force of this Agreement.

*Article 11.* (1) This Agreement shall enter into force as soon as the Contracting Parties have notified each other that the respective constitutional requirements for such entry into force have been fulfilled.

(2) This Agreement shall remain in force for a period of five years and shall subsequently be extended for successive periods of two years, unless an extension is precluded by a notification of either Contracting Party not later than twelve months prior to the expiry of any such period. The duration of the special agreements to be concluded under article 1, paragraph (2), of this Agreement shall remain unaffected by the termination of this Agreement. After the term of validity of this Agreement expires, its provisions shall remain in force for such time and to such extent as may be necessary for ensuring implementation of the special agreements to be concluded under article 1, paragraph (2).

(3) Any amendments to this Agreement shall be agreed between the Contracting Parties and shall enter into force by an exchange of notes.

DONE at Bonn, on 15 June 1981, in two originals in the German and Portuguese languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

HANS-DIETRICH GENSCHER

For the Government of the Portuguese Republic:

ANDRÉ GONÇALVES PEREIRA