

No. 25826

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**FEDERAL REPUBLIC OF GERMANY  
and  
BRAZIL**

**Protocol concerning financial cooperation—*PROVÁR-ZEAS/Espírito Santo Project*. Signed at Brasília on 9 December 1983**

*Authentic texts: German and Portuguese.*

*Registered by the Federal Republic of Germany on 8 April 1988.*

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**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE  
et  
BRÉSIL**

**Protocole de coopération financière — *Projet PROVÁR-ZEAS/Espírito Santo*. Signé à Brasília le 9 décembre 1983**

*Textes authentiques : allemand et portugais.*

*Enregistré par la République fédérale d'Allemagne le 8 avril 1988.*

## [TRANSLATION — TRADUCTION]

**PROTOCOL<sup>1</sup> BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE FEDERATIVE REPUBLIC OF BRAZIL CONCERNING FINANCIAL COOPERATION**

The Government of the Federal Republic of Germany and the Government of the Federative Republic of Brazil,

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

Desiring to strengthen and enhance these friendly relations through financial cooperation as partners,

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

Intending to contribute to the economic and social development of the Federative Republic of Brazil,

Have agreed as follows:

*Article 1.* The Government of the Federal Republic of Germany shall enable the Government of the Federative Republic of Brazil or other borrowers to be selected jointly by the two Governments to raise with the Kreditanstalt für Wiederaufbau (Development Loan Corporation) of Frankfurt am Main a loan of up to DM 20,000,000 (twenty million deutsche mark) for the PROVÁRZEAS/Espírito Santo project.

*Article 2.* 1. Utilization of the loan referred to in article 1, and the terms and conditions on which it is granted, shall be governed by the contract to be concluded between the borrowers and the Kreditanstalt für Wiederaufbau, Frankfurt am Main; this contract shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

2. The Government of the Federative Republic of Brazil, to the extent that it is not itself the borrower, shall guarantee to the Kreditanstalt für Wiederaufbau, Frankfurt am Main, all payments in deutsche mark in discharge of the borrowers' liabilities under the contract to be concluded pursuant to paragraph 1.

*Article 3.* The Kreditanstalt für Wiederaufbau, Frankfurt am Main, shall be exempt from all taxes and other fiscal charges levied in the Federative Republic of Brazil in connection with the conclusion and execution of the contract referred to in article 2.

*Article 4.* In connection with the transport of passengers and, where necessary and subject to prior agreement between the competent Brazilian and German authorities, of goods:

(a) In the case of transport by air, one Contracting Party shall not exclude or impede the participation on an equal footing of the scheduled transport enterprises

<sup>1</sup> Came into force on 9 December 1983 by signature, in accordance with article 8.

of the other Contracting Party, and it shall grant the necessary permits for such transport; and

(b) In the case of transport by sea, the provisions of the Agreement between the Federal Republic of Germany and the Federative Republic of Brazil concerning maritime transport of 4 April 1979<sup>1</sup> and the relevant supplementary Protocol of the same date shall apply.

*Article 5.* Supplies and services for projects financed from the loan shall, unless otherwise provided for in individual cases, be subject to international public tender.

*Article 6.* With regard to the supplies and services resulting from the granting of the loan, the Government of the Federal Republic of Germany attaches particular importance to preference being given to the economic potential of *Land Berlin*.

*Article 7.* With exception of the provisions of article 4 referring to air transport, this Protocol 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 Federative Republic of Brazil within three months following the date of entry into force of this Protocol.

*Article 8.* This Protocol shall enter into force on the date of its signature.

DONE at Brasília on 9 December 1983 in two originals, in the German and Portuguese languages, both texts being equally authentic.

For the Government of the Federal Republic of Germany:

Dr. GÖTZ-ALEXANDER MARTIUS

For the Government of the Federative Republic of Brazil:

JOÃO CLEMENTE BAENA SOARES

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<sup>1</sup> See p. 5 of this volume.