

No. 52885. Multilateral

TREATY OF THE SOUTHERN AFRICAN
DEVELOPMENT COMMUNITY.
WINDHOEK, 17 AUGUST 1992

AGREEMENT AMENDING THE TREATY OF THE
SOUTHERN AFRICAN DEVELOPMENT
COMMUNITY. BLANTYRE, 14 AUGUST
2001*

Entry into force: 14 August 2001, in
accordance with article 32

Authentic texts: English, French and
Portuguese

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Nº 52885. Multilatéral

TRAITÉ DE LA COMMUNAUTÉ DE
DÉVELOPPEMENT DE L'AFRIQUE
AUSTRALE. WINDHOEK, 17 AOÛT 1992

ACCORD PORTANT AMENDEMENT DU TRAITÉ
DE LA COMMUNAUTÉ DE DÉVELOPPEMENT
DE L'AFRIQUE AUSTRALE. BLANTYRE,
14 AOÛT 2001*

Entrée en vigueur : 14 août 2001,
conformément à l'article 32

Textes authentiques : anglais, français et
portugais

**Enregistrement auprès du Secrétariat des
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2015

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AGREEMENT
AMENDING THE
TREATY OF THE SOUTHERN AFRICAN
DEVELOPMENT COMMUNITY

PREAMBLE

We, the Heads of State or Government of:

The Republic of Angola
The Republic of Botswana
The Democratic Republic of the Congo
The Kingdom of Lesotho
The Republic of Malawi
The Republic of Mauritius
The Republic of Mozambique
The Republic of Namibia
The Republic of Seychelles
The Republic of South Africa
The Kingdom of Swaziland
The United Republic of Tanzania
The Republic of Zambia
The Republic of Zimbabwe

BEARING in mind that the transformation of the Southern African Coordination Conference (SADCC) into the Southern African Development Community (SADC) in 1992 marked a significant step towards deeper and higher levels of cooperation among countries of the Region;

NOTING that SADC has over the years experienced an increase in its membership, areas of cooperation and in the size of its SADC Programme of Action;

RECOGNIZING that the growth referred to in the preceding preambular paragraph has brought with it new challenges to the integration process, given the different levels of development among the Member States;

NOTING that whilst SADC has recorded some remarkable achievements, difficulties and constraints have also been encountered;

RECOGNIZING that the transformation of SADCC into SADC was not accompanied by the required institutional reforms;

BEARING in mind the lack of synergy between the objectives and strategies of the Treaty on one hand and the existing SADC Programme of Action and the institutional structure on the other;

RECOGNIZING that certain provisions of the Treaty require amendment;

HAVE AGREED, pursuant to Article 36 of the Treaty, to amend the Treaty as follows:

ARTICLE 1
AMENDMENT OF THE TABLE OF CONTENTS OF THE TREATY

The "TABLE OF CONTENTS" of the Treaty is amended –

- (a) under "CHAPTER TWO", by inserting immediately below "ARTICLE 5" the words "ARTICLE 5A SADC COMMON AGENDA";
- (b) under "CHAPTER FIVE" –
 - (i) by inserting immediately below "ARTICLE 10" the words "ARTICLE 10A ORGAN ON POLITICS, DEFENCE AND SECURITY";
 - (ii) by deleting "COMMISSIONS" and substituting therefor the words "THE INTEGRATED COMMITTEE OF MINISTERS"; and
 - (iii) by inserting immediately below "ARTICLE 16" THE WORDS "ARTICLE 16A SADC NATIONAL COMMITTEES"; and
- (c) under "CHAPTER NINE"-
 - (i) by deleting "FUND" and substituting therefor the word "FUNDS";
 - (ii) by inserting immediately below the words "ARTICLE 26" the words "ARTICLE 26A REGIONAL DEVELOPMENT FUND".

ARTICLE 2
AMENDMENT OF THE PREAMBLE TO THE TREATY

The "PREAMBLE" to the Treaty is amended –

- (a) by inserting, immediately after the 8th preambular paragraphs, the following new preambular paragraphs-

"DETERMINED to alleviate poverty, with the ultimate objective of its eradication, through deeper regional integration and sustainable economic growth and development;

FURTHER DETERMINED to meet the challenges of globalization," and

- (b) by deleting "and the Treaty establishing the African Economic Community signed at Abuja, on the 3rd of June, 1991" and substituting therefor the words "the Treaty establishing the African Economic Community, and the Constitutive Act of the African Union".

ARTICLE 3 AMENDMENT OF ARTICLE 1 OF THE TREATY

Article 1 of the Treaty is amended by –

- (a) arranging the definitions in their correct alphabetical order;
- (b) deleting "Fund" and substituting therefor the words "Funds";
- (c) inserting in the definition of "Treaty", immediately after "SADC", the words "and includes any amendment thereto";
- (d) deleting in the definition of the word "Protocol" the words "having the same legal force as this Treaty," and substituting therefor the words "and includes any amendment thereto";
- (e) inserting therein, in correct alphabetical order, the following new definitions –

"Integrated Committee of Ministers"	means the Integrated Committee of Ministers established by Article 9 of this Treaty;
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