

**No. 5113**

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**UNITED STATES OF AMERICA  
and  
INDONESIA**

**Exchange of notes constituting an arrangement relating to  
air transport services. Djakarta, 2 February and  
2 March 1959**

*Official text: English.*

*Registered by the United States of America on 29 April 1960.*

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**ÉTATS-UNIS D'AMÉRIQUE  
et  
INDONÉSIE**

**Échange de notes constituant un arrangement relatif aux  
services de transports aériens. Djakarta, 2 février et  
2 mars 1959**

*Texte officiel anglais.*

*Enregistré par les États-Unis d'Amérique le 29 avril 1960.*

No. 5113. EXCHANGE OF NOTES CONSTITUTING AN ARRANGEMENT<sup>1</sup> BETWEEN THE UNITED STATES OF AMERICA AND INDONESIA RELATING TO AIR TRANSPORT SERVICES. DJAKARTA, 2 FEBRUARY AND 2 MARCH 1959

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I

*The American Embassy to the Indonesian Ministry of Foreign Affairs*

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

No. 527

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to inform the Ministry of Foreign Affairs of the Republic of Indonesia of the desire of the Government of the United States of America to obtain civil aviation rights for United States commercial carriers for one flight weekly on a provisional basis.

The Government of the United States of America requests that the Government of Indonesia grant for the use of United States commercial air carriers the following rights in Indonesian territory, subject to the following conditions :

1. The rights of transit and of stops for non-traffic purposes in Indonesian territory; and of commercial entry and departure for international traffic in passengers, cargo and mail at Djakarta, subject to such just, reasonable and non-discriminatory charges for the use of public airports and other facilities under the control of the Government of Indonesia as may be imposed;

2. The right of exemption from customs duties, excise taxes, inspection fees and other national duties or charges on fuel, lubricating oils, other consumable technical supplies, spare parts, regular equipment, and stores (a) brought into Indonesia for use by aircraft operating in accordance with subparagraph 1 above, (b) taken on board such aircraft in Indonesia, or (c) retained on board such aircraft during stops in Indonesia;

3. The right to have recognized as valid by the Government of Indonesia, certificates of airworthiness, certificates of competency and licenses issued or rendered valid by the Government of the United States of America.

4. a) The United States of America and the Republic of Indonesia agree that in the operation by the airlines of either country of trunk services, the interest

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<sup>1</sup> Came into force on 2 March 1959 by the exchange of the said notes.

of the airlines of the other country should be taken into consideration so as not to affect unduly the services which the latter provides on all or part of the same routes. Therefore the air services made available to the public by the airlines of both countries shall bear a close relationship to the requirements of the public of such services.

b) It is the understanding of the United States of America and the Republic of Indonesia that services provided by airlines of either country shall retain as their primary objective the provision of capacity adequate to the traffic demands between the country of which the airline is a national and the countries of ultimate destination of the traffic. The right to embark or disembark on such services international traffic destined for and coming from third countries shall be applied in accordance with the general principles of orderly development to which both countries subscribe and shall be subject to the general principle that capacity should be related :

1. to traffic requirements between the country of origin and the countries of ultimate destination of the traffic;
2. to the requirements of through airline operations;
3. to the traffic requirements of the area through which the airline passes after taking account of local and regional services.

c) Consultation between competent authorities of the United States of America and the Republic of Indonesia may be requested at any time by either party for the purpose of discussing the interpretation, application or amendment of this arrangement. Such consultation shall begin within a period of 30 days from the date of the receipt of the request by the Department of State of the United States of America or the Ministry of Foreign Affairs of the Republic of Indonesia as the case may be.

5. The granting of the rights requested herein will be considered effective for one year from the date of the Government of Indonesia's note in reply, and every extension should be requested officially by the Government of the United States from the Government of Indonesia prior to the termination of the one year period.

Upon receipt of a note from the Ministry of Foreign Affairs of the Republic of Indonesia indicating that the Indonesian Government grants the rights requested herein, the Government of the United States of America will consider that the grant of such rights becomes effective upon the date of the Ministry's note.

The Embassy of the United States avails itself of this opportunity to renew to the Ministry of Foreign Affairs the assurance of its highest consideration.

J. D. B.

Embassy of the United States of America  
Djakarta, February 2, 1959

## II

*The Indonesian Ministry of Foreign Affairs to the American Embassy*

KEMENTERIAN LUAR NEGERI  
REPUBLIK INDONESIA<sup>1</sup>

No. 12093/VI-C/59.

The Ministry of Foreign Affairs of the Republic of Indonesia presents its compliments to the Embassy of the United States of America and has the honour to refer to the Embassy's Note of February 2, 1959, No. 527, pertaining to a request for obtaining civil aviation rights for United States commercial carriers for one flight weekly to and from Indonesia, on a provisional basis.

The Ministry of Foreign Affairs is now in a position to inform the United States Embassy that the Government of the Republic of Indonesia is prepared to grant to United States commercial air carriers landing rights for Kemajoran International Airport, Djakarta, with full traffic rights on a provisional basis of one (1) flight weekly and under the conditions as stipulated by the Embassy's Note under paragraphs 1, 2, 3 and 5.

These landing rights granted are to commence on the 1st of April 1959 and are to be considered valid for one (1) year as from said date.

The Ministry kindly requests the Embassy to provide particulars regarding the airline designated, the route to be followed and the type of aircrafts to be used.

The Ministry of Foreign Affairs wishes to inform the American Embassy of its interpretation that paragraph 4 of the Embassy's Note No. 527 is a procedure to protect the interests of the Garuda Indonesian Airways as the Indonesian national airline on routes where the mentioned company maintains aerservices.

The Department of Civil Aviation of the Ministry of Communications will be the authority of the Indonesian Government in any consultations meant under above mentioned paragraph 4.

The Ministry of Foreign Affairs of the Republic of Indonesia avails itself of this opportunity to renew to the Embassy of the United States of America the assurance of its highest consideration.

Djakarta, 2nd March 1959  
[SEAL] (*Initialled*) [illegible]

To the Embassy of the United States of America  
Djakarta

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<sup>1</sup> Ministry for Foreign Affairs.  
Republic of Indonesia.