

**No. 13923**

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**NETHERLANDS  
and  
INDONESIA**

**Agreement concerning Netherlands War Cemeteries (*Erevelden*) in Indonesian territory (with maps). Signed at Djakarta on 9 June 1970**

*Authentic texts: Dutch, Indonesian and English.*

*Registered by the Netherlands on 29 April 1975.*

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**PAYS-BAS  
et  
INDONÉSIE**

**Accord relatif aux cimetières militaires néerlandais (*Erevelden*) situés en territoire indonésien (avec cartes). Signé à Djakarta le 9 juin 1970**

*Textes authentiques : néerlandais, indonésien et anglais.*

*Enregistré par les Pays-Bas le 29 avril 1975.*

AGREEMENT<sup>1</sup> BETWEEN THE GOVERNMENT OF THE KINGDOM  
OF THE NETHERLANDS AND THE GOVERNMENT OF THE RE-  
PUBLIC OF INDONESIA CONCERNING NETHERLANDS WAR  
CEMETERIES (*EREVELDEN*) IN INDONESIAN TERRITORY

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The Government of the Kingdom of the Netherlands and

The Government of the Republic of Indonesia

Animated by a common desire that the Netherlands War Cemeteries in Indone-  
sian territory should be assured of respect and care,

Have agreed as follows:

*Article 1.* The Netherlands War Graves Foundation ("*Oorlogsgraven-  
stichting*") hereinafter referred to as "the Foundation", the status of which has been  
passed by notarial deed on June 23, 1948, at The Hague, is the sole institute which  
with the approval of the Government of the Republic of Indonesia is entrusted by  
the Government of the Kingdom of the Netherlands with the task of laying out, con-  
structing and maintaining the authorized Netherlands War Cemeteries in Indonesia.

*Article 2.* The Government of the Republic of Indonesia shall grant to the  
Foundation free of charge, the use of the lands required for the authorized Nether-  
lands War Cemeteries for this specific purpose and for so long as that use of the  
lands is continued.

*Article 3.* (1) The Netherlands War Cemeteries authorized by the Govern-  
ment of the Republic of Indonesia, are seven in number, to name:

- |                   |            |
|-------------------|------------|
| 1. Menteng Pulo   | (Djakarta) |
| 2. Antjol         | (Djakarta) |
| 3. Pandu          | (Bandung)  |
| 4. Leuwi Gadjah   | (Tjimahi)  |
| 5. Kali Banteng   | (Semarang) |
| 6. Tjandi         | (Semarang) |
| 7. Kembang Kuning | (Surabaja) |

(2) The topographical maps pertaining to these cemeteries are given in the an-  
nex to the present Agreement.

*Article 4.* (1) The Foundation shall designate with the approval of the  
Government of the Republic of Indonesia, a fully authorized Representative who  
shall be a civilian of Netherlands nationality and who shall keep the competent In-  
donesian Authorities informed of his official activities.

(2) *a.* The Representative shall reside and maintain his office in Djakarta. He  
shall be authorized to designate, with the approval of the competent Indonesian  
Authorities, a number of Indonesian civil staff, to assist him in performing his  
duties.

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<sup>1</sup> Applied provisionally from 9 June 1970, the date of signature, and came into force on 11 July 1974, the date on  
which the two Governments notified one another of the completion of the procedures required for approval under their  
respective constitutions, in accordance with article 9.

b. In case the required staff is not available amongst Indonesian nationals, this Representative may designate, with the approval of the competent Indonesian Authorities, staff of other nationality to perform his duties.

*Article 5.* (1) Exhumation of bodies from the Netherlands War Cemeteries shall not be permitted, unless undertaken or authorized by the Foundation with the approval of the Government of the Republic of Indonesia.

(2) The Foundation shall be authorized to enclose the Netherlands War Cemeteries and to erect such structures therein as shall be required to assure maximum maintenance in accordance with the plans approved by the Government of the Republic of Indonesia.

(3) For the erection of monuments and memorials on the Netherlands War Cemeteries, prior approval of the Government of the Republic of Indonesia shall be obtained.

(4) Whenever it is deemed necessary by the Foundation to prevent the lands lying outside but in immediate vicinity of the Netherlands War Cemeteries from being used for purposes which may impair the honour of the Netherlands War Cemeteries, the Foundation may discuss the matter with the Government of the Republic of Indonesia to find the best possible solution.

*Article 6.* The Government of the Republic of Indonesia authorizes the Netherlands flag to be hoisted on the Netherlands War Cemeteries on memorial days and during normal memorial services. On other occasions, the Netherlands flag may only be hoisted with the approval of the Government of the Republic of Indonesia.

*Article 7.* (1) The Foundation shall be at liberty to import into Indonesia for sole use in the discharge of its functions, any articles or implements in the form of construction materials, equipment, vehicles, machinery, shrubs and plants and other articles or implements necessary for construction, maintenance, embellishment and renovation of the Netherlands War Cemeteries, free of customs and import duties and other charges as laid down by regulations in force in Indonesia.

(2) For each importation of articles or implements mentioned above, prior approval of the Government of the Republic of Indonesia shall be obtained.

(3) The Foundation shall be exempted from the payment of all taxes, dues or other State or local charges or impositions of whatsoever kind on the land allocated to the Cemeteries and structures therein, and on the Foundation's properties, including motor vehicles, the importation of which has been approved by the Government of the Republic of Indonesia free of customs and import duties and other charges under paragraphs (1) and (2) of this article.

*Article 8.* As regards the Kingdom of the Netherlands, the present Agreement shall apply to the Kingdom in Europe. The Agreement may be extended to Surinam and the Netherlands Antilles by a notification from the Government of the Kingdom of the Netherlands addressed to the Government of the Republic of Indonesia.

*Article 9.* The present Agreement shall be provisionally applicable from the date of its signature, and shall enter into force on the date on which the two Governments have notified one another of the completion of the procedures required for approval under their respective constitutions.

IN WITNESS WHEREOF the undersigned, duly authorized thereto by their respective Governments, have signed the present Agreement in the Netherlands, Indone-

sian and English languages, of which the English text, in case of dispute, shall prevail.

DONE in duplicate at Djakarta, the 9th day of June in the year one thousand nine hundred and seventy.

For the Government  
of the Kingdom of the Netherlands:

H. SCHELTEMA

For the Government  
of the Republic of Indonesia:

A. MALIK

[TOPOGRAPHICAL MAPS REFERRED TO IN ARTICLE 3]

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