

No. 45300*

**South Africa
and
Democratic Republic of the Congo**

Memorandum of understanding between the Government of the Republic of South Africa and the Government of the Democratic Republic of Congo on cooperation on issues related to public works. Pretoria, 15 November 2007

Entry into force: *15 November 2007 by signature, in accordance with article 10*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *South Africa, 15 September 2008*

**The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. The relevant Treaty Series volume will be published in due course.*

**Afrique du Sud
et
République démocratique du Congo**

Protocole d'accord entre le Gouvernement de la République d'Afrique du Sud et le Gouvernement de la République démocratique du Congo sur la coopération dans le domaine des travaux publics. Pretoria, 15 novembre 2007

Entrée en vigueur : *15 novembre 2007 par signature, conformément à l'article 10*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 15 septembre 2008*

**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. Le volume correspondant du Recueil des Traités sera disponible en temps utile.*

[ENGLISH TEXT – TEXTE ANGLAIS]



MEMORANDUM OF UNDERSTANDING

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF
SOUTH AFRICA

AND

THE GOVERNMENT OF THE DEMOCRATIC
REPUBLIC OF CONGO

ON COOPERATION ON ISSUES RELATED
TO PUBLIC WORKS

PREAMBLE

The Government of the Republic of South Africa and the Government of the Democratic Republic of Congo (hereinafter jointly referred to as the “Parties” and separately as a “Party”);

COMMITTED to contribute to, establish and develop a diversified relationship in the public works field, in the spirit of solidarity and friendship, contributing to NEPAD objectives and the development of the African continent at large;

AWARE of the importance of infrastructure for social and economic development of both countries;

ACKNOWLEDGING the mutual advantages that may result from this Memorandum of Understanding;

HEREBY AGREE as follows:

ARTICLE 1 DEFINITIONS

In this Memorandum of Understanding, unless the context otherwise indicates -

- (a) “Competent authority” means the competent authorities specified in Article 3;
- (b) “cooperation” means actions and activities undertaken by both Parties in pursuance of the objectives of this Memorandum of Understanding;
- (c) “DRC” means the Democratic Republic of Congo;
- (d) “MoU” means this Memorandum of Understanding;
- (e) “public works” includes all built environment activities and undertakings affecting policy, infrastructure development (implementation and maintenance) and the environment where the activities take place;
- (f) “RSA” means the Republic of South Africa.

ARTICLE 2
SCOPE OF COOPERATION

The Parties shall promote, develop and increase cooperation in the field of public works infrastructure within their respective jurisdictions by exploring the possibilities for cooperation on the basis of equality and mutual benefit.

ARTICLE 3
COMPETENT AUTHORITIES

The Competent Authorities responsible for the implementation of this MoU shall be -

- (a) in the case of the Republic of South Africa, the Department of Public Works; and
- (b) in the case of the Democratic Republic of Congo, the Ministry of Public Works.

ARTICLE 4
AREAS OF COOPERATION

Cooperation between the Parties shall take place in the following areas:

- (a) capacity building for general management, and built environment professionals in areas of infrastructure procurement and project management;
- (b) institutional cooperation, which shall include institutional capacity building in areas such as legislation and policy development, civil construction, manufacture of building materials, job inspection, quality control and the licensing of civil construction agents;
- (c) setting up of information systems including equipment and training;
- (d) logistics and supply of construction material, expertise and equipment;

2.../

- (e) studies on ways to develop the construction industry of the countries of the Parties;
- (f) collaboration on development and sharing of construction technologies appropriate for the needs of the country of each Party;
- (g) encouraging cooperation between members of the private sector in construction sectors of the two countries; and
- (h) sharing knowledge and experience in alternative ways for financing of infrastructure development.

ARTICLE 5

FORMS OF COOPERATION

- (1) The Parties shall cooperate by-
 - (a) exchanging built environment professionals for the purpose of sharing new techniques and technologies, including training and educational programmes, agreed to by the Parties;
 - (b) exchanging, disseminating and sharing of information on public works issues in areas of common interest;
 - (c) creating partnerships between public and private sector institutions and organizations in the countries of the Parties; and
 - (d) conducting joint research.
- (2) In addition, the Parties shall send appraisal and evaluation missions to the respective countries to study, analyse and identify projects.

ARTICLE 6

PROJECTS

In support of this MoU, the Parties shall conclude subsidiary agreements in respect of specific projects involving components of the areas of cooperation referred to in Article 4 and forms of cooperation referred to in Article 5.