

1981 AGREEMENT ON THE USE AND MAINTENANCE OF THE PREMISES OF THE ASEAN SECRETARIAT

Adopted Jakarta, Indonesia on 25 November 1981

The Secretary-General of the ASEAN Secretariat, acting on behalf of the Association of Southeast Asian Nations; and

The Secretary-General of the Department of Foreign Affairs of the Republic of Indonesia, acting on behalf of the Government of the Republic of Indonesia,

In the implementation of Article IX, paragraphs 4 and 6 of the Agreement on the Establishment of the ASEAN Secretariat, and paragraph 1, Article IX of the Agreement between the Government of the Republic of Indonesia and the ASEAN relating to the Privileges and Immunities of the ASEAN Secretariat, **HEREBY AGREE ON THE FOLLOWING:**

ARTICLE I. DEFINITIONS

For the purpose of this Agreement the expressions following shall have the meaning hereunder assigned to them:

- (i) the "**Government**" means the Government of the Republic of Indonesia;
- (ii) the "**ASEAN**" means the Association of South East Asian Nations;
- (iii) the "**Secretariat**" means the Secretariat for the Association of South East Asian Nations;
- (iv) the "**premises of the Secretariat**" means the building or parts of the buildings and the land ancillary thereto, used for the purposes of the Secretariat.

ARTICLE 2. GENERAL PROVISIONS

The Government, as the owner of the premises, undertakes to grant to the Secretariat before the end of May 1981 the use of the premises located at 70A, Jalan Sisingamangaraja, Kebayoran Baru for the purpose of the Secretariat.

The grant by the Government to the secretariat of the use of the premises shall continue for so long as the Secretariat has its seat in Jakarta, Indonesia. If the Secretariat ceases to maintain its seat in Jakarta, Indonesia, the use of the premises shall revert to the Government.

The grant by the Government to the Secretariat of the use of the premise exclusively for the purposes of the Secretariat. The Secretariat may make space available within the premises to ASEAN organizations, governmental as well as non-governmental, only on conditions acceptable to the Government and the Secretariat.

ARTICLE 3. RESPONSIBILITIES OF THE GOVERNMENT

The Government shall be responsible for the obligations stipulated in paragraph 1, Article IX of the Agreement between the Government and the ASEAN relating to the Privileges and Immunities of the Secretariat.

ARTICLE 4. RESPONSIBILITIES OF THE SECRETARIAT

The Secretariat shall be responsible for:

- (i) the maintenance of the landscape parking facilities and fencing and the remodeling thereof;
- (ii) the maintenance of the budding and any remodeling or partitioning thereof;
- (iii) the cost of maintenance of facilities fixtures, furniture and furnishing provided by the Government;
- (iv) the cost of any additional furniture and furnishing desired by the Secretariat;
- (v) the cost of janitorial services, security services, electricity, telephone and water bills and all other charges for public services supplied by the Government to the Secretariat;
- (vi) the cost of maintenance and replacement, if necessary, of office equipment other than fixtures, furniture and furnishings provided by the Government, minor repairs of recurring nature, the upkeep through the provision of services and general maintenance of the premises of the Secretariat in a proper and suitable condition;
- (vii) allowing duly authorized representative of public utilities to inspect repair, maintain, reconstruct, and relocate utilities, conduits, mains and sewers within the premises of the Secretariat and its facilities.

ARTICLE 5. SETTLEMENT OF DISPUTES

Any dispute arising out of the interpretation or application of this agreement shall be settled amicably by both parties through consultation or negotiations

ARTICLE 6. FINAL PROVISIONS

This agreement shall enter into force on the date of the signing thereof;

Amendments and addition to this agreement, upon the request of either party, shall be made through consultations and by mutual consent.

DONE in Jakarta, this twenty fifth day of November, one thousand nine hundred and eighty one.