



**REPUBLIK INDONESIA**

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE MINISTRY OF PUBLIC WORKS  
REPUBLIC OF INDONESIA  
AND  
THE MINISTRY OF PUBLIC WORKS  
THE PEOPLE'S DEMOCRATIC REPUBLIC OF ALGERIA  
CONCERNING  
COOPERATION ON PUBLIC WORKS INFRASTRUCTURE**

The Ministry of Public Works of the Republic of Indonesia and the Ministry of Public Works of the People's Democratic Republic of Algeria, hereinafter referred to as "the Parties"

**Desiring** to strengthen the existing cooperation between the Parties, as stipulated in the Minutes of Discussion signed by the representative of the Parties in Jakarta on 28 February 2003, based on the principal of equality, reciprocity and mutual benefit for the Parties and to further expand cooperation in the fields of road and bridge including highway and toll-road, and its related issues in an effective and holistic approach.

**Recognizing** the Parties desire to share knowledge and experience as well as technical knowledge on road and bridge including highway and toll-road for the welfare of the people in both countries.

**Affirming** such cooperation would serve the common interests and contribute to the enhancement of future bilateral cooperation of both countries in the fields of road and bridge including highway and toll-road.

**Referring** to the Agreement between the Government of the Republic of Indonesia and the Government of People's Democratic Republic of Algeria on Economic and Technical Cooperation signed in Jakarta on 28 April 1995.

**Taking into account** to the Agreed Minutes of the First Joint Ministerial Commission (JMC) between the Republic of Indonesia and the People's Democratic Republic of Algeria signed in Jakarta on 1 August 2003.

Pursuant to the respective Parties prevailing laws, regulations and procedures concerning international technical cooperation.

Have reached the following understandings:

#### **Article 1 Objective**

1. The objective of this Memorandum of Understanding is to intensify the cooperation on public works infrastructure in the fields of road and bridge including highway and toll-road, capacity building and its relating issues as well as promoting concrete cooperation between Indonesian and Algerian Contractors and Consultants.
2. The Parties will cooperate to achieve the objective through :
  - High level exchange, on a multi-annual basis, on strategic issues that address world public works infrastructure engineering for mutual benefit of the Parties.
  - Pilot projects that would be consistent with the strategic issues.
  - Promotion of concrete cooperation between the Indonesian and Algerian Private Contractor and Consultant for the purpose of transferring technical knowledge and professional experiences in all aspects of public works activities.

#### **Article 2 Areas of Cooperation**

1. The areas of cooperation under this Memorandum of Understanding will, on the basis of sustainable development, include but are not limited to:
  - Transfer of technical knowledge and experience.
  - Physical works of pilot projects.
2. Due to the holistic approach to address public works infrastructure engineering and its related issues, the Parties may call upon other parties in both countries to contribute in a temporary advisory capacity.

**Article 3**  
**Forms of Cooperation**

The forms of cooperation under this Memorandum of Understanding will include:

- Exchange of Information;
- Exchange and assignment of Experts;
- Organization of Meetings, Symposium, Workshop;
- Conducting of Training Program;
- Pilot Projects; and
- Other forms of cooperation as jointly consented upon by the Parties.

**Article 4**  
**Financial Arrangements**

The financial arrangement to cover expenses for the cooperation activities undertaken within the frameworks of this Memorandum of Understandings shall be mutually agreed upon by the respective Parties on a case by case basis subject to the availability of funds.

**Article 5**  
**Contribution of Each Party**

The contribution of each Party for the implementation of this Memorandum of Understanding is subject to consultation and negotiation by the Parties and should take into consideration the prevailing laws, regulation and procedure concerning technical cooperation in each country.

**Article 6**  
**Participation of Third Party**

Each Party may invite the participation of the third party in the joint activities and/or program being carried out under this Memorandum of Understanding upon obtaining a written approval of the other party. In carrying out such joint activities and/or program, the Parties shall ensure that the third party shall comply with provision of this Memorandum of Understanding.

**Article 7**  
**Intellectual Property Right**

The Protection of intellectual property right shall be enforce in conformity with the respective prevailing laws, rules and regulations of the Parties and with other international agreement signed by both Parties.

**Article 8**  
**Confidentiality**

Each Party shall undertake to observe the confidentiality and secrecy of documents, information and other data received or supplied to the other Party during the period of the implementation of this Memorandum of Understanding.

**Article 9**  
**Suspension**

Either Party reserves the right for reasons of national security, national interest, public order or public health to suspend temporary, either in a whole or in part, the implementation of this Memorandum of Understanding which suspension shall take into effect immediately after written notification has been given to the other party.

**Article 10**  
**Settlement of Difference**

Any difference between the Parties concerning the interpretation and/or implementation and/or application of any of the provisions of this Memorandum of Understanding shall be settled amicably through mutual consultation and/or negotiations between the Parties, without interference of any third party or international tribunal.

**Article 11**  
**Amendment**

This Memorandum of Understanding can be reviewed or amended at any time by mutual written consent of the Parties. Such revisions or amendments shall enter into force on such date as may be determined by the Parties and shall form on integral part of this Memorandum of Understanding.

**Article 12**  
**Entry Into Force, Duration and Termination**

1. This Memorandum of Understanding shall come into force on the date of signing and shall remain in force for a period of three (3) years unless otherwise mutually extended by the parties in writing at least three (3) months prior to the expiration of this Memorandum of Understanding.
2. Notwithstanding paragraph 1 above, either party may terminate this Memorandum of Understanding by notifying the other Party of its intention to terminate this Memorandum of Understanding by notice in writing at least three (3) months prior to its intention to do so.
3. Should this Memorandum of understanding ceases to have effect on account of termination thereof, such termination will not prejudice the completion of existing joint activities.

In witness whereof, the undersigned have signed this Memorandum of Understanding.

Done in duplicate in Jakarta on the thirteen day of January in the year of two thousand and nine in the English, Indonesian and Arabic languages, all texts being equally authentic. In the case of any divergence in the interpretation of the Memorandum of Understanding, the English Text shall prevail.

For the Ministry of Public Works  
of the Republic of Indonesia



Djoko Kirmanto

For the Ministry of Public Works of  
the People's Democratic Republic  
of Algeria



Amar Ghoul