

No. 22934

**FRANCE
and
INDONESIA**

**Agreement on co-operation in the fields of scientific
research and technological development. Signed at
Jakarta on 8 May 1979**

*Authentic texts: French and Indonesian.
Registered by France on 8 June 1984.*

**FRANCE
et
INDONÉSIE**

**Accord de coopération dans les domaines de la recherche
scientifique et du développement technologique. Signé
à Jakarta le 8 mai 1979**

*Textes authentiques : français et indonésien.
Enregistré par la France le 8 juin 1984.*

[TRANSLATION — TRADUCTION]

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE FRENCH REPUBLIC AND THE GOVERNMENT OF THE REPUBLIC OF INDONESIA ON CO-OPERATION IN THE FIELDS OF SCIENTIFIC RESEARCH AND TECHNOLOGICAL DEVELOPMENT

The Government of the French Republic and the Government of the Republic of Indonesia,

Considering the Agreement on Cultural and Technical Co-operation signed by the two Governments on 20 September 1969,²

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

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

Recognizing the advantages the two States may derive from close co-operation in these fields,

Have agreed as follows:

Article 1. 1. The two Parties shall promote co-operation between the two countries in the fields of scientific research and technological development recognized as being of common interest.

This co-operation shall include *inter alia* the following specific fields:

- (a) Technology linked to industrial development,
- (b) Space research and technology,
- (c) Energy research and technology,
- (d) Design and construction of the Centre for Scientific and Technological Development (PUSPIPTEK),
- (e) Natural sciences (medicine, biology, agronomy), oceanology and earth sciences,
- (f) Social sciences and humanities,
- (g) Documentation and scientific and technical information.

2. Co-operation may also be undertaken in all other areas of science and technology that may be agreed upon between the two Governments.

Article 2. The two Parties shall promote co-operation between scientific and technological bodies and institutions. For this purpose, special arrangements shall be concluded between these bodies or institutions within the framework of this Agreement. In accordance with the laws and regulations in force in each of the two countries, these special arrangements shall be approved by the two Governments.

¹ Came into force on 17 June 1980, the date on which the Contracting Parties notified each other of the completion of the required constitutional procedures, in accordance with article 14 (1).

² United Nations, *Treaty Series*, vol. 748, p. 103.

Article 3. 1. Co-operation may be promoted by means of:

- (a) The exchange of information,
- (b) The exchange of scientists or other technicians and researchers,
- (c) Meetings of experts and other joint activities,
- (d) The provision of advisory and other services,
- (e) The implementation of joint or co-ordinated research or development projects.

2. The two Parties shall facilitate this co-operation, with each making available to the other, within the limit of its means, the necessary material and equipment.

3. The special arrangements to be concluded in accordance with article 2 of this Agreement shall indicate what persons are entitled to the results of joint research and development projects.

Article 4. Payment of the costs arising from the implementation of co-operation under article 3, paragraph 1, of this Agreement shall be stipulated in the special arrangements to be concluded under article 2 of this Agreement.

Article 5. In order to promote the implementation of this Agreement and the special arrangements to be concluded in accordance with article 2 of this Agreement, the representatives of the two Parties shall meet at an appropriate time and place in order to inform each other of progress made in activities of common interest and to consult each other regarding measures that might be necessary. Such consultations shall take place at periodic meetings of the Joint Commission stipulated in article 17 of the Agreement on Cultural and Technical Co-operation of 20 September 1969. Experts or groups of experts may be appointed to discuss specific questions.

Article 6. 1. The exchange of information may take place either directly between the two Parties or between the bodies appointed by them.

2. The two Parties or bodies appointed by them may transmit the information obtained to public establishments or public assisted non-profit establishments or companies. The two Parties or the bodies appointed by them in the special arrangements concluded in accordance with article 2 of this Agreement may limit or prohibit this transmission. The transmission of information to other bodies or persons shall be prohibited or limited if one Contracting Party or the bodies appointed by it so decides before or at the time of the exchange. This provision shall not prejudice the right of each body or authorized person to make free use of information the transmission of which has not been limited or prohibited.

3. Each Party shall ensure that persons entitled to receive information under this Agreement or under the special arrangements to be concluded for the implementation of this Agreement shall not transmit such information to bodies of persons not authorized, in accordance with this Agreement or the special arrangements to be concluded in accordance with article 2 of this Agreement, to receive such information.

Article 7. 1. This Agreement shall not apply to:

- (a) Information which the Contracting Parties or bodies appointed by them may not provide because it comes from third parties and its transmission is prohibited,
- (b) Information and property rights or patents which, under the arrangements concluded with a third party, may not be communicated or transferred, and

(c) Information considered confidential by one of the Contracting Parties, unless prior consent is given by the competent authorities of that Contracting Party.

The use of this information remains subject to a separate Agreement stipulating the conditions and procedure required for such transmission.

2. Information of commercial value shall be communicated under special arrangements regulating at the same time the conditions of transmission.

Article 8. 1. Each Party or body appointed by it shall take the appropriate measures to ensure the accuracy of information transmitted or the suitability of material and equipment supplied for a specific use under this Agreement or under the special arrangements to be concluded for its implementation. Unless expressly provided, this transmission or supply shall involve no liability.

2. The special arrangements to be concluded in accordance with article 2 of this Agreement shall include, if necessary, a provision regarding liability in the event of damage caused by acts or omissions of one Contracting Party relating to the cooperation provided for in this Agreement.

Article 9. With respect to goods imported or re-exported under this Agreement and with respect to the import of personal effects and the income tax exemption for scientists, technicians and researchers participating in an exchange under this Agreement, the provisions of the Agreement on Cultural and Technical Cooperation of 20 September 1969 shall be applicable when so agreed in the special arrangements to be concluded under article 2 of this Agreement.

Article 10. The two Parties shall lend appropriate assistance, through the competent public bodies, to the scientists and other persons participating in an exchange in accordance with the special arrangements to be concluded under article 2 of this Agreement.

Article 11. The provisions of this Agreement shall be applied in accordance with the laws and regulations existing in the territory of one or the other Contracting Party. They shall not prejudice the international obligations undertaken by the two Parties.

Article 12. Disputes over the interpretation, applicability or implementation of this Agreement shall be settled amicably by consultation or negotiation between the two Parties.

Article 13. For France, this Agreement shall apply to the European and Overseas Departments and Overseas Territories and to the adjacent continental shelf where France exercises rights under international law.

This Agreement shall apply to the territory of the Republic of Indonesia as defined in its legislation and to the parts of the continental shelf and adjacent waters over which the Republic of Indonesia exercises its sovereignty, sovereign rights or other rights in accordance with international law.

Article 14. 1. This Agreement shall enter into force as soon as the Contracting Parties have notified each other of the completion of their respective constitutional procedures required for the entry into force of this Agreement.

2. This Agreement shall remain in force for a period of 5 years and shall be subsequently extended for successive periods of 2 years. Each of the Contracting Parties may denounce it on 12 months' notice. If the Agreement ceases to have effect by virtue of its denunciation, its provisions shall continue to be applicable for the period and extent necessary to ensure the implementation of the special arrangements concluded under article 2 of this Agreement and shall still be applicable at the time when the Agreement ceases to have effect. The period of validity of the special arrangements concluded under article 2 of this Agreement shall not be changed by the denunciation of this Agreement.

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

DONE at Jakarta on 8 May 1979 in duplicate in the French and Indonesian languages, both texts being equally authentic.

For the Government
of the French Republic:

[Signed]

PIERRE AIGRAIN

For the Government
of the Republic of Indonesia:

[Signed]

BACHARUDDIN JUSUF HABIBIE
