

No. 16773

**FEDERAL REPUBLIC OF GERMANY
and
INDONESIA**

**Agreement concerning financial assistance. Signed at
Jakarta on 16 September 1976**

Authentic texts: German, Indonesian and English.

Registered by the Federal Republic of Germany on 30 June 1978.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
INDONÉSIE**

**Accord d'aide financière. Signé à Jakarta le 16 septembre
1976**

Textes authentiques : allemand, indonésien et anglais.

Enregistré par la République fédérale d'Allemagne le 30 juin 1978.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FEDERAL
REPUBLIC OF GERMANY AND THE GOVERNMENT OF THE
REPUBLIC OF INDONESIA CONCERNING FINANCIAL ASSIST-
ANCE

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

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

Desiring to strengthen and intensify those friendly relations by fruitful cooperation in the field of development assistance,

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

Intending to contribute to economic and social development in the Republic of Indonesia,

Have agreed as follows:

Article 1. (1) The Government of the Federal Republic of Germany shall enable the Government of the Republic of Indonesia to raise with the *Kreditanstalt für Wiederaufbau* (Development Loan Corporation), Frankfurt/Main, loans up to a total of DM 100,000,000 (one hundred million German Marks) for projects to be determined by both Governments if they have been found eligible for promotion.

(2) The projects referred to in paragraph 1 above may be replaced by other projects if the Contracting Parties so agree.

Article 2. The utilization of the loans as well as the terms and conditions on which they are granted shall be governed by the provisions of the agreements to be concluded between the Government of the Republic of Indonesia and the *Kreditanstalt für Wiederaufbau* which shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3. The Government of the Republic of Indonesia shall exempt the *Kreditanstalt für Wiederaufbau* from all taxes and other public charges levied in the Republic of Indonesia at the time of the conclusion, or during the implementation, of the agreements referred to in Article 2 of the present Agreement.

Article 4. The Government of the Republic of Indonesia 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 fair and equal participation of transport enterprises having their place of business in the German area of application of the present Agreement, and grant permits for such participation as required.

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

¹ Came into force on 16 September 1976 by signature, in accordance with article 8.

Article 6. With regard to supplies resulting from the granting of the loans, the Government of the Federal Republic of Germany attaches particular importance to preference being given to products of industries 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 Indonesia within three months of the date of entry into force of this Agreement.

Article 8. The present Agreement shall enter into force on the date of signature thereof.

DONE at Jakarta on September 16, 1976, in duplicate in the German, Indonesian and English languages, all three texts being authentic. In case of divergent interpretation of the German and Indonesian 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 Indonesia:

[Signed — Signé]²

¹ Signed by Dr. Kurt Müller — Signé par Kurt Müller.

² Signed by Adam Malik — Signé par Adam Malik.