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DEPARTMENT OF FOREIGN AFFAIRS AND TRADE
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THE CLERK OF THE PARLIAMENT



AGREEMENT BETWEEN
AUSTRALIA
AND
THE REPUBLIC OF INDONESIA
ON THE FRAMEWORK FOR SECURITY COOPERATION

Mataram, Lombok: 13 November 2006

Not yet in force
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**AGREEMENT
BETWEEN AUSTRALIA AND THE REPUBLIC OF INDONESIA ON THE
FRAMEWORK FOR SECURITY COOPERATION**

The Government of the Republic of Indonesia and the Government of Australia (hereinafter referred to as the 'Parties')

Reaffirming the sovereign equality of the Parties, their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments;

Reaffirming the commitment to the sovereignty, unity, independence and territorial integrity of both Parties, and the importance of the principles of good neighbourliness and non-interference in the internal affairs of one another, consistent with the Charter of the United Nations;

Recognising that both Parties are democratic, dynamic and outward-looking members of the region and the international community;

Recognising also the new global challenges, notably from international terrorism, traditional and non-traditional security threats;

Recognising further the importance of continued and enhanced cooperation in meeting the challenges posed by international terrorism and transnational crime;

Determined to work together to respond to these new challenges and threats;

Determined also to maintain and strengthen bilateral cooperation and regular dialogue including established regular discussions on strategic, defence, intelligence, law enforcement and other matters;

Determined further to maintain and strengthen the long-standing political, economic, social and security cooperation which exist between the two Parties, and their common regional interests and ties, including the stability, progress and prosperity of the Asia-Pacific region;

Recognising the value of bilateral agreements and arrangements between the two countries since 1959 including the major bilateral instruments on security that have provided a strong legal framework for both countries in dealing with various security threats and issues as well as the importance of existing dialogues and cooperation through the Indonesia Australia Ministerial Forum (IAMF);

Emphasizing also the importance of working together through regional and international fora on security matters to contribute to the maintenance of international peace and security;

Determined to comply in good faith with their obligations under generally recognized principles and rules of international law;

Adhering to their respective laws and regulations;

Have agreed as follows:

ARTICLE 1 PURPOSES

The main objectives of this Agreement are:

1. to provide a framework for deepening and expanding bilateral cooperation and exchanges as well as to intensify cooperation and consultation between the Parties in areas of mutual interest and concern on matters affecting their common security as well as their respective national security.
2. to establish a bilateral consultative mechanism with a view to encouraging intensive dialogue, exchanges and implementation of co-operative activities as well as strengthening institutional relationships pursuant to this Agreement.

ARTICLE 2 PRINCIPLES

In their relations with one another, the Parties shall be guided by the following fundamental principles, consistent with the Charter of the United Nations,

1. Equality, mutual benefit and recognition of enduring interests each Party has in the stability, security and prosperity of the other;
2. Mutual respect and support for the sovereignty, territorial integrity, national unity and political independence of each other, and also non-interference in the internal affairs of one another;
3. The Parties, consistent with their respective domestic laws and international obligations, shall not in any manner support or participate in activities by any person or entity which constitutes a threat to the stability, sovereignty or territorial integrity of the other Party, including by those who seek to use its territory for encouraging or committing such activities, including separatism, in the territory of the other Party;
4. The Parties undertake, consistent with the Charter of the United Nations, to settle any disputes that might arise between them by peaceful means in such a manner that international peace, security and justice are not endangered;

5. The Parties shall refrain from the threat or use of force against the territorial integrity or political independence of the other, in accordance with the UN Charter;
6. Nothing in this Agreement shall affect in any way the existing rights and obligations of either Party under international law.

ARTICLE 3

AREAS AND FORMS OF COOPERATION

The scope of cooperation of this Agreement shall include:

Defence Cooperation

In recognition of the long-term mutual benefit of the closest professional cooperation between their Defence Forces,

1. Regular consultation on defence and security issues of common concern; and on their respective defence policies;
2. Promotion of development and capacity building of defence institutions and armed forces of both Parties including through military education and training, exercises, study visits and exchanges, application of scientific methods to support capacity building and management and other related mutually beneficial activities;
3. Facilitating cooperation in the field of mutually beneficial defence technologies and capabilities, including joint design, development, production, marketing and transfer of technology as well as developing mutually agreed joint projects.

Law Enforcement Cooperation

In recognition of the importance of effective cooperation to combat transnational crime that impacts upon the security of both Parties,

4. Regular consultation and dialogue aimed at strengthening the links between institutions and officials at all levels;
5. Cooperation to build capacity of law enforcement officials to prevent, respond to and investigate transnational crime;
6. Strengthening and intensifying police to police cooperation including through joint and coordinated operations;
7. Cooperation between relevant institutions and agencies, including prosecuting authorities, in preventing and combating transnational crimes, in particular crimes related to:

- a. People smuggling and trafficking in persons;
- b. Money laundering;
- c. Financing of terrorism;
- d. Corruption;
- e. Illegal fishing;
- f. Cyber-crimes;
- g. Illicit trafficking in narcotics drugs and psychotropic substances and its precursors;
- h. Illicit trafficking in arms, ammunition, explosives and other dangerous materials and the illegal production thereof; and
- i. Other types of crime if deemed necessary by both Parties.

