

No. 21994

**FEDERAL REPUBLIC OF GERMANY
and
IRAQ**

Agreement on economic, scientific and technical co-operation. Signed at Bonn on 26 May 1981

Authentic texts: German, Arabic and English.

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

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
IRAQ**

Accord de coopération économique, scientifique et technique. Signé à Bonn le 26 mai 1981

Textes authentiques : allemand, arabe et anglais.

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

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF IRAQ ON ECONOMIC, SCIENTIFIC AND TECHNICAL CO-OPERATION

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

Convinced of the need to promote, expand and diversify the economic, scientific and technical co-operation between the two countries on the basis of equal rights and mutual benefit,

Have decided to conclude this Agreement and for that purpose have designated as their plenipotentiaries:

Herr Hans-Dietrich Genscher, Minister for Foreign Affairs of the Federal Republic of Germany,

Mr. Hassan Ali, Member of the Revolutionary Command Council, Minister of Trade of the Republic of Iraq,

who, having exchanged their full powers, found in good and due form, have agreed as follows:

Article 1. (1) The Contracting Parties shall, in conformity with the applicable laws and regulations as well as the existing capabilities of either country, encourage and develop economic, scientific and technical co-operation between their two countries as outlined in this Agreement.

(2) Particular emphasis shall be placed on co-operation in the following fields:

- Industry,
- Oil industry and petrochemicals,
- Agriculture, forestry and erosion control,
- Technical consultancy,
- Electric power generation, transmission and distribution,
- Public works, including housing and construction,
- Transport and communications,
- Health and medicine,
- Transfer of technology.

Article 2. (1) The Contracting Parties shall facilitate the promotion of economic cooperation between institutions, organizations and enterprises of the two countries *inter alia* with regard to:

- Planning, construction, expansion and modernization of industrial plants; development, production and marketing of industrial products, as well as research into the markets of both Parties and third markets;

¹ Came into force on 15 July 1981, after the Contracting Parties had notified each other (on 13 and 15 July 1981) of the completion of the constitutional requirements, in accordance with article 10.

- Transfer of modern technologies, especially through the planning and construction of industrial plants and through the exchange of patents, licences, know-how and technical data as well as consultancy;
- Planning and execution of infrastructure and transport projects;
- Exploration, exploitation, processing and procurement of raw materials;
- Planning and execution of agricultural and forestry projects;
- Training in the industrial and infrastructural sectors through the exchange and secondment of experts and trainees.

(2) The details and conditions of the co-operation shall be agreed on by the respective interested institutions, organizations and enterprises in conformity with the applicable legal provisions and regulations of both countries.

Article 3. (1) The Contracting Parties shall endeavour to expand scientific and technical co-operation in the fields referred to in Article 1 of this Agreement between the competent interested institutions, organizations and enterprises of the two countries, applying *inter alia* the following measures:

- (a) Interchange of information, exchange of scientists and specialists, and implementation of joint projects in the field of scientific research and technological development. Special attention shall be paid to the domain of new and renewable sources of energy;
- (b) Transfer of technology, especially by means of
 - Joint planning and execution of studies for the establishment and modernization of projects,
 - Exchange of know-how,
 - Exchange of registered designs, patents and technical data as well as material and equipment needed to carry out scientific and technological studies;
- (c) Preparation of basic consultancy and feasibility studies for projects;
- (d) Assistance in the establishment of vocational training and technological institutes in the Republic of Iraq;
- (e) Training of Iraqi executive staff in economic, scientific and technological fields, both in appropriate German enterprises, universities and other institutions and through the secondment of experts and instructors to the Republic of Iraq.

(2) The details and conditions of the co-operation shall be agreed on by the respective interested institutions, organizations and enterprises in conformity with the applicable legal provisions and regulations of both countries or, if necessary, in special agreements between the Contracting Parties or agencies designated by them.

Article 4. (1) The Contracting Parties undertake to develop, further and diversify the trade between the two countries.

(2) To this end, they shall promote and facilitate the conclusion of contracts between the institutions, organizations and enterprises concerned; special importance shall be attached to long-term contracts.

Article 5. In order to deepen and further the economic and technical co-operation, the Contracting Parties shall facilitate the attendance of institutions, organizations and enterprises at trade fairs and exhibitions in both countries.

Article 6. The Government of the Federal Republic of Germany shall encourage the interested German institutions, organizations and enterprises to facilitate the promotional activities of Iraqi organizations and enterprises engaged in exporting Iraqi products to the Federal Republic of Germany.

Article 7. (1) For the purpose of promoting the aims of this Agreement a Joint Commission is hereby established.

(2) The Joint Commission shall meet at the request of either Government at a date to be mutually agreed upon. The meetings shall be held alternately in Iraq and in the Federal Republic of Germany.

(3) The chairmen shall be nominated by their respective Governments. Apart from Government representatives, the delegations may include representatives from the economic sphere and experts. The chairmen shall inform each other of the composition of their respective delegation.

(4) The Joint Commission shall *inter alia*

- (a) Review and supervise the implementation of the provisions of this Agreement,
- (b) Discuss the long-term and annual programmes as agreed by the competent institutions, organizations and enterprises of the two countries in the various fields of co-operation referred to in Article 3 of this Agreement, including training programmes,
- (c) Study the suggested measures to continue and increase trade between the two countries,
- (d) Explore different means and arrangements to promote and diversify economic, scientific and technical co-operation between the two countries,
- (e) Encourage the exchange of ideas and data in the technical field,
- (f) Discuss the co-operation in the field of technology transfer,
- (g) Hold consultations at the proposal of either Party on any impediments that may result from obligations arising out of its adherence to multilateral agreements, with a view to achieving consensus.

(5) The Joint Commission may appoint sub-committees to deal with such areas of co-operation as it deems necessary.

Article 8. The provisions of this Agreement concerning the contracts concluded between institutions, organizations and enterprises of the two countries within the framework of this Agreement shall remain valid until such contracts have been fully executed.

Article 9. 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 Republic of Iraq within three months of the date of entry into force of this Agreement.

Article 10. This Agreement shall enter into force as soon as the two Contracting Parties have notified each other that the constitutional requirements for such entry into force have been fulfilled.

Article 11. (1) This Agreement shall be valid for a period of five years.

(2) This Agreement shall be tacitly extended for successive periods of five years unless written notice of termination has been given at least six months before its expiry.

(3) This Agreement may be amended by mutual consent of the two Governments. Amendments will enter into force in accordance with Article 10 of this Agreement.

DONE at Bonn on 26 May 1981 in two originals 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

For the Government
of the Republic of Iraq:

[Signed — Signé]²

¹ Signed by Hans-Dietrich Genscher — Signé par Hans-Dietrich Genscher.

² Signed by Hassan Ali — Signé par Hassan Ali.