

No. 29593

**FEDERAL REPUBLIC OF GERMANY
and
INDONESIA**

**Agreement concerning financial cooperation—*Loans of up to
DM 200,000,000 for various projects. Signed at Jakarta
on 21 December 1988***

Authentic texts: German, English and Indonesian.

Registered by Germany on 8 February 1993.

**RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE
et
INDONÉSIE**

Accord de coopération financière — *Prêts jusqu'à concurrence de DM 200 000 000 pour divers projets. Signé à Djakarta le 21 décembre 1988*

Textes authentiques : allemand, anglais et indonésien.

Enregistré par l'Allemagne le 8 février 1993.

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

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
through financial co-operation in a spirit of partnership,

aware that the maintenance of those relations constitutes the
basis of this Agreement,

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

with reference to the Note verbale of 13 November 1985 from
the Embassy of the Federal Republic of Germany as well as to the
negotiations held between the two Governments from 17 to
20 November 1986 and the Summary Record of these negotia-
tions,

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 obtain
from the Kreditanstalt für Wiederaufbau (Development Loan Cor-
poration), Frankfurt/Main, loans totalling up to DM 200 000 000
(two hundred million Deutsche Mark) for projects selected by the
two Governments pursuant to item 2.2 of the Summary Record of
20 November 1986 if, after examination, the projects have been
found eligible for promotion.

¹ Came into force on 21 December 1988 by signature, in accordance with article 7.

(2) The selected 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 Republic of Indonesia so agree.

Article 2

The utilization of the amount referred to in Article 1 of this Agreement and the terms and conditions on which it is made available, as well as the procedure for awarding contracts, 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 agreements shall be subject to the laws and regulations applicable in the Federal Republic of Germany.

Article 3

All taxes and other public charges levied in Indonesia in connection with the conclusion and implementation of the Agreement referred to in Article 2 of the present Agreement are to be borne by the Government of the Republic of Indonesia. This implies that the Kreditanstalt für Wiederaufbau is exempt from all taxes and other public charges levied in the Republic of Indonesia in connection with the conclusion and implementation of the Agreement 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 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 participation on equal terms of transport enterprises having their 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 preferential use being made of the economic potential of Land Berlin.

Article 6

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 7

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

[For the testimonium and signatures, see p. 126 of this volume.]

GESCHEHEN zu Jakarta am 21. Dezember 1988 in zwei Urschriften, jede in deutscher, indonesischer und englischer Sprache, wobei jeder Wortlaut verbindlich ist. Bei unterschiedlicher Auslegung des deutschen und des indonesischen Wortlautes ist der englische Wortlaut maßgebend.

DONE at Jakarta on December 21, 1988 in duplicate in the German, Indonesian and English languages, all three texts being authentic. In the event of divergent interpretations of the German and Indonesian texts, the English text shall prevail.

Für die Regierung der Bundesrepublik Deutschland:
For the Government of the Federal Republic of Germany:

THEODOR WALLAU

Für die Regierung der Republik Indonesien:
For the Government of the Republic of Indonesia:

POEDJI KOENTARSO
