

**No. 45045\***

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**South Africa  
and  
Mauritania**

**Cooperation Agreement between the Government of the Republic of South Africa and the Government of the Islamic Republic of Mauritania in the field of mining and mineral resources. Cape Town, 3 November 2007**

**Entry into force:** *3 November 2007 by signature, in accordance with article 9*

**Authentic texts:** *English and French*

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

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**Afrique du Sud  
et  
Mauritanie**

**Protocole d'accord de coopération entre le Gouvernement de la République d'Afrique du Sud et le Gouvernement de la République islamique de Mauritanie dans le domaine des ressources minières. Le Cap, 3 novembre 2007**

**Entrée en vigueur :** *3 novembre 2007 par signature, conformément à l'article 9*

**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 Republic of South Africa, hereby represented by Ms **Buyelwa Patience Sonjica**, Minister of Minerals and Energy, hereinafter referred to as “the South African Party”;

And

The Government of the Islamic Republic of Mauritania, hereby represented by **Mr Mohamed El Moutar Ould Mohamed El Hacen**, Minister of Petroleum and Mining, hereinafter referred to as “the Mauritanian Party”;

hereinafter referred to as the “Parties” or in the singular as the “Party”.

**CONSIDERING** that bilateral cooperation in the field of mining and mineral resources shall be of mutual social, economic and environmental benefit;

**BELIEVING** further that such cooperation will promote the development of existing friendly relations between the two countries;

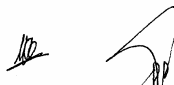
**HEREBY AGREE** as follows:

#### **ARTICLE 1 OBJECTIVES**

The Parties shall endeavour to promote the development of cooperation in the field of mining and mineral resources between the two countries on the basis of equality and mutual benefit, taking into account the experience of their specialists and the possibilities for cooperation available in each country.

#### **ARTICLE 2 SCOPE OF COOPERATION**

- (1) The Parties shall strive to promote cooperation in the field of mining and mineral resources by means of-
  - (a) the exchange of information pertaining to the Parties’ overall mining policies, institutional agreements, regulatory frameworks, technology transfer, mineral processing, research and development and establishment of databanks;



- (b) the exchange of information on government programmes of commercialisation, distribution and market potential of mineral resource products;
- (c) identifying and developing co-operative projects between the Parties as well as third parties in the fields of:
  - (i) mining and mineral resource products;
  - (ii) minerals, metals, exploration and production;
  - (iii) refining, treatment, storage, trading, transportation and distribution of mining and mineral resources products; and
  - (iv) building and maintenance of related infrastructure and application of mining technologies;
- (d) exchange visits of policy-makers and technical experts responsible for the development and implementation of national mining and mineral resource policies;
- (e) the promotion of the of specialised training in the field of mining and mineral resources for experts from both countries, as well as assisting to the extent possible in the finalisation of arrangements and formalities for all travelling students under this Agreement;
- (f) the promotion of joint collaboration between mining and mineral resources related state owned companies, as well as endorsement and assistance in the establishment of partnerships within the various fields of the mining and minerals industries among the relevant companies of both countries to allow them to transfer relevant skills;
- (g) joint participation in workshops, conferences and exhibitions aimed at attracting investments in the mining and minerals resources industries of both countries;
- (h) joint cooperation and assistance for the development of mining and minerals resources policies, laws and regulations for the industry;
- (i) sharing experiences in the organisation and establishing regulatory and management agencies for the mining and minerals resources industries; and
- (j) any other form of mining and minerals resources related cooperation as may be agreed to in writing by the Parties at any time.



- (2) The terms and conditions of implementation of each programme undertaken under this Agreement as part of cooperation shall be agreed to by the Parties in separate agreements.
- (3) Cooperation undertaken in terms of this Article shall be in accordance with and subject to the Parties' domestic law and international obligations.

### **ARTICLE 3 COMPETENT AUTHORITIES**

- (1) The Competent Authorities responsible for the implementation of this Agreement and coordination of all programmes of cooperation shall be-
  - (a) in the case of South Africa, the Department of Minerals and Energy; and
  - (b) in the case of Mauritania, the Ministry of Petroleum and Mining.
- (2) The competent authorities shall be responsible for the identification of programmes and implementing agencies, reviewing progress, re-evaluation of results and re-consideration of any other aspects relevant to the promotion of bilateral cooperation.
- (3) For the purpose of implementing the provisions contained in this Agreement, Working Groups shall, where appropriate, be established to hold meetings periodically in the Islamic Republic of Mauritania and the Republic of South Africa alternately or as the Parties may agree.

### **ARTICLE 4 WORKING GROUPS**

- (1) The Parties shall, where appropriate, establish Working Groups for the purposes of joint development of plans for cooperation as well as implementation and analysis of the work to be performed in the areas referred to in Article 2 of this Agreement.
- (2) The agenda, time and venue of meetings of these Working Groups are to be agreed upon by the Parties.
- (3) For the purpose of implementing the provisions contained in this Agreement, the Parties shall hold regular meetings periodically in the



Islamic Republic of Mauritania and the Republic of South Africa or as the Parties may agree.

**ARTICLE 5  
EXPENSES**

- (1) Each party shall bear all the expenses incurred with regard to travelling and accommodation of its own participation to any meetings of the Working Group/s, unless otherwise agreed by the Parties.
- (2) The host Party shall be responsible for arrangements for meetings of the Working Group/s with regard to local transport, provision of stationery, translation and secretarial services during the meeting.

**ARTICLE 6  
PUBLICATION OF REPORTS**

- (1) The outcome or results of specific programmes of cooperation carried out under this Agreement, and which are not yet in the public domain, shall be kept confidential by the Parties.
- (2) If a Party wishes to share the results with a third Party, prior written consent of the other Party must be obtained.
- (3) The outcome or results of specific programmes of cooperation carried out under this Agreement may be published only with the prior written consent of the Parties.

**ARTICLE 7  
INTELLECTUAL PROPERTY RIGHTS**

Where necessary, the Parties shall make provision for the use, allocation and protection of intellectual property rights in specific implementing arrangements to be concluded under this agreement.

**ARTICLE 8  
SETTLEMENT OF DISPUTES**

Any dispute between the Parties arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultation or negotiations between the Parties.

