

REPORT OF
SECOND JOINT MEETING OF WORKING GROUP ON
LEGAL COOPERATION
BETWEEN INDONESIA AND AUSTRALIA
CANBERRA, 17 MARCH 2005

1. The second Joint Meeting of Working Group on Legal Cooperation (WGLC) between Indonesia and Australia was held in Canberra on 17 March 2005. The Delegation of Indonesia was led by Mr Mangasi Sihombing, Director-General of Information, Public Diplomacy and International Treaties, Department of Foreign Affairs of the Republic of Indonesia. The Delegation of Australia was led by the Mr Iain Anderson, First Assistant Secretary, Legal Services and Native Title Division, Australian Attorney-General's Department. The list of the members of the two delegations is attached as **Annex I**.
2. The second Joint Meeting of the WGLC was conducted in a very constructive and cooperative atmosphere, and generated informative discussions and ideas for future activities.

Opening of Meeting

3. The meeting was opened by Mr Anderson who welcomed Mr Sihombing and the other Directors-General and Indonesian officials and thanked them for their assistance in the organisation of the meeting. Mr Sihombing thanked his counterpart Mr Anderson for hosting the second meeting of the WGLC.
4. In his opening remarks, Mr Sihombing among other things noted that the WGLC has been one of the most active Working Groups under the auspices of the Australia-Indonesia Ministerial Forum. He also welcomed the progress made by the WGLC in implementing its activities including workshops, seminars and training for both officials of the two countries. Mr Sihombing further stated that it is necessary for both sides to set up a road map of their activities for the next two years.
5. The Co-chairs invited each member of their respective delegations to introduce themselves, which they did.

Adoption of the Agenda

6. The Meeting agreed that the agenda for the meeting would be:
 - a. Welcome and Opening;
 - b. Presentations by Indonesian officials;
 - c. Presentations by Australian officials; and
 - d. Lunch Adjournment.
 - e. Settling and Signing of WGLC Report

Settling of WGLC Arrangements

7. With regard to the settling of WGLC arrangements, the meeting agreed that:
 - a. Mr Iain Anderson (Australia) and Mr Sihombing (Indonesia) would be the Co-chairs of the meeting;
 - b. Mr Karl Alderson (Australia) and Mr Zulkarnaen Yunus (Indonesia) would be the alternate Co-chairs of the meeting;
 - c. The WGLC membership would constitute those officials present at the WGLC Meeting; and
 - d. The decision making would be by consensus.

Objectives of the WGLC

8. The meeting considered and reaffirmed the objectives of the WGLC:

Recognising the importance of the broader objectives of the Memorandum of Understanding between the Government of the Republic of Indonesia and the Government of Australia on Legal Cooperation within the framework of Indonesia-Australia Ministerial Forum that is to cooperate on issues pertinent to the development of their legal systems, laws and legal institutions in a manner which would mutually benefit both countries, the two delegations agreed that the objectives of the WGLC are to:

- a. Assist the building and strengthening of cooperation and links in law, legal institutions, legal education and training, legislative drafting and legal services between the two countries; and promote a greater understanding in each country of the other country's laws and legal systems;
- b. Promote the open exchange of information on legal cooperation activities between the two countries by providing a forum through which the public and private sectors of both countries could meet to identify challenges, opportunities and impediments to legal cooperation activities in each country, and to cooperate to identify solutions;
- c. As appropriate, provide advice or assistance on legal cooperation to the public and private sectors or other agencies or bodies on matters relating to links in law, legal institutions, legal education and training, legislative drafting and legal services in either country, where such advice or assistance is likely to strengthen those links and cooperation between the two countries; and as appropriate, and where resources exist, undertake research or other activities on a mutually agreed basis to further develop legal cooperation links between the two countries;
- d. Support the activities of all Sub-Groups established under the WGLC; and

- e. Provide a mechanism for reporting on legal cooperation matters and activities between Australia and Indonesia to the respective Ministers with legislative responsibility.

Consideration of Report of the Inaugural Meeting of the WGLC and the Report of the 2003 Ministerial Forum

9. The meeting considered and adopted the Report of the Inaugural Meeting of the WGLC.
10. The meeting considered the Report of the 2003 Ministerial Forum.

