

No. 24444

**FEDERAL REPUBLIC OF GERMANY
and
MOROCCO**

**Agreement concerning financial co-operation. Signed at
Rabat on 24 October 1985**

Authentic texts: German, Arabic and French.

Registered by the Federal Republic of Germany on 12 November 1986.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MAROC**

**Accord de coopération financière. Signé à Rabat le 24 octo-
bre 1985**

Textes authentiques : allemand, arabe et français.

Enregistré par la République fédérale d'Allemagne le 12 novembre 1986.

[TRANSLATION — TRADUCTION]

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

The Government of the Federal Republic of Germany and the Government of the Kingdom of Morocco,

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

Desiring to strengthen and enhance these friendly relations through financial co-operation as partners,

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

Intending to contribute to social and economic development in the Kingdom of Morocco,

Referring to the records of the Germano-Moroccan intergovernmental negotiations on co-operation for development, held at Rabat from 26 to 28 November 1984,

Have agreed as follows:

Article 1. The Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Morocco, or other recipients selected jointly by the two Governments, to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, loans of up to DM 50,000,000 (fifty million deutsche mark), for the following projects:

- (a) Modernization of the Jerada coal mine;
- (b) Sectoral support programme for agricultural smallholdings;

provided that, after examination, the projects qualify for promotion. The projects referred to in paragraph 1 may be replaced by other projects if the Government of the Federal Republic of Germany and the Government of the Kingdom of Morocco so agree.

Article 2. 1. Utilization of the amount referred to in article 1 of this Agreement as well as the terms and conditions on which it is granted and the procedure for the approval of tenders shall be governed by the contracts to be concluded between the recipient of the loans and the Kreditanstalt für Wiederaufbau; these contracts shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

2. The Government of the Kingdom of Morocco, to the extent that it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau all payments in deutsche mark in discharge of the borrowers' liabilities under the contracts to be concluded pursuant to paragraph 1 of this article.

¹ Came into force on 24 October 1985 by signature, in accordance with article 7.

Article 3. The Government of the Kingdom of Morocco shall exempt the Kreditanstalt für Wiederaufbau from all taxes and other fiscal charges levied in the Kingdom of Morocco in connection with the conclusion and execution of the contracts referred to in article 2.

Article 4. The Government of the Kingdom of Morocco shall allow passengers and suppliers free choice of transport enterprises for such transport by sea and air of persons and goods as results from the granting of the loans, refrain from taking any measures that might exclude or impede the participation, on an equal footing, 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.

Article 5. 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 preference being given to the economic potential of *Land Berlin*.

Article 6. 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 Kingdom of Morocco within the three months following the date of entry into force of this Agreement.

Article 7. This Agreement shall enter into force on the date of its signature.

DONE at Rabat on 24 October 1985, in two originals, in the German, Arabic and French languages, the three texts being equally authentic. In the event of divergence in the interpretation of the German and Arabic texts, the French text shall prevail.

For the Government of the Federal Republic of Germany:
MONTFORT

For the Government of the Kingdom of Morocco:
CHERAKAOUI
