

No. 29705

**GERMANY
and
MOROCCO**

**Agreement concerning financial cooperation (with annex).
Signed at Rabat on 30 January 1991**

Authentic texts: German and French.

Registered by Germany on 23 March 1993.

**ALLEMAGNE
et
MAROC**

**Accord de coopération financière (avec annexe). Signé à
Rabat le 30 janvier 1991**

Textes authentiques : allemand et français.

Enregistré par l'Allemagne le 23 mars 1993.

[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,

Have agreed as follows:

Article 1

The Government of the Federal Republic of Germany shall enable the Moroccan Phosphates Office, Casablanca, to obtain from the Kreditanstalt für Wiederaufbau (Development Loan Corporation), Frankfurt am Main, a loan of up to DM 4,200,000 (four million two hundred thousand deutsche mark) to meet the foreign-exchange cost of supplying goods and services to promote the production of phosphates and the foreign-exchange and national-currency costs of transport, insurance, assembly and consulting activities incurred in connection with the importation of goods. Such supplies and services shall be from among those specified in the list annexed to this Agreement, and the relevant contracts shall have been concluded after 1 October 1989.

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 placing orders, shall be governed by the contract to be concluded between the Kreditanstalt für Wiederaufbau and the recipient of the loan; the said contract shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

(2) The Government of the Kingdom of Morocco shall guarantee to the Kreditanstalt für Wiederaufbau all payments in deutsche mark in discharge of the borrower's liabilities under the contract to be concluded pursuant to paragraph 1 above.

¹ Came into force on 30 January 1991 by signature, in accordance with article 5.

Article 3

The Moroccan side shall assume responsibility for all taxes and charges which may be owed to the Kingdom of Morocco by the Kreditanstalt für Wiederaufbau in connection with the conclusion or execution of the contract referred to in article 2, paragraph 1, of this Agreement, so that the Kreditanstalt für Wiederaufbau shall not have to pay taxes and other fiscal charges to the Kingdom of Morocco.

Article 4

The Government of the Kingdom of Morocco shall allow passengers and suppliers free choice of transport enterprises for such transport by sea, land and air of passengers and goods as results from the granting of the loan, refrain from taking any measures that might exclude or impede the participation 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

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

DONE at Rabat on 30 January 1991, in duplicate, in the German and French languages, each text being equally authentic.

For the Government
of the Federal Republic of Germany:

HOFMANN

For the Government
of the Kingdom of Morocco:

AHMED CHERKAOUI

ANNEX TO THE AGREEMENT OF 30 JANUARY 1991 BETWEEN THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE KINGDOM OF MOROCCO CONCERNING FINANCIAL COOPERATION

(1) List of goods and services to promote the production of phosphates which may be financed from the loan:

- (a) Machinery and equipment for the production of phosphates;
- (b) Spare parts and accessories for the machinery to be supplied;
- (c) Services in respect of consulting activities and assembly.

(2) Imported goods not included in this list may be financed only with the prior consent of the Government of the Federal Republic of Germany.

(3) Imports of luxury and consumer goods for private use and of goods and installations for military purposes shall not be financed from the loan.