Indonesian Reports

Cooperation on Legal and Administrative Affairs - Directorate-General for Legal Administrative Affairs

11. The Indonesian Delegation expressed gratitude for the warm welcome and hospitality extended to him and members of delegation. The Delegation noted that the long standing legal cooperation between two countries was marked by the MOU on Legal Cooperation signed on 25 October 2000. The Delegation pointed out that Indonesia and Australia are engaged in cooperation in many different areas including legal administration, drafting, human rights and immigration. The Delegation expressed the hope that there could be further study visits and workshops in future. It gave the 2004 workshops on extradition and mutual assistance as an example of effective cooperation. It summarised existing cooperation in a number of areas including human rights, intellectual property and immigration.

Cooperation in Legal Drafting - Directorate-General of Legislation

12. The Indonesian Delegation gave an outline of legal drafting initiatives in Indonesia including those for which Australia has provided assistance. It spoke of the benefits to providing training in regional areas. The Delegation noted that the National Law Development Agency has played a key role in law reform.
13. In relation to the National Law Development Agency, the Delegation proposed some activities:
 - a. Training for Journalists in term of Legal Literacy;
 - b. Seminar on the significance of legal research in supporting regulation;
 - c. Comparative Study to Australia and ASEAN member countries;
 - d. Courses on Communication Management;
 - e. Course on Creating Communication Campaigns;
 - f. Comparative Study on Legal Research;
 - g. Joint Research concerning legal aspects of border management:
 - i. Inventory of the Law of the Sea;

- ii. Survey on the specific areas;
- iii. Seminars on the results of the survey;
- iv. Proceeding documents published in both Bahasa and English; and
- h. Training for researchers.

Cooperation on Human Rights - Directorate-General Human Rights

14. The Indonesian Delegation outlined the basic indicators for democratic governance. It noted Indonesia's current priorities as economic recovery, establishing the supremacy of law and underpinning international confidence. It gave a detailed and informative outline of Indonesia's National Action Plan on Human Rights and the mechanisms through which human rights values are developed in cooperation between the national government, the provinces and districts.

Cooperation on Intellectual Property Rights - Directorate-General Intellectual Property

15. The Indonesian Delegation outlined recent initiatives in intellectual property in Indonesia. It emphasised the importance of international cooperation, especially to combat piracy. It also emphasised that Indonesia was taking many steps to address this challenge.

Public Prosecutions – Legal Bureau of Attorney-General's Office

16. The Indonesian Delegation described existing programs and efforts in relation to the prosecution of crime. It gave an update on recent programs. It raised the desirability of further efforts under the WGLC to enhance cooperation in relation to the trafficking of persons, money laundering and counter-terrorism. It noted that the difficulties concerning the Abu Baka Bashir case, who was sentenced to serve 30 months imprisonment, was not the result of the Prosecutors, who requested an eight year sentence. The Prosecutors have lodged an appeal to the High Court.

Cooperation on Investment - Indonesian Investment Coordination Agency (BKPM)

17. The Indonesian Delegation explained that the Government of Indonesia is determined to have firm laws and regulations to facilitate foreign investment in Indonesia. The Delegation explained that the Indonesian Government has dispatched officials overseas including to Australia with the aim of promoting foreign direct investment from Australia and that there is an office in Melbourne, which provides information and contacts to assist investment. It proposed there be a Memorandum of Understanding to encourage business contacts between the two countries. Further information on the Indonesian position was provided to the WGLC.

Cooperation in Policing - Criminal Investigation Division, Indonesian National Police (POLRI)

18. The Indonesian Delegation noted Indonesia's desire to discuss modifications to its Memorandum of Understanding with the Australian Federal Police on the exchange of information.

Scholarships in Masters and PhD Programs - Directorate General for Information, Public Diplomacy and International Treaties (DEPLU)

19. The Indonesian Delegation briefed the meeting of the new structure of the Ministry of Foreign Affairs by establishing a Directorate General of Legal and Treaties. In this regard, there is a need for the Indonesian side to improve the capacity building and human resources development. The Indonesian Delegation further stressed that it is the interest of both countries to explore the possibility of finding the necessary resources for scholarship for their officials to complete a Masters degree or PhD program in law.

