

**No. 51528\***

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**United States of America  
and  
South Africa**

**Memorandum of Understanding between the U.S. Geological Survey of the Department of the Interior of the United States of America and the Water Research Commission of the Republic of South Africa concerning scientific and technical cooperation in the earth sciences. Reston, 7 March 2005, and Pretoria, 7 March 2005**

**Entry into force:** *7 March 2005 by signature, in accordance with article IX*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *United States of America,  
25 November 2013*

*\*No UNTS volume number has yet been determined for this record. The Text(s) reproduced below, if attached, are the authentic texts of the agreement /action attachment as submitted for registration and publication to the Secretariat. For ease of reference they were sequentially paginated. Translations, if attached, are not final and are provided for information only.*

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**États-Unis d'Amérique  
et  
Afrique du Sud**

**Mémoire d'accord entre l'Institut d'études géologiques des États-Unis du Département de l'intérieur des États-Unis d'Amérique et la Commission de recherche sur l'eau de la République sud-africaine concernant la coopération scientifique et technique dans le domaine des sciences de la terre. Reston, 7 mars 2005, et Pretoria, 7 mars 2005**

**Entrée en vigueur :** *7 mars 2005 par signature, conformément à l'article IX*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *États-Unis d'Amérique,  
25 novembre 2013*

*\*Le numéro de volume RTNU n'a pas encore été établi pour ce dossier. Les textes reproduits ci-dessous, s'ils sont disponibles, sont les textes authentiques de l'accord/pièce jointe d'action tel que soumises pour l'enregistrement et publication au Secrétariat. Pour référence, ils ont été présentés sous forme de la pagination consécutive. Les traductions, s'ils sont inclus, ne sont pas en form finale et sont fournies uniquement à titre d'information.*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE U.S. GEOLOGICAL SURVEY  
OF THE  
DEPARTMENT OF THE INTERIOR  
OF THE UNITED STATES OF AMERICA  
AND THE  
WATER RESEARCH COMMISSION  
OF THE  
REPUBLIC OF SOUTH AFRICA  
CONCERNING  
SCIENTIFIC AND TECHNICAL COOPERATION  
IN THE EARTH SCIENCES

ARTICLE I. SCOPE AND OBJECTIVES

1. The U.S. Geological Survey of the Department of the Interior of the United States of America (hereinafter “USGS”) and the Water Research Commission of the Government of the Republic of South Africa (hereinafter “WRC”) hereby agree to pursue scientific and technical cooperation in the earth sciences in accordance with this Memorandum of Understanding (hereinafter “Memorandum”).

2. The purpose of this Memorandum is to provide a framework for the exchange of scientific and technical knowledge and the augmentation of scientific and technical capabilities of the USGS and the WRC (hereinafter “Party” or “Parties”) with respect to the earth sciences.

3. This Memorandum is subject to the Agreement Relating to Scientific and Technological Cooperation between the Government of the United States of America and the Government of the Republic of South Africa (hereinafter “Agreement”), signed December 5, 1995.

4. The Parties shall encourage and facilitate, where appropriate, the development of direct contacts and cooperation among government agencies, universities, research centres, institutions, private sector companies and other entities of the two countries.

Each Party may, with the consent of the other Party and to the extent permitted by the laws and policies of each Party’s government, invite other government entities or agencies of the United States and South Africa, and other entities, including scientists, technical experts, governmental agencies and institutions of third countries or international organizations, to participate in activities undertaken pursuant to this Memorandum, subject to such terms and conditions as the Parties may specify.

## ARTICLE II. COOPERATIVE ACTIVITIES

1. Forms of cooperation under this Memorandum may consist of exchanges of technical information, visits, participation in training courses, conferences and symposia; and cooperative research consistent with ongoing programmes of the Parties. Specific areas of cooperation may include, but are not limited to, such areas of mutual interest as:

- A. Earth-science investigations, including hazards, resources and the environment;
- B. Biology, biological investigations and technical developments;
- C. Geographic and geospatial analysis and investigations;
- D. Water resources and other hydrological investigations; and
- E. Information systems.

2. Activities under this Memorandum shall be undertaken in accordance with the laws, regulations and procedures of each country.

## ARTICLE III. AVAILABILITY OF RESOURCES

Cooperative activities under this Memorandum shall be subject to the availability of personnel, resources and funds. This Memorandum shall not be construed to obligate any particular expenditure or commitment of resources or personnel. The Parties shall agree in accordance with Article VIII below about specific Project Annexes (hereinafter "PA") in writing before the commencement of specific activities pursuant to this Memorandum.

## ARTICLE IV. FEE AND TAX EXEMPTION

1. In accordance with its laws and regulations, each Party shall work toward obtaining on behalf of the other Party, relief from taxes, fees, customs, duties and other charges (excluding fees for specific services rendered) levied with respect to:

- A. All transfer, ownership, construction, renovation or maintenance of facilities or property by or on behalf of the other Party to implement this Memorandum;
- B. The import, purchase, ownership, use or disposition (including export) of goods and services by or on behalf of the other Party in support of activities under this Memorandum; and

C. Personal property of personnel of the other Party or entities of that Party implementing provisions of this Memorandum.

2. In the event that any such taxes, fees, customs duties, or other charges are nonetheless levied on such activities, facilities, property, equipment and related goods or services, such taxes, fees and customs duties shall be borne by the Party in whose territory they were levied.

#### ARTICLE V. INTELLECTUAL PROPERTY AND SECURITY OBLIGATIONS

Provisions for the protection and allocation of any intellectual property created or furnished in the course of cooperative activities under this Memorandum, and provisions for the protection of any classified information and unclassified export-controlled information and equipment, shall be governed by Article VIII and Annex A of the 1995 S&T Agreement.

#### ARTICLE VI. DISCLAIMER

Information transmitted by one Party to the other Party under this Memorandum shall be accurate to the best knowledge and belief of the transmitting Party, but the transmitting Party does not warrant the suitability of the information transmitted for any particular use or application by the receiving Party or by any third Party.

#### ARTICLE VII. PLANNING AND REVIEW OF ACTIVITIES

Each Party shall designate a principal representative who, at such times as mutually agreed upon by the Parties, shall meet to review the activities under this Memorandum and develop proposals for future activities, as appropriate.

#### ARTICLE VIII. PROJECT ANNEXES

Any activity carried out under this Memorandum shall be agreed upon in advance by the Parties in writing. Whenever more than the exchange of technical information or a visit of individuals is contemplated, such activity shall be described in an agreed PA to this Memorandum, which shall set forth, in terms appropriate to the activity, a work plan, staffing requirements, cost estimates and funding sources. In the case of any inconsistency between the terms of this Memorandum and the terms of a PA, the terms of this Memorandum shall control.