

No. 19196

**UNITED STATES OF AMERICA
and
INDONESIA**

**Agreement for co-operation in scientific research and
technological development (with exchange of letters).
Signed at Washington on 11 December 1978**

Authentic texts of the Agreement: English and Indonesian.

Authentic text of the Exchange of letters: English.

Registered by the United States of America on 30 October 1980.

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

**Accord relatif à la coopération scientifique et technique
(avec échange de lettres). Signé à Washington le
11 décembre 1978**

Textes authentiques de l'Accord : anglais et indonésien.

Texte authentique de l'Échange de lettres : anglais.

Enregistré par les États-Unis d'Amérique le 30 octobre 1980.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA FOR COOPERATION IN SCIENTIFIC RESEARCH AND TECHNOLOGICAL DEVELOPMENT

The Government of the United States of America and the Government of the Republic of Indonesia,

Desiring to promote further the close and friendly relations existing between them,

Considering their common interest in promoting scientific research and technological development,

Recognizing the benefits to be derived by both States from close cooperation in these fields,

Have agreed as follows:

Article 1. The two Governments, hereinafter referred to as the "Parties", shall promote cooperation between the two countries in scientific research and technological development for peaceful purposes.

The principal purposes of this Agreement are to strengthen the scientific and technological capabilities of both countries, and broaden and expand relations between the scientific and technological communities.

Article 2. Cooperation under this Agreement will be undertaken in mutually agreed areas pertaining to basic human needs, energy and natural resources, technology relevant to providing the basis for industrial development, and such other areas of science and technology as may be agreed.

Article 3. The cooperation contemplated in this Agreement may include exchanges of scientific and technological information, exchanges of scientists and other research and technical personnel, the conduct of joint or coordinated research projects, the convening of joint seminars and meetings, the execution of joint technological development tasks, and other forms of scientific and technological cooperation as may be mutually agreed.

Article 4. Pursuant to the aims of this Agreement, the two Parties will encourage and facilitate, where appropriate, the development of direct contacts and cooperation between governmental agencies, universities, research centers and corporations in the United States and such Indonesian governmental agencies, universities, research centers and corporations as may be approved by the Government of Indonesia, and the conclusion of implementing arrangements between them for the conduct of cooperative activities under this Agreement.

Article 5. Scientists, technical experts, governmental agencies and institutions of third countries or international organizations may, in appropriate cases, be invited by the two Parties to participate, at their own expense unless otherwise agreed, in projects and programs being carried out under this Agreement.

¹ Came into force on 5 October 1979, the date of receipt of the note by which the Government of Indonesia communicated to the Government of the United States that the Agreement had been approved in conformity with Indonesia's constitutional procedure, in accordance with article 14.

Article 6. Unless otherwise provided for in an implementing arrangement, each Party or participating entity shall bear the cost of its participation and that of its personnel in cooperative activities under this Agreement. Should either Party or an entity thereof wish to use technical or professional services made available to it by the other Party, the assumption of costs, both direct and indirect, shall be agreed upon by the entities involved.

Article 7. Cooperative activities under this Agreement shall be subject to the availability of appropriated funds and to the applicable laws and regulations in each country.

Article 8. In order to promote the implementation of this Agreement, representatives of the Parties shall meet as required to exchange information on the progress of programs, projects, and activities of common interest. Experts or groups of experts may be appointed to discuss individual questions.

Article 9. Scientific and technological information of a nonproprietary nature arising from the cooperative activities under this Agreement shall be made available, unless it is agreed otherwise under specific circumstances, to the world scientific community through customary channels and in accordance with the normal procedures of the participating entities.

The disposition of patents, designs and other industrial and intellectual property arising from the cooperative activities under this Agreement will be provided for in the implementing arrangements referred to in Article 4.

Article 10. An implementing arrangement concluded in accordance with Article 4 of this Agreement shall, if necessary, include provision for liability with respect to damages arising from activities under that implementing arrangement.

A participant in an implementing arrangement under Article 4 of this Agreement shall use its best efforts to ensure the accuracy of any scientific and technological information and the suitability of any materials and equipment supplied by it pursuant to the terms of the implementing arrangement.

Article 11. Each of the Parties shall, to the extent permitted by applicable laws and regulations, adopt necessary measures to facilitate the entry into and exit from their respective territories of those persons and their dependents who carry out activities under this Agreement or under arrangements established in accordance with Article 4. The personal effects of the persons referred to in this Article, as well as the equipment necessary for the exercise of their activities, will be admitted in conformity with the existing laws and regulations of each Party.

Article 12. Nothing in this Agreement shall be construed to prejudice other arrangements for scientific and technological cooperation between the two Parties.

Likewise nothing in these other arrangements between the two Parties shall apply to this Agreement.

Article 13. Disputes concerning the interpretation or application of this Agreement shall be resolved amicably by consultation between the two Parties.

Article 14. This Agreement shall enter into force on the date of the receipt of the note by which the Government of Indonesia communicates to the Government of the United States of America that the Agreement has been approved in accordance with Indonesia's constitutional procedure.

This Agreement shall remain in force for a period of five years. It may be modified or extended by mutual agreement by the Parties.

The termination of this Agreement shall not affect the validity or duration of any arrangements made under it.

IN WITNESS WHEREOF, the undersigned, being duly authorized by their respective Governments, have signed this Agreement.

DONE at Washington, this eleventh day of December, 1978, in duplicate, in the English and Indonesian languages, both being equally authentic.

For the Government
of the United States of America:

[*Signed — Signé*]¹

For the Government
of the Republic of Indonesia:

[*Signed — Signé*]²

¹ Signed by Lucy Wilson Benson — Signé par Lucy Wilson Benson.

² Signed by D. Ashari — Signé par D. Ashari.

EXCHANGE OF LETTERS

I

EMBASSY OF THE REPUBLIC OF INDONESIA
WASHINGTON, D.C.

December 11, 1978

Dear Mrs. Benson:

With regard to the Agreement between the Government of the Republic of Indonesia and the Government of the United States of America for Cooperation in Scientific Research and Technological Development, signed today, I wish to stress the view of the Indonesian Government that neither the Agreement, nor any provision thereof, shall prejudice the position of Indonesia concerning the extent of its territory and areas under its jurisdiction or any other issue under discussion at the Third United Nations Conference on the Law of the Sea.

Very truly yours,

[Signed]

D. ASHARI
Ambassador

The Honorable Lucy Wilson Benson
Under Secretary for Security Assistance
Science and Technology
Department of State
Washington, D.C.

II

December 11, 1978

Dear Mr. Ambassador:

In reply to your letter of December 11, 1978, regarding the Agreement between the Government of the United States of America and the Government of the Republic of Indonesia for Cooperation in Scientific Research and Technological Development, signed today, I wish to inform you that the Government of the United States of America is in agreement with the view of the Government of the Republic of Indonesia that neither the Agreement, nor any provision thereof, shall prejudice the position of Indonesia concerning the extent of its territory and areas under its jurisdiction or any other issue under discussion at the Third United Nations Conference on the Law of the Sea.

I also wish to stress the view of the Government of the United States of America that neither the Agreement, nor any provision thereof, shall prejudice the position of the United States concerning the extent of its jurisdiction or any other issue under discussion at the Third United Nations Conference on the Law of the Sea.

Sincerely yours,

[Signed]

LUCY WILSON BENSON

The Honorable D. Ashari
Ambassador of the Republic of Indonesia
Washington, D.C.