Australian Reports

AusAID Report to the WGLC

20. Australia and Indonesia have jointly agreed that the focus areas for our program will be to:
 - a. Improve economic management
 - b. Support the transition to democracy – this includes assistance for legal and judicial reform, the institutions of human rights and public accountability which is of most interest to this audience today.
 - c. Enhance security and stability
 - d. Increase the accessibility and quality of basic social services
21. The Indonesia-Australia Legal Development Facility is a five year project valued at approximately AUD\$22 million. It is funded through the Australian Government Aid Program as part of its support for good governance in Indonesia.
22. The Legal Development Facility's objective is to strengthen the capacity of Indonesian government and civil society institutions to promote legal reform and protect human rights. This is done through providing advice, training and technical assistance.
23. The Australian and Indonesian governments oversee this program. On Australia's side this is done through AusAID and on Indonesia's side through Bappenas. Both governments have the opportunity to comment on all activities and to give strategic direction to the program.

24. The first advisory board meeting, held in February, recommended that main themes of this program should be: Judicial Reform; Human Rights; Criminal Justice; Anti-Corruption and Legislative Process. They also recommended some assistance in the areas of legal education and access to justice.
25. The Indonesia Australia Specialised Training Program (IASTP), established in 1994, has been highly successful in addressing skills gaps in Indonesian government, private and community sectors.
26. For example, Phase Two of the program, which ran from 1998 to 2004 delivered more than 750 courses to some 15,000 people from a wide range of Indonesian institutions. Feedback has been overwhelmingly favourable.
27. Significantly, the program is structured to provide flexibility, which enables us to respond to priorities, such as assistance to Bali's health system.
28. The Indonesia Australia Specialised Training Program enjoys the strong support of the Indonesian Government. Training programs are conducted mainly in Indonesia and are designed in close consultation with Indonesian government agencies.
29. The Australian Government has committed \$62.5 million for a third, five-year phase of IASTP from 2004 to 2009, of which around two-thirds will be for governance-related training. This includes courses in legal reform, economic management, improving public sector accountability and strengthening the capacity of district level governments to deliver basic services to their communities.
30. The Government Sector Linkages Program has now been replaced by the Public Sector Linkages Program. The significant differences are now three separate funding rounds each year, there are no limits on the amounts which can be granted for each project and the program now extends to State and Territory Governments and public funded universities.
31. The Attorney-General's Department and the Ministry of Law and Human Rights have three current projects.

Government Sector Linkages Program

Searchable Electronic Legal Information Data Base Facility

32. This project is designed to increase the expertise and experience in information technology in the Indonesian Ministry of Law and Human Rights (MoLHR) by providing for a searchable legal information database facility for the Ministry. It is hoped to be completed by mid 2005. The Australasian Legal Information Institute (AustLII) is involved in the project with the Department.

Legislative Drafting: Training and Technical Assistance

33. This project was designed to assist the MoLHR adapt technology to legislative drafting processes for the purposes of improving efficiency and consistency in Indonesian legislative drafting. It arose out of the Comparative Study on Legislative Drafting conducted in 2002. It involves seminars in Indonesia and a

study tours for Indonesian decision makers and drafters to Australia as well as assistance to Indonesian drafters to develop legislative templates.

Law in a Global Economy 3: International Commercial Law

34. AGD has received funding to administer this activity which will be undertaken with the Directorate of International Law, at the MoLHR. The activities will include a five day seminar for about 40 government lawyers on international commercial law, international arbitration and including GATS, TRIPS and WTO dispute settlement in Jakarta with Australian and Indonesian guest presenters. Following the seminar up to 10 lawyers from MoLHR working in the area will be invited to visit Australia for a short intensive course.

Insolvency Trustee Services Australia

35. At its 2002 meeting the WGLC recommended that Indonesia be invited to participate in future meetings of the International Association of Insolvency Regulators (IAIR) and that Australian and Indonesian officials identify opportunities for joint training and education activities related to insolvency. The Insolvency and Trustee Service Australia (ITSA) has previously been involved in the development of Indonesia's insolvency system. ITSA has applied for funding in Round 1 of the Public Sector Linkages Program 2004-05. AusAID and Bappenas have given in principle support for this application.

Transnational Legal Practice

36. At the inaugural WGLC meeting, the Attorney-General's Department had undertaken to provide the Bankruptcy Insolvency and Commercial Law (BIC) Focus Group with documents on transnational legal practices and trade in legal services. A selection of these documents and reports was tabled at the meeting for distribution for participants.