Counter-terrorism Cooperation

In recognition of the importance of close and continuing cooperation to combat and eliminate international terrorism through communication, cooperation and action at all levels,

8. Doing everything possible individually and jointly to eradicate international terrorism and extremism and its roots and causes and to bring those who support or engage in violent criminal acts to justice in accordance with international law and their respective national laws;
9. Further strengthening cooperation to combat international terrorism including through rapid, practical and effective responses to terrorist threats and attacks; intelligence and information sharing; assistance to transport security, immigration and border control; and effective counter-terrorism policies and regulatory frameworks;
10. Strengthening cooperation in capacity building in law enforcement, defence, intelligence and national security in order to respond to terrorist threats;
11. Cooperation, when requested and where possible, in facilitating effective and rapid responses in the event of a terrorist attack. In this regard, the requesting Party shall have primary responsibility for the overall direction, organization and coordination for such situation.

Intelligence Cooperation

12. Cooperation and exchange of information and intelligence on security issues between relevant institutions and agencies, in compliance with their respective national legislation and within the limits of their responsibility.

Maritime Security

13. Strengthening bilateral cooperation to enhance maritime safety and to implement maritime security measures, consistent with international law;

14. Enhancing existing Defence and other cooperation activities and capacity building in the area of aerial and naval maritime security in accordance with international law.

Aviation Safety and Security

15. Strengthening bilateral cooperation in the field of capacity building to enhance civil aviation safety and security.

Proliferation of Weapons of Mass Destruction

In recognition of the Parties' shared commitment not to develop, produce, otherwise acquire, stockpile, retain or use nuclear weapons or other weapons of mass destruction,

16. Co-operate to enhance measures for preventing the proliferation of weapons of mass destruction and their means of delivery including through strengthened national export controls in accordance with their respective national laws as well as international law;
17. Strengthening bilateral nuclear cooperation for peaceful purposes, including to further the objective of non-proliferation of weapons of mass destruction and strengthen international nuclear safety and security through enhanced standards, in accordance with international law.

Emergency Cooperation

18. Cooperation, as appropriate and as requested, in facilitating effective and rapid coordination of responses and relief measures in the event of a natural disaster or other such emergency. The Party requesting the assistance shall have primary responsibility for determining the overall direction for emergency response and relief operation;
19. Cooperation in capacity building for disaster preparedness and response.

Cooperation in International Organizations on Security-Related Issues

20. Consultation and cooperation on matters of shared interest on security related issues in the United Nations, other international and regional bodies.

Community Understanding and People-to-People Cooperation

21. Endeavoring to foster contacts and interaction between their respective institutions and communities with a view to improving mutual understanding of security challenges and responses to them.

ARTICLE 4 CONFIDENTIALITY

1. The Parties shall protect confidential and classified information received pursuant to the framework of this Agreement in accordance with their respective national laws, regulations and policies.
2. Notwithstanding Article 10, should this Agreement terminate, each Party shall continue to comply with the obligation set out in paragraph 1 to information to which it had access under the Agreement.

ARTICLE 5 INTELLECTUAL PROPERTY

The Parties agree that any intellectual property arising under the implementation of this Agreement shall be regulated under separate arrangement.

ARTICLE 6 IMPLEMENTING MECHANISM

1. The Parties shall take any necessary steps to ensure effective implementation of this Agreement, including through conclusion of separate arrangements on specific areas of cooperation.
2. For the purpose of this Article, the Parties shall meet on a regular basis under the existing mechanism of the Indonesia-Australia Ministerial Forum (IAMF) to review and give direction to the activities under this Agreement.

ARTICLE 7 FINANCIAL ARRANGEMENT

Any expenses incurred in the implementation of this Agreement will be met by the Party incurring the expense, unless otherwise mutually decided.

ARTICLE 8 SETTLEMENT OF DISPUTES

Disputes arising in relation to the interpretation on implementation of this Agreement shall be settled amicably by mutual consultation or negotiation between the Parties.

ARTICLE 9 AMENDMENT

This Agreement may be amended in writing by mutual consent by both Parties. Any amendment to this Agreement shall come into force on the date of later notification by either Party of the completion of its ratification procedure for the amendment.

ARTICLE 10 ENTRY INTO FORCE, DURATION AND TERMINATION

1. The Agreement shall enter into force on the date of receipt of the last notification by which the Parties notify each other that their internal requirements for the entry into force of this Agreement have been fulfilled.
2. This Agreement shall remain in force until one Party gives written notice of its intention to terminate it, in which case this Agreement shall terminate six months after receipt of the notice of termination.
3. Termination of this Agreement shall not affect the validity or the duration of any arrangement made under the present Agreement until the completion of such arrangement, unless otherwise decided by mutual consent.

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

Done at Lombok on this thirteenth day of November in the year of two thousand and six, in 2 (two) original copies in both English and Indonesian languages, all texts being equally authentic. In case of divergence in the interpretation, the English text shall prevail.

**For the Government of
Australia:**

**For the Government of the
Republic of Indonesia:**

Alexander Downer
Minister for Foreign Affairs

Dr Hassan Wiryuda
Minister for Foreign Affairs