

No. 51339

**South Africa
and
Nigeria**

**Memorandum of Understanding between the Government of the Republic of South Africa
and the Government of the Federal Republic of Nigeria on co-operation in the legal
field. Cape Town, 7 May 2013**

Entry into force: *7 May 2013 by signature, in accordance with article 12*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 16 September 2013*

**Afrique du Sud
et
Nigéria**

**Mémorandum d'accord entre le Gouvernement de la République sud-africaine et le
Gouvernement de la République fédérale du Nigéria relatif à la coopération dans le
domaine juridique. Le Cap, 7 mai 2013**

Entrée en vigueur : *7 mai 2013 par signature, conformément à l'article 12*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *Afrique du Sud,
16 septembre 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE GOVERNMENT OF THE REPUBLIC OF

SOUTH AFRICA

AND

THE GOVERNMENT OF THE FEDERAL

REPUBLIC OF NIGERIA

ON CO-OPERATION IN THE LEGAL FIELD

PREAMBLE

The Government of the Republic of South Africa and the Government of the Federal Republic of Nigeria (hereinafter jointly referred to as the "Parties" and separately as a "Party");

RECOGNISING the principles of sovereign equality and territorial integrity of all States;

CONSCIOUS of the benefits to be derived from close co-operation and the maintenance of friendly relations between the two countries;

CONSIDERING the need to promote democratic principles and good governance between the two countries;

DESIROUS of developing close co-operation in the legal field by promoting and maintaining an efficient and effective legal profession and judicial system in the two countries.

HEREBY AGREE as follows:-

ARTICLE 1

AREAS OF CO-OPERATION

The Parties undertake to promote closer co-operation in civil matters, including legal training and technical assistance.

ARTICLE 2

COMPETENT AUTHORITY

- 1) The Competent Authorities responsible for the implementation of the Memorandum of Understanding shall be—
 - a) in the case of the Government of the Federal Republic of Nigeria, the Federal Ministry of Justice; and

- b) in the case of the Government of the Republic of South Africa, the Department of Justice Constitutional Development.
- 2) If a Competent Authority is changed, the other Party shall be notified through the diplomatic channel of the designation of the new authority

ARTICLE 3
ENFORCEMENT OF JUDGEMENTS AND EXCHANGE OF LEGAL
MATERIALS

- 1) The Parties shall encourage reciprocal enforcement of judgments and orders.
- 2) The Parties shall exchange laws, legal publications and information.

ARTICLE 4
EXCHANGE OF PROGRAMMES AND TECHNICAL SUPPORT

- 1) The Parties shall encourage exchange of programmes concerning:—
 - a) judges, lawyers, magistrates, prosecutors, including organizations representing these professions;
 - b) library personnel, legal publications and relevant laws;
 - c) legal training; and
 - d) researchers from the Nigerian Law Reform Commission and the South Africa Law Reform Commission.
- 2) The Parties shall endeavour to provide each other with technical support in the legal field.
- 3) The Parties shall, to the extent possible, co-operate in the secondment of judges, magistrates, legal officers and judicial staff.

ARTICLE 5
SERMINARS, SYMPOSIUMS AND CONFERENCES

- 1) The Parties shall co-operate in holding seminars, symposiums and conferences on legal subjects of mutual interest.
- 2) When holding seminars, symposiums and conferences on legal subjects, a Party may invite appropriate institutions of the other Party to send delegates to such seminars, symposiums and conferences.
- 3) Invitations to attend a conference, symposium or seminar shall be done through the diplomatic channels.

ARTICLE 6
FINANCIAL ARRANGEMENT

- 1) The host Party shall be responsible for the cost of arranging the conference, symposium or seminar.
- 2) The sending Party shall be responsible for the expenses for international travels, accommodation and other subsistence undertaken under this MOU.
- 3) The host Party shall assist with the logistic arrangements and local travel.
- 4) The Parties shall agree on such logistic arrangements before the intended visit is undertaken.
- 5) The sending Party shall be responsible for the expenses in respect of the exchange of materials under this MOU.

ARTICLE 7
APPLICATION OF AGREEMENT

This MOU shall not prejudice obligations arising from other bilateral Agreements concluded between the two countries.