

No. 45057*

**South Africa
and
Namibia**

Memorandum of understanding between the Government of the Republic of South Africa and the Government of the Republic of Namibia on economic cooperation. Windhoek, 21 November 2006

Entry into force: *21 November 2006 by signature, in accordance with article 9*

Authentic texts: *English*

Registration with the Secretariat of the United Nations: *South Africa, 18 June 2008*

**Afrique du Sud
et
Namibie**

Mémorandum d'accord relatif à la coopération économique entre le Gouvernement de la République sud-africaine et le Gouvernement de la République de Namibie. Windhoek, 21 novembre 2006

Entrée en vigueur : *21 novembre 2006 par signature, conformément à l'article 9*

Textes authentiques : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 18 juin 2008*

* *The text reproduced below is the original text of the agreement as submitted. For ease of reference, it was sequentially paginated. The final UNTS version of it is not yet available.
Le texte reproduit ci-dessous est le texte authentique de l'accord tel que soumis pour enregistrement. Pour référence, il a été présenté sous forme de la pagination consécutive.
La version finale RTNU n'est pas encore disponible.*

[ENGLISH TEXT – TEXTE ANGLAIS]

PREAMBLE

The Government of the Republic of South Africa, through its Department of Trade and Industry and the Government of the Republic of Namibia through its Ministry of Trade and Industry (hereinafter jointly referred to as the “Parties” and in the singular as a “Party”);

BASED on regular meetings and high-level consultations between the Heads of State and bilateral meetings between the Ministers of Trade and Industry of both countries;

DESIRING to further strengthen and deepen the friendly relations, which prevail between the Republic of Namibia (hereinafter referred to as “Namibia”) and the Republic of South Africa (hereinafter referred to as “RSA”);

COGNISANT of the significant economic challenges and opportunities arising and consequential to relations between the two countries within the broad framework of the New Partnership for Africa’s Development (NEPAD) taking into account the emerging new global order;

DETERMINED to find new approaches and strategies of consolidating, expanding and deepening areas of economic development, industrial and trade co-operation between Namibia and the RSA, with specific focus on economic empowerment which will be firmly guided by the principles of national sovereignty, opportunities to implement world class projects, and of win-win outcomes; and

WISHING to vigorously promote investments, industry and trade co-operation between Namibia and the RSA on equitable terms by setting tasks to be performed and obligations to be met by each Party in order to facilitate an increased flow of investments and the enhancement of trade and industry co-operation including institutional co-operation as generally and specifically set hereinafter;

HEREBY AGREE as follows:



ARTICLE I
COMPETENT AUTHORITIES

- (1) The competent authorities responsible for the implementation of this Memorandum of Understanding shall be –
 - (a) in the case of Namibia, the Ministry of Trade and Industry (hereinafter referred to as the “MTI”); and
 - (b) in case of the RSA, the Department of Trade and Industry (hereinafter referred to as the “DTI”)

ARTICLE 2
INDUSTRIAL CO-OPERATION

- (1) The DTI, using experiences gained in the implementation of Spatial Development Initiatives, (hereinafter referred to as “SDIs”) shall co-operate with relevant public and private institutions within the Republic of South Africa in assisting the MTI with scoping and designing programmes for designated development projects in Namibia.
- (2) The scope of co-operation between the MTI and the DTI with respect to the SDIs within Namibia, shall include identifying technically competent organizations which are capable of drawing up development oriented industrial projects and sensitizing organizations in the RSA that have the financial and technical capacity to implement those projects in partnership with their Namibian counterparts.
- (3) With a view to generally promote industrial co-operation, it is agreed that the DTI shall sensitise potential investors who are residents of the RSA that are willing and capable of establishing, completing and/or rehabilitating *inter alia* the following projects:
 - (a) Energy projects;
 - (a) mining projects;
 - (b) transport and communications infrastructure projects;
 - (c) agro-processing projects;
 - (d) tourism projects;
 - (e) commercial farming projects;

