

No. 27414

**FEDERAL REPUBLIC OF GERMANY
and
MOROCCO**

**Agreement concerning financial cooperation. Signed at
Rabat on 17 June 1988**

Authentic texts: German, Arabic and French.

Registered by the Federal Republic of Germany on 17 July 1990.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
MAROC**

**Accord de coopération financière. Signé à Rabat le 17 juin
1988**

Textes authentiques : allemand, arabe et français.

Enregistré par la République fédérale d'Allemagne le 17 juillet 1990.

[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 cooperation 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 minutes of the German-Moroccan intergovernmental negotiations on cooperation for development which took place at Rabat from 12 to 14 April 1988,

Have agreed as follows:

Article 1

(1) The Government of the Federal Republic of Germany shall enable the Government of the Kingdom of Morocco or other recipients, to be selected jointly by the two Governments, to obtain from Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, loans of up to DM 63 million (sixty-three million deutsche mark) for the following projects:

- Matmata hydroelectric power station,
- The drinking-water supply for three towns and other small rural centres,
- The National Agricultural Credit Fund (CNCA),

provided that, after examination, the projects are considered deserving of support, in addition to a financial contribution (increment) of up to DM 2 million (two million deutsche mark) for the following project:

- Studies and experts fund for the preparation and follow-up of financial cooperation projects.

(2) This Agreement shall also apply if, at a later date, the Government of the Federal Republic of Germany enables the Government of the Kingdom of Morocco to obtain further loans or financial contributions from the Kreditanstalt für Wiederaufbau, Frankfurt am Main.

¹ Came into force on 17 June 1988 by signature, in accordance with article 8.

(3) The projects referred to in paragraph 1 above 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, the terms and conditions on which it is granted and the procurement procedure to be applied shall be governed by the contracts to be concluded between the recipients of the loans or financial contributions 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 a borrower, shall stand surety *vis-à-vis* the Kreditanstalt für Wiederaufbau for all payments in deutsche mark to be made in discharge of the borrowers' liabilities under the contracts to be concluded pursuant to paragraph 1 above.

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 of this Agreement.

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 loans or financial contributions; it shall refrain from taking any measures that might exclude or impede the participation on equal terms of transport enterprises having their principal place of business in the German area of application of this Agreement and shall grant any permits that may be required for such enterprises to participate.

Article 5

With regard to supplies and services resulting from the granting of loans or financial contributions, the Government of the Federal Republic of Germany attaches particular importance to preferential use being made of the economic potential of *Land Berlin*.

Article 6

Remaining amounts:

- DM 2.8 million (two million eight hundred thousand deutsche mark) from the project for the drinking-water supply for Tiznit (Agreement dated 6 October 1981 between the Government of the Federal Republic of Germany and the Government of the Kingdom of Morocco concerning financial cooperation¹, exchange of notes dated 25 July/16 October 1986)

and

- DM 1.3 million (one million three hundred thousand deutsche mark) from the project for the drinking-water supply for Al Hoceima (Agreement dated 4 De-

¹ United Nations, *Treaty Series*, vol. 1321, p. 103.

cember 1980 between the Government of the Federal Republic of Germany and the Government of the Kingdom of Morocco concerning financial cooperation,¹ exchange of notes dated 7 October/29 November 1980 and 25 July/16 October 1986)

shall be used to finance the project for the drinking-water supply for three towns and other small centres.

Article 7

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 8

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

DONE at Rabat on 17 June 1988 in two originals in the German, Arabic and French languages, all three texts being equally authentic. In the case 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:

BERRADA

¹ United Nations, *Treaty Series*, vol. 1304, p. 419.