



Treaty Series No. 3 (1975)

Agreement
concerning the Voluntary Contributions
to be given for the Execution of the
Project to preserve Borobudur

Paris, 29 January 1973

[The Agreement entered into force for the United Kingdom on 25 March 1974]

*Presented to Parliament
by the Secretary of State for Foreign and Commonwealth Affairs
by Command of Her Majesty
February 1975*

LONDON

HER MAJESTY'S STATIONERY OFFICE

12p net

**AGREEMENT
CONCERNING THE VOLUNTARY CONTRIBUTIONS TO BE
GIVEN FOR THE EXECUTION OF THE PROJECT TO
PRESERVE BOROBUDUR**

Considering that, as already proclaimed during the fifteenth and sixteenth sessions by the General Conference of Unesco, the Temple of Borobudur, which the Government of the Republic of Indonesia has undertaken to safeguard, forms part of the cultural heritage of mankind;

Considering that the Government of the Republic of Indonesia has adopted a project to restore the Temple of Borobudur involving dismantling the lower terraces and balustrades of the monument, the building of a reinforced concrete substructure, the consolidation of the stones, and the reassembling of the balustrades and terraces;

Wishing to play a part in ensuring the safeguarding of Borobudur so that it can survive to be admired and treasured by future generations;

Responding to the appeal for international co-operation launched for this purpose by the United Nations Educational, Scientific and Cultural Organization; the contracting Member States and Associate Members of Unesco agree as follows:

ARTICLE I

1. Every contracting Member State or Associate Member of Unesco undertakes to contribute to the execution of the project to preserve the monument of Borobudur by paying into the Trust Fund established for this purpose by the Director-General of the United Nations Educational, Scientific and Cultural Organization, hereinafter referred to as "the Director-General", the amounts set forth in the Annex to this Agreement, in the currency or in kind, on the dates and under the conditions specified in the said Annex.

2. The Director-General will not transmit those amounts to the competent authorities of the Government of the Republic of Indonesia until such time as the measures required for the satisfactory completion of the safeguarding of Borobudur are taken and the Government of the Republic of Indonesia has concluded for that purpose, with one or more contractors, the contract for the work described in the specifications adopted by the Government of the Republic of Indonesia.

ARTICLE II

1. The Director-General will obtain all the necessary particulars regarding the payment dates with which the Government of the Republic of Indonesia will have to reckon in executing the contract referred to in Article I, paragraph 2. He will also receive periodical progress reports.

2. He will pay the amounts which he receives, in conformity with the terms of Article I, paragraph 1, and in accordance with the procedure laid down in the Agreement between Unesco and the Government of the Republic of Indonesia concerning the safeguarding of the Temple of Borobudur, to the appropriate authorities of the Government of the Republic of Indonesia, taking the time-table of payments due and the progress of work into account.

ARTICLE III

Director-General will communicate an annual information report to contracting Member States and Associate Members of Unesco concerning the implementation of this Agreement and the progress of the operations to safeguard and restore the Temple of Borobudur.

ARTICLE IV

1. In order to assist in the execution of the project to preserve Borobudur, an Executive Committee is hereby created comprising:
 - (a) a representative of the Government of the Republic of Indonesia;
 - (b) a representative of each of the Contracting Member States and Associate Members of Unesco;
 - (c) two persons designated by the Director-General of Unesco by reason of their professional competence and sitting in a personal capacity;
 - (d) a representative of the Director-General of Unesco;
 - (e) a representative of any Member State and Associate Member of Unesco other than those mentioned in sub-paragraph (b) above, which contributes either in currency or in kind towards the execution of the project and which has been invited by the Executive Committee to become a member.
2. The Committee shall advise the Director-General on all questions of a general nature which arise in the course of the restoration of Borobudur, particularly on:
 - (i) ensuring the international character of the enterprise;
 - (ii) the co-ordination of work;
 - (iii) the appropriation from the Trust Fund of sums earmarked for particular parts of the project, on the one hand, and the allocation of contributions not earmarked for specific purposes, on the other hand.
3. The Committee shall receive:
 - (i) the plans of operations and estimates relating to the preservation of the monument as well as the record of the corresponding payments;
 - (ii) periodic reports, from the Director-General and the Government of the Republic of Indonesia on the conduct of the work and the use of the funds;
 - (iii) the reports of the Auditor;and shall give its views or make observations or recommendations thereon.

ARTICLE V

This Agreement shall enter into force for each contracting Member State and Associate Member of Unesco upon its signature or, if it is signed subject to ratification or acceptance, on the date of the deposit of an instrument of ratification or acceptance with the Director-General.

ARTICLE VI

The Director-General will hold at the disposal of contracting Member States and Associate Members of Unesco the sums which the latter had contributed under this Agreement if the Government of the Republic of Indonesia does not conclude the contract referred to in Article I, paragraph 2.

ARTICLE VII

The Director-General shall inform the Member States and Associate Members of Unesco of the signatures affixed to this Agreement, of the terms of the undertakings entered into in the Annex to this Agreement, as well as of the deposit of the instrument of ratification or acceptance mentioned in Article V of this Agreement.