Cooperation between the Federal Court of Australia and the Supreme Court of Indonesia

37. Since 1999, the Federal Court of Australia and the Mahkamah Agung (Supreme Court of Indonesia) have been partners in the AusAID-funded Indonesian Judicial Training Program. In recognition of this partnership, a Memorandum of Understanding (MOU) was signed by the respective Chief Justices in March 2004 which sets a foundation for ongoing judicial cooperation and assistance. The objectives of the MOU are to conduct judicial programs relevant to the development of their Courts, procedures, and an understanding of other contemporary legal issues to the mutual benefit of both parties.

Cooperation in Criminal Justice Matters

Australia Indonesia Financial Intelligence Unit Cooperation Project (AIFIUCP)

38. In 2002 AusAID engaged AUSTRAC to assist the development of PPATK. Under the Australia Indonesia Financial Intelligence Unit Cooperation Project (AIFIUCP), AUSTRAC provided two Technical Advisers as long term in-country mentors to work within PPATK. AUSTRAC assisted PPATK in developing money laundering typologies and procedures and protocols governing PPATK's relationships with the various Indonesian regulators, investigating agencies and international counterpart Financial Intelligence Units. Three PPATK officers were also attached to AUSTRAC in 2004 under this program. The AIFIUCP was funded at AUD 519,588 over 2 years and concluded at the end of 2004 with recognised success.

AUSTRAC South East Asian Counter Terrorism (SEACT) Program

39. As part of its South East Asian Counter Terrorism (SEACT) Technical Assistance and Training program, AUSTRAC is providing technical assistance and training to PPATK to develop capacity in detecting terrorist financing and money laundering. The SEACT Program began in July 2004, and will continue until 2008/9. This program is funded at AUD 10 million over four years by the Prime Minister and Cabinet Counter Terrorism initiative. A program of assistance to be delivered under the SEACT Program is currently being agreed between AUSTRAC and PPATK.

Jakarta Centre for Law Enforcement Cooperation (JCLEC) Initiative

40. AUSTRAC is providing one officer to the Jakarta Centre for Law Enforcement Cooperation (JCLEC) initiative led by the Australian Federal Police (AFP) until 2008/9.

Bali Regional Ministerial Meeting on Counter Terrorism

41. In February 2004 Indonesia and Australia jointly hosted the Bali Regional Ministerial Meeting on Counter Terrorism. The meeting, opened by President Megawati Soekarnoputri, was attended by representatives from 25 countries and several international organisations. Ministers affirmed that terrorism, irrespective of its origins, motivations or objectives, continues to constitute a threat to all peoples and countries, and to their common interest in ensuring peace, stability, security and economic prosperity in the region and beyond. Ministers reiterated their strong condemnation of acts of terrorism in all its forms and manifestations. Ministers welcomed a joint Australian and Indonesian initiative to establish a regional law enforcement cooperation centre in Indonesia (JCLEC) to build the operational law enforcement capacity needed to fight transnational crime, with a key focus on terrorism. Ministers agreed to the creation of two ad hoc groups of senior officials to perform more detailed work.

42. The Law Enforcement WGLC, chaired by Indonesia, would share operational experiences, formulate best practice models for fighting terrorism, develop a more effective information base, and facilitate a more effective flow of criminal intelligence, including financial intelligence, between regional law enforcement and other counter-terrorism agencies.
43. The Legal Issues WGLC, chaired by Australia, would conduct a stock-take of existing frameworks, and make recommendations for appropriate legislative action and other legal measures required to ensure: that terrorist acts and related terrorist activities are appropriately criminalised throughout regional jurisdictions; that a framework of arrangements for regional mutual legal assistance and extradition for terrorist-related offences is in place; that regional states are fully compliant with relevant UNSC Resolutions; and that regional states ratify and fully implement the twelve UN counter-terrorism-related conventions.

Indonesia- Australia Joint Task Force to recover the assets of the late Hendra Rahardja

44. Following the death in Australia of Hendra Rahardja in January 2003 a joint task force was established to locate his assets in Australia. On 20 April 2004, Australia presented Indonesian authorities with a cheque for \$642,000 which had been forfeited to the Commonwealth as proceeds of Rahardja's alleged crimes committed in Indonesia. Further legal cooperation is continuing to identify and locate the assets.

Government Sector Linkages Program on Assistance in Criminal Justice Matters

45. This project is being administered by the International Crime Branch of the Criminal Justice Division. An Indonesian delegation visited Canberra in the week of 26 -30 July 2004. The program was very productive, and a return trip to Indonesia is now being planned to discuss extradition and mutual legal assistance processes.

