

No. 45038*

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

Memorandum of understanding on education cooperation entered into and between the Government of the Democratic Republic of Congo and the Government of the Republic of South Africa. Kinshasa, 16 March 2006

Entry into force: *16 March 2006 by signature, in accordance with article 11*

Authentic texts: *English and French*

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

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

Protocole d'accord conclu par et entre le Gouvernement de la République démocratique du Congo et le Gouvernement de la République sud-africaine concernant la coopération en matière d'éducation. Kinshasa, 16 mars 2006

Entrée en vigueur : *16 mars 2006 par signature, conformément à l'article 11*

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]

PREAMBLE

The Government of the Democratic Republic of Congo through its Ministries for the educational sectors and the Government of the Republic of South Africa, through its Department of Education (hereinafter jointly referred to as the "Parties" and in the singular as a "Party");

CONSIDERING the General Cooperation Memorandum of Understanding concluded between the Government of the Democratic Republic of Congo and the Government of the Republic of South Africa;

CONVINCED that cooperation in the field of education occupies an important place in the sphere of bilateral relations;

DESIROUS to develop a fruitful cooperation between the two countries in the field of education;

CONSIDERING that such cooperation between the two countries constitutes a factor for strengthening mutual relations between the people of the Democratic Republic of Congo and the people of the Republic of South Africa;

HAVING REGARD to the firm intention of the Parties to create a solid basis for promoting this cooperation;

HEREBY AGREE as follows:

Article 1

EXCHANGE OF INFORMATION

The Parties shall encourage the exchange of information and publications in various sectors related to education.

Article 2

COOPERATION BETWEEN INSTITUTIONS

- (1) The Parties shall encourage the development of direct contact between public and specialised educational agencies operating within the education sector.
- (2) The Parties could, to this end, sign Executive Programmes of Cooperation related to education, in particular in the fields of higher education, research, pre-school, primary and secondary education, as well as professional training, and literacy.

Article 3
FORMS OF COOPERATION

The cooperation envisaged by this Memorandum of Understanding shall consist of -

- (1) the facilitation of the establishment of public-specialised educational agency partnerships for the creation and rehabilitation of educational institutions;
- (2) assistance in strengthening the capacity of Ministries to develop projects for mobilising the necessary resources from donors;
- (3) the exchange of expertise and experience as well as technical cooperation in defining strategies for implementing the development policy;
- (4) the exchange of expertise, including the exchange of students, staff, researchers and policy makers;
- (5) the development of human resources through education, training and research;
- (6) the facilitation of training to develop the competencies of educational administrators;
- (7) the facilitation of the development of education legislation and policies with specific focus on governance, management and funding of education.

Article 4
**EXCHANGE OF EXPERTS, ACADEMIC AND
RESEARCH STAFF**

The Parties shall encourage various education-related exchanges including visits by experts, officials of ministries, academics and researchers.

Article 5
PARTICIPATION IN CONFERENCES

The Parties shall encourage their representatives to participate in relevant educational forums, conferences, seminars, workshops and other meetings held in the Democratic Republic of Congo and the Republic of South Africa.

Article 6
FINANCIAL MATTERS

- (1) All costs of visits with regard to the different fields covered by this Memorandum of Understanding shall be borne by the sending Party or by an autonomous body unless the Parties decide otherwise through an Exchange of Notes.
- (2) The sending Party shall furnish in writing the detailed proposed programme and the number of delegates one month before the arrival of its delegation.

Article 7
MONITORING OF THE MEMORANDUM OF UNDERSTANDING

A joint committee shall be established within the framework of this Memorandum of Understanding to ensure the monitoring of its implementation. This committee shall meet twice a year alternately in the two countries.

Article 8
AMENDMENTS

This Memorandum of Understanding may be amended by mutual consent of the Parties through an Exchange of Notes between the Parties through the diplomatic channel.

Article 9
APPLICABLE LAW

The Parties shall observe the domestic law of each other's country when participating in programs and projects organized under this Memorandum of Understanding. Due regard shall be given to the autonomy of the relevant institutions and bodies.

Article 10
SETTLEMENT OF DISPUTES

Any dispute between the Parties arising out of the interpretation, application or implementation of the provisions of this Memorandum of Understanding shall be settled amicably through consultation or negotiation between the Parties.