

No. 45060*

**South Africa
and
Gabon**

Agreement between the Government of the Republic of South Africa and the Government of the Republic of Gabon on co-operation in the fields of arts and culture. Libreville, 2 August 2005

Entry into force: *2 August 2005 by signature, in accordance with article 9*

Authentic texts: *English and French*

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

**Afrique du Sud
et
Gabon**

Accord de coopération culturelle entre le Gouvernement de la République d'Afrique du Sud et le Gouvernement de la République gabonaise. Libreville, 2 août 2005

Entrée en vigueur : *2 août 2005 par signature, conformément à l'article 9*

Textes authentiques : *anglais et français*

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

* *The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. Their final UNTS version is not yet available.*

Les textes reproduit ci-dessous sont les textes authentiques de l'accord tel que soumises pour l'enregistrement. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Leur version finale RTNU n'est pas encore disponible.

[ENGLISH TEXT – TEXTE ANGLAIS]

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PREAMBLE

The Government of the Republic of Gabon and the Government of the Republic of South Africa (hereinafter jointly referred to as the "Parties" and in the singular as a "Party");

DESIROUS to consolidate and strengthen the friendly ties and reciprocal understanding between their peoples;

AWARE of the benefits for promoting, as much as possible, the reciprocal knowledge and understanding of their respective cultures and intellectual and artistic achievements, as well as their history and lifestyle through co-operation between their States;

WISHING for a better quality of life for their people;

PURSUANT to the general Agreement of Co-operation between the Parties signed on 26 November 2003;

HEREBY AGREE as follows:

ARTICLE 1

OBJECTIVE

The Parties shall promote mutual beneficial co-operation in the fields of arts, culture and language for the purpose of developing activities, programmes and projects for cultural and artistic exchange.

ARTICLE 2

FIELDS OF COOPERATION

- (1) In order to achieve the objective set out in Article 1 , the Parties shall encourage-
- (a) the study of the languages, literature, culture and history of each other's country;
 - (b) the exchange of study and lecture visits by experts in these fields, as well as the exchange of information;
 - (c) the exchange of co-operation in various cultural fields of reciprocal interest, including-
 - (i) exhibitions of art and crafts;
 - (ii) music, dance and drama;
 - (iii) co-operation between schools of art, associations of artists and writers, museums, archives and other cultural institutions, and
 - (iv) the exchange of knowledge amongst conservationists of cultural heritage;
 - (d) co-operation in the fields of literature and libraries, including the exchange of books, records and archival materials;
 - (e) co-operation in capacity building of cultural staff in short and long term study programmes in the fields of sociology, cultural management, history, information and library sciences;
 - (f) co-operation in the establishment and operation of cultural resource centers and promotion of their sound development; and

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- (g) any other form of co-operation as may be agreed upon between the Parties or relevant autonomous institutions in both countries.
- (2) The Parties shall approve co-operation projects, programmes and activities that will be valid for specific periods.
- (3) The projects, programmes and activities referred to in sub-Article (2) shall provide for-
 - (a) concrete forms of co-operation events and exchanges; and
 - (b) organisational and financial conditions necessary for their implementation.
- (4) The Parties shall promote specific forms of co-operation amongst the relevant institutions, organisations and individuals referred to in Article 3.

ARTICLE 3

INSTITUTIONS, ORGANIZATIONS AND INDIVIDUALS

- (1) The Parties shall promote contact and co-operation between interested institutions, organizations and individuals in both countries in the fields covered under this Agreement.
- (2) Due regard shall be given to the autonomy of the relevant institutions, organizations and individuals.
- (3) The institutions, organizations and individuals shall subject to the domestic law in force in the respective countries, be free to enter into and maintain mutual relations and agreements.

ARTICLE 4

PROTECTION OF INTERLECTUAL PROPERTY RIGHTS

Each Party shall protect, within its territory, the intellectual property rights and any other relevant rights of the other Party in accordance with the international conventions ratified by both Parties and the domestic law in force in the respective countries.

ARTICLE 5

CUSTOMS CLEARANCE

The Parties shall facilitate the entrance of non-profitable cultural materials in their respective territories in accordance with their domestic law.

ARTICLE 6

APPLICABLE LAW

All activities carried out in terms of this Agreement shall be subject to the domestic law in force in the respective countries.

ARTICLE 7

SETTLEMENT OF DISPUTES

Any dispute between the Parties arising out of the interpretation, application or implementation of the provisions of this Agreement shall be resolved amicably through diplomatic channel.