Cooperation in Immigration Matters

46. The meeting noted that the Department of Immigration and Multicultural and Indigenous Affairs and the Director-General of Immigration, Department of Law and Human Rights have been meeting regularly since October 2001 and have developed a successful program of capacity building projects. This includes IT upgrades, English language training and comprehensive Border Management Assessments setting directions for future improvements. The two Departments have also cooperated well in frustrating the activity of people smugglers in the region and promoting the benefits of regional cooperation throughout ASEAN. There would appear to be sufficient impetus and foundation for this group to now look for mechanisms by which its activities can be made more formal and extended into wider aspects of immigration cooperation.

The Focus Group on Human Rights

47. The Focus Group noted the shared commitment of the Indonesian Government and the Australian Government to the National Action Plan for Human Rights and that both countries have finalised their respective plans in 2004: The National Plan of Action of Indonesian Human Rights 2004 – 2009 (Presidential decree No 40) of 2004 and the Australian Government’s National Framework for Human Rights – National Action Plan of December 2004.
48. The Focus Group noted the range of development cooperation activities which have been funded by the Australian Government to promote good governance and human rights in Indonesia.
49. The Focus Group noted for further consideration the range of suggestions made by the Indonesian members of human rights stream for possible future cooperation activities. These suggestions include:
 - a. Supporting the Indonesian Government in implementing the six main programs mentioned in the RANHAM:
 - i. Establishing and strengthening the RANHAM implementing institutions;
 - ii. Preparing the ratification of International Human Rights instruments;
 - iii. Preparing the harmonization of relevant legislations;
 - iv. Dissemination and human rights education;
 - v. The application of human rights norms and standards; and
 - vi. Monitoring, evaluation, and reporting;
 - b. Using provincial offices to promote and protect human rights under the National Action Plan for human rights.
 - c. Examining the scope for using the PSLP to support technical assistance in report writing under the international human rights treaties, in providing access to information relating to best practice in human rights policy and research.
 - d. Examining ways to support the development of joint degrees and joint research, publication and development projects, and developing an alumni network of IASTP students and the scope to use this as a resource to further human rights issues.

Reports of the Sub Groups

The Sub-Group on Intellectual Property Rights

50. IP Australia officials have worked with their Indonesian counterparts at the Directorate General of Intellectual Property Rights (DGIPR) over the past two

- years to promote understanding of intellectual property (IP) through an APEC Intellectual Property Rights Experts Group (IPEG) project on public education and awareness of intellectual property. The project, initiated and delivered by IP Australia and supported by the APEC Trade and Investment Liberalisation and Facilitation (TILF) program, assisted three countries, including Indonesia, to develop or improve their programs of public education and awareness in the area of IP for the benefit of individuals and companies.
51. Further to the work undertaken under the APEC program, IP cooperation between Australia and Indonesia has been enhanced through a visit to IP Australia in 2004 by the Director General of DGIPR to discuss capacity building, the inclusion of Indonesia in a three stage AusAID geographical indications project and participation in the Indonesia Australia Specialised Training Project (IASTP) as it related to IP.
 52. In January 2003 the Copyright Law Branch of the Attorney-General's Department participated in a WIPO Asia-Pacific Regional symposium held in Jakarta. The purpose of the Symposium was to discuss effective enforcement of copyright and related rights and a departmental officer presented a number of papers on these topics. Following the Symposium a departmental official participated in an Advisory Mission to discuss enforcement policies with Indonesian Government officials.
 53. The following activities were noted:
 - a. Training of the IPR under the IASTP II finished in August 2003. The training was held in Australia and attended by some Indonesia government officials. It is expected that the training will be extended in the future (say, IASTP III). Indonesian IPR's office has proposed new programs to the Australian Government. The program includes dissemination of IPR to the local government and the Indonesian small medium enterprises.
 - b. Technical assistance from the Australian office of IPR for the Directorate General of IPR in the field of substantive examination and administration, legal framework.
 - c. A study tour to Australia regarding the practice of legal enforcement in the field of IPR.
 - d. The improvement of human resources quality through various training programs in the field of copyright assisted by the Attorney General's Department of Australia.
 - e. Technical assistance from Australian experts for the Indonesia Directorate General of IPR in the Legal enforcement of IPR.
 - f. Examination on requirements and development.
 54. Further proposals that have been agreed are at **Annex II**.
 55. IP Australia will be providing assistance on patent and trademark examination training in Indonesia in 2005 through an ASEAN wide project funded via AusAID.

