



THE DECREE OF THE PRESIDENT OF THE REPUBLIC OF INDONESIA
NUMBER 30 YEAR 2012

CONCERNING

THE APPOINTMENT OF THE GOVERNMENT OF EAST KUTAI REGENCY
AS A PARTY IN INTERNATIONAL ARBITRATION PROCESS
AT THE CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES
RELATED TO THE REQUEST FOR ARBITRATION
OF CHURCHILL MINING

BY THE GRACE OF GOD ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that the Government of the Republic of Indonesia has signed the Convention on the Settlement of Investment Disputes between States and Nationals of other States and ratified it by the Law No. 5 of 1968 concerning the Settlement of Investment Disputes between States and Nationals of other States;
 - b. that Article 25 paragraph (1) and paragraph (3) of the Convention on the Settlement of Investment Disputes between States and Nationals of other States grants to the signatory States the right of designation of a constituent subdivision to the International Centre for Settlement of Investment Disputes to participate in the dispute resolution process administered by the International Centre for Settlement of Investment Disputes, and to notify that no such approval is required;
 - c. that based on consideration as referred to in paragraph a and b, it is necessary to stipulate a decree of the President on the Appointment of the Government of Kutai East Regency to become a Party in Arbitration Proceedings at the International Centre for Settlement of Investment Disputes related to the Request for Arbitration of Churchill Mining;



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- In View of : 1. Article 4 paragraph (1) of the Constitution of the Republic Indonesia 1945;
2. Law No. 5 of 1968 concerning the Settlement of Investment Disputes between States and Nationals of other States (State Gazette of the Republic of Indonesia Year 1968 Number 32, Supplement to the State Gazette of the Republic of Indonesia Number 2852);
3. Law Number 32 Year 2004 about Regional Government (State Gazette of the Republic of Indonesia Year 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended by Law Number 12 Year 2008 (State Gazette of the Republic Indonesia Year 2008 Number 59, Supplement to the State Gazette of the Republic of Indonesia Number 4844);

IT HEREBY DECIDED:

To stipulate : THE DECREE OF THE PRESIDENT CONCERNING THE APPOINTMENT OF THE GOVERNMENT OF EAST KUTAI REGENCY TO BECOME A PARTY IN THE ARBITRATION PROCESS AT THE INTERNATIONAL CENTRE FOR SETTLEMENT OF INVESTMENT DISPUTES RELATED TO THE REQUEST FOR ARBITRATION OF CHURCHILL MINING.

Article 1

To designate the Government of Regency of East Kutai, which is part of the constituent subdivision of the Republic of Indonesia, to become a party in the arbitration process at ICSID related to the request for arbitration of Churchill Mining.

Article 2

To notify ICSID that no such approval as stipulated in Article 25 paragraph (3) of the Convention on the Settlement of Investment Disputes between States and Nationals of other States is required.



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Article 3

To assign the Minister of Law and Human Rights to take all necessary measures so that the designation and notification as referred to in Article 1 and Article 2 listed and published by the ICSID in accordance with convention, regulations, and the rules of ICSID.

Article 4

This Presidential Decree shall come into force on the date of its enactment.

Stipulated in Jakarta
on 22 September 2012
PRESIDENT OF THE REPUBLIC OF
INDONESIA,

(Signed)

DR. H. SUSILO BAMBANG YUDHOYONO

This copy conforms with the original
REPUBLIC OF INDONESIA
SECRETARIATE OF CABINET
Deputy for Political, Legal, and Security,

(signed)

Bistok Simbolon