

No. 23286

**FEDERAL REPUBLIC OF GERMANY
and
TURKEY**

**Agreement concerning financial co-operation. Signed at
Ankara on 3 March 1983**

Authentic texts: German, Turkish and English.

Registered by the Federal Republic of Germany on 19 March 1985.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
TURQUIE**

**Accord de coopération financière. Signé à Ankara le 3 mars
1983**

Textes authentiques : allemand, turc et anglais.

Enregistré par la République fédérale d'Allemagne le 19 mars 1985.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE REPUBLIC OF TURKEY CONCERNING FINANCIAL CO-OPERATION

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

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

Desiring to strengthen and intensify those friendly relations through 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 social and economic development in the Republic of Turkey,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Turkey, within the scope of the special assistance granted by the member States of the Organization for Economic Co-operation and Development (OECD) and multilateral institutions, to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt/Main, in order to realize the objectives of its development plan, loans up to a total of DM 394,400,000 (three hundred and ninety-four million four hundred thousand Deutsche Mark) as bilateral financial assistance for 1982 to meet the cost of projects if, after examination, the projects have been found eligible for promotion.

(2) The sum pursuant to paragraph 1 above shall be used as follows:

- (a) A loan of up to DM 100,000,000 (one hundred million Deutsche Mark) to meet the cost of the project “Elbistan Lignite Mining and Thermal Power Station”;
- (b) A loan of up to DM 30,000,000 (thirty million Deutsche Mark) for the conversion from oil to coal firing in the project “Seven Cement Plants”;
- (c) A loan of up to DM 200,000,000 (two hundred million Deutsche Mark) as partial amount for the turn-key construction of the project “Seyitömer IV Thermal Power Station”;
- (d) A loan of up to DM 64,400,000 (sixty-four million four hundred thousand Deutsche Mark) for the construction of the boiler plant of the “Orhaneli Thermal Power Station”;
- (e) With regard to the participation of the Government of the Republic of Turkey in the projects pursuant to sub-paragraphs (c) and (d) above, reference is made to the letter from the Turkish Ministry of Finance dated 03 March 1983.

¹ Came into force retroactively on 3 March 1983, the date of signature, after the Government of the Republic of Turkey had informed the Government of the Federal Republic of Germany (on 13 June 1983) of the completion of its national requirements, in accordance with article 8.

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

Article 2. The utilization of the sums referred to in article 1 of this Agreement as well as the terms and conditions on which they are made available shall be governed by the provisions of the agreements to be concluded between the Kreditanstalt für Wiederaufbau and the Türkiye Cumhuriyeti Merkez Bankasi, which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

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

Article 4. The Government of the Republic of Turkey 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 for projects financed from the loans pursuant to article 1 (2) (a) to (d) 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 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 Republic of Turkey 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 Republic of Turkey has informed the Government of the Federal Republic of Germany that the national requirements on the side of the Republic of Turkey for the entry into force of this Agreement have been fulfilled.

DONE at Ankara on 3rd March 1983 in duplicate in the German, Turkish and English languages, all three texts being authentic. In case of divergent interpretations of the German and Turkish 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 Turkey:

[Signed — Signé]²

¹ Signed by Oncken — Signé par Oncken.

² Signed by Kafaoglu — Signé par Kafaoglu.