The Sub-Group on Alternative Dispute Resolution (ADR) and Arbitration

56. Ministers endorsed the establishment of this Sub-Group at the Indonesia-Australia Ministerial Forum held in Jakarta in 2003.
57. Although this group has not met since the inaugural meeting (of the WGLC on Legal Cooperation) held in Jakarta in April 2002 there has been notable activity and important developments in this area of cooperation. They include:
- The establishment of the Indonesian Mediation Centre/ Pusat Mediasi Nasional (PMN) in Jakarta in late 2003, and Bamui, a revitalised Islamic ADR Centre.
 - The Australian Centre for International Commercial Arbitration (ACICA) established its head office in Sydney with a Government ‘seeding’ grant and ongoing financial support from a number of Australia’s largest law firms and has adopted a new constitution and strengthened its board.
 - The Asia-Pacific Regional Arbitration Group (APRAG) was formed in Sydney in November 2004. ACICA and BANI, the Indonesian National Board of Arbitration, are two of the 17 founding members
 - Participation by both Centres in the Asian Arbitration conference on 3 November 2004 which Australia hosted and in which Indonesia was prominent amongst the 22 countries represented.
 - Activities prior to this date included a visit to Australia under the ILSAC Australia-Indonesia Ad Hoc Legal Visits program by Ms Wiwiek Awiati Director of the Indonesian Centre for Environmental Law, in September 2002. Ms Wiwiek Awiati undertook a study visit concentrating on alternative dispute resolution (ADR), visiting centres and participating in discussions on all aspects of dispute resolution including the resolution of disputes over environmental management issues.
 - International commercial arbitration will be a component of *Law in a Global Economy 3: International Commercial Law* seminar to be conducted jointly the Attorney-General’s Department and the Ministry of Law and Human Rights in May 2005.
58. With WGLC support it is proposed that a meeting be arranged of interested participants as soon as conveniently possible to establish its membership and future method of operation.
59. When the WGLC met in Jakarta, the recommendations included the following:
- a. The development of a comprehensive ADR education scheme is essential for any successful implementation of ADR. Any such scheme should consider the following:
 - i. Secondary students (in the range of 14 years or older) should be introduced to the concepts and practices of ADR.

- ii. Tertiary students should be provided access to courses on ADR. The initial focus at this level should be for the Business and Law Schools.
- iii. Professional advisers should be provided access to the level of ADR training appropriate to their level of participation. While not limiting the professional advisers these should include:
 - 1. Judicial officers
 - 2. Lawyers
 - 3. Accountants
 - 4. Business advisors
- b. An essential element of the education process should include the concepts of knowledge transfer and train the trainer to ensure the training participants possess the knowledge to conduct training in the future.
- c. Where appropriate, legislative drafters should consider if ADR is a resolution path that could be used in preference to making the courts the first step for seeking remedies. This should only be implemented when an appropriate ADR structure has evolved.

Discussions of Reports of Focus Group and Sub Groups

- 60. The meeting adopted the reports and recommendations submitted by the respective groups.

Indicative Timing of the Next WGLC Meeting

- 61. The Meeting agreed that the WGLC would reconvene in 2007 in Indonesia, or at an earlier date if appropriate. The meeting also agreed that individual WGLC members would continue to work together on relevant initiatives between WGLC Meetings.

Adoption of the Report of the Second Joint Meeting of the WGLC

- 62. The meeting adopted this Report of the second Joint Meeting of the WGLC Indonesia – Australia, held in Canberra on 17 March 2005.

Closing of the WGLC

63. The Indonesian officials expressed their appreciation to Australian officials for hosting the meeting and for the excellent arrangements that have been made.
64. The Australian officials expressed their appreciation to the Indonesian officials for their visit, their informative presentations and their highly valuable participation in the meeting.

IN WITNESS WHEREOF, the undersigned, being duly authorised, have signed this, the Second Report of the Australia – Indonesia WGLC.

SIGNED at Canberra on the 18th day of March 2005.