ARTICLE VIII

In accordance with Article 102 of the Charter of the United Nations⁽¹⁾, this Agreement will be registered with the United Nations Secretariat, at the request of the Director-General.

This Agreement is drawn up in English, French, Russian and Spanish⁽³⁾, all four texts being equally authentic.

Done in Paris this twenty-ninth day of January 1973 in a single copy, which will be deposited in the Archives of the United Nations Educational, Scientific and Cultural Organization and certified copies of which will be communicated to all signatory Member States and Associate Members, as well as to the United Nations.

In faith whereof, the undersigned representatives, duly authorized to that effect, have signed this Agreement.

SIGNATURES AND RATIFICATION

	<i>Date of signature</i>	<i>Date of deposit of instrument of ratification</i>
Australia	6 April 1973	
Belgium	29 January 1973	
Cyprus	20 February 1973	
France	29 January 1973	
Germany, Federal Republic of ...	29 January 1973	5 October 1973 ⁽²⁾
India	25 September 1973	
Iran	19 June 1973	
Malaysia	21 March 1974	
Singapore	28 June 1973	
United Kingdom	25 March 1974	
The Director-General	29 January 1973	

⁽¹⁾ Treaty Series No. 67 (1946), Cmd. 7015.

⁽²⁾ On depositing their instrument of ratification, the Government of the Federal Republic of Germany declared that the Agreement "shall also apply to Berlin (West) with effect from the date on which it shall enter into force for the Federal Republic of Germany".

⁽³⁾ After the Agreement has been registered with the United Nations, texts in the French, Russian and Spanish languages will be published in the United Nations Treaty Series, available through Agency Section, Her Majesty's Stationery Office, P.O. Box 569, London SE1 9NY—Tel. 01-928 6977, ext. 410.

ANNEX CONCERNING THE CONTRIBUTIONS REFERRED TO IN
ARTICLE I OF THE AGREEMENT

BELGIQUE⁽⁴⁾

Le gouvernement belge s'engage à verser au Fonds de dépôt institué par le Directeur général de l'Unesco pour la préservation du temple de Borobudur la somme de 250.000 francs belges au cours de l'année 1973.

29 janvier 1973

Baron Papeians de Morchoven

CYPRUS

The Republic of Cyprus undertakes to pay into the Trust Fund established for the purpose by the Director-General a first token contribution of one hundred Cyprus pounds in 1973.

20 February 1973

Anastasios G. Leventis

FRANCE⁽⁵⁾

Le gouvernement français s'engage à contribuer à l'exécution du projet relatif à la préservation du monument de Borobudur en fournissant une prestation en nature composée des éléments suivants:

- (a) relevé photogrammétrique effectué par l'Institut géographique national suivant le programme de travail déjà défini par les responsables de l'opération de sauvegarde de cet organisme;
- (b) missions d'un architecte de l'Ecole française d'Extrême-Orient, d'une durée de six mois en 1973 et d'une durée de six mois, susceptible de prolongation, en 1974.

L'ensemble de ces services représente une contribution pouvant être estimée à un montant approximatif de 77.500 dollars.

29 janvier 1973

Pierre Maillard

⁽⁴⁾ [Unofficial translation]

BELGIUM

The Belgian Government undertakes to pay into the Trust Fund established by the Director-General of UNESCO for the preservation of the temple of Borobudur the sum of 250,000 Belgian francs during the year 1973.

29 January 1973

Baron Papeians de Morchoven

⁽⁵⁾ [Unofficial translation]

FRANCE

The French Government undertakes to contribute towards the execution of the project concerning the preservation of the monument of Borobudur by providing payment in kind as follows:

- (a) photographic survey by the national geographic Institute following the work programme already laid down by those responsible for the safeguarding of this structure;
- (b) the commissioning of an architect of the French Far East Academy for a period of six months in 1973 and a period of six months in 1974, with the possibility of prolongation.

All these services represent a contribution which can be estimated at an approximate amount of 77,500 dollars.

29 January 1973

Pierre Maillard

THE FEDERAL REPUBLIC OF GERMANY

The Federal Republic of Germany undertakes to pay into the Trust Fund established for the purpose by the Director-General the equivalent of two million Deutsch Marks in the currency of the United States of America. The first instalment of one million Deutsch Marks will be payable as soon as the Director-General of Unesco informs the Government of the Federal Republic of Germany of the beginning of the restoration work on Borobudur. The second instalment of one million Deutsch Marks will be paid in 1974 upon request of the Director-General of Unesco, it being understood that the work will have been started by 1973.

29 January 1973

Subject to ratification
Jens Petersen

MALAYSIA

The Government of Malaysia undertakes to pay into the Trust Fund established for the purpose by the Director-General, the amount of United States \$12,831 during 1974.

21 March 1974

Chang Min Kee

THE UNITED KINGDOM

The Government of the United Kingdom undertake to pay into the Trust Fund established for the purpose by the Director-General the sum of £62,500 in three equal annual instalments, the first to be paid in the current United Kingdom financial year which ends on 31 March 1974.

25 March 1974

Walter Birrell

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