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Co-chair
Mr Iain Anderson
First Assistant Secretary
Legal Services and Native Title Division
Australian Attorney-General's Department

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Co-chair
Mr Mangasi Sihombing
Director-General for Information, Public
Diplomacy and International Treaties
Indonesian Department of Foreign Affairs

ANNEX I

OFFICIALS PARTICIPATING

Indonesian Officials

Mr Mangasi Sihombing, Director-General of Information, Public Diplomacy and International Treaties, Department of Foreign Affairs.
Mr Zulkarnaen Yunus, Director-General for Legal Administrative Affairs, Ministry of Law and Human Rights (MoLHR)
Professor Dr Abdul Gani Abdullah, Director-General, Legislation, MoLHR
Dr Hafid Abbas, Director-General Human Rights, MoLHR
Professor Abdul Bari Azed, Director-General Intellectual Property, MoLHR
Mr L S Suyitno Landung, Chief of CID Indonesian National Police (POLRI)
Ms Priharniwati, Secretary to the Directorate of Intellectual Property, MoLHR
Ms Aan Danu Giartono, Director of International Law, MoLHR
Mr Kria F Pasaribu, Director, Economic, Social and Cultural Affairs, Department of Foreign Affairs
Mr Amrizal Syahrin, Head of Legal Bureau, Attorney-General's Office
Ms Chairijah, National Law Development Agency, MoLHR
Mr Subianta Mandala, Head, Bilateral Cooperation Section, Directorate of International Law, MoLHR
Ms Darmawati Daud, Investment Coordinating Agency, (BKPM)
IR Guyub Sagortah, MBA Investment Coordinating Agency, (BKPM)
Mr Denny Abdi, 2nd Secretary (Political Affairs), Indonesian Embassy Canberra

Australian Officials

Mr Robert Cornall, Secretary, Attorney-General's Department (AGD)
Mr Iain Anderson, First Assistant Secretary, Legal Services and Native Title Division, AGD
Ms Philippa Lynch, First Assistant Secretary, Information Law and Human Rights Division, AGD
Ms Maggie Jackson, Special Adviser, Security and Critical Infrastructure Division, AGD
Mr James Graham, First Assistant Secretary, Office of Legislative Drafting and Publishing, AGD
Mr Karl Alderson, Assistant Secretary, Legal Services and Native Title Division
Ms Catherine Hawkins, A/g Assistant Secretary, International Crime Branch AGD
Mr John Tucker, Director, ILSAC Secretariat/International Legal Services Section, AGD
Ms Sandra Purser, Assistant Director ILSAC Secretariat/International Legal Services Section, AGD
Mr Arjuna Nadaraja, Assistant Director ILSAC Secretariat/International Legal Services Section, AGD
Mr Anthony Heiser, Legal Services and Native Title Division, AGD
Mr Anthony Seebach, Director, International Legal Cooperation, International Crime Branch, AGD
Ms Sally Kuschell, International Crime Branch, AGD
Mr Peter Thomson, Human Rights Branch, AGD
Mr Sam Ahlin, Copyright Law Branch, AGD
Mr Jeff Murphy, Civil Justice Division, AGD
Ms Helen Cheung, Criminal Justice Division, AGD
Ms Jill Baillie, Office of Legislative Drafting and Publishing

Mr David Bergman, Advisor, Policy and Legislation, Insolvency and Trustee Service Australia
Mr Alan Oakey, SES Specialist, Commonwealth Director of Public Prosecutions
Ms Margaret Callan, Director, Indonesia Branch, AusAID
Ms Andrea Smith, Manager, Governance Program, AusAID
Mr Tony Blythe, Manager, Public Sector Linkages Program, AusAID
Mr Michael Rosser, Manager, Tertiary Industries – Foreign Investment Policy, Treasury
Mr Stuart Atkins, A/g Director, International Cooperation, IP Australia
Ms Helen Dawson, Assistant Director, Legislation and Policy, IP Australia

ANNEX II

Proposals agreed by the Sub-Group on Intellectual Property Rights

1. In the field of Patent:
 - a. On-the-job training on patent substantive examination for patent examiners of the DGIPR at IP Australia
 - b. On-the-job training on the processing of PCT applications for formality examiners of the DGIPR at IP Australia
2. In the field of Trademark:
 - a. On-the-job training on the processing of trade mark applications filed under the Madrid Protocol (international registration of trademarks) for trademarks examiners of the DGIPR at IP Australia
 - b. The dispatches of experts from IP Australia to the DGIPR on advisory mission regarding the necessary preparation before accession to the Madrid Protocol
3. In the field of Industrial Design:
 - a. On-the-job training on the substantive examination of industrial designs for examiners of the DGIPR at IP Australia
 - b. The provision of publication of registered industrial designs to be used by examiners of the DGIPR in conducting examinations.