

No. 45059*

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

Agreement between the Government of the Republic of South Africa and the Government of the Democratic Republic of Congo on decentralisation. Kinshasa, 16 March 2006

Entry into force: *16 March 2006 by notification, in accordance with article 7*

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**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la République démocratique du Congo sur la décentralisation. Kinshasa, 16 mars 2006

Entrée en vigueur : *16 mars 2006 par notification, conformément à l'article 7*

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, through its Ministry for Provincial and Local Government, and the Government of the Democratic Republic of Congo, through its Ministry of the Interior, Decentralisation and Security, (hereinafter jointly referred to as "the Parties" and separately as a "Party").

CONSIDERING the General Co-operation Agreement of January 14th 2004 between the Parties;

WISHING to pursue the goals of co-operation in the area of decentralisation;

DESIRING to make this Agreement the foundation for the political commitments between the two Parties with a view to broadening the scope of co-operation;

KEEPING IN MIND that the Parties are Member States of the SADC;

HEREBY AGREE as follows:

Article 1

COMPETENT AUTHORITIES

The Competent Authorities charged with implementing this Agreement shall be:

- (a) On behalf of the South African Government, the Minister for Provincial and Local Government; and
- (b) On behalf of the Government of the Democratic Republic of Congo, the Minister of the Interior, Decentralisation and Security.
- (c) The Competent Authorities shall jointly decide the steps to be taken in order to facilitate the application and implementation of this Agreement.
- (d) The Competent Authorities shall meet once a year, or whenever the Parties express the need to do so, in order to review the application of this Agreement.

Article 2

AREAS OF COOPERATION

The Parties agree to co-operate in the following areas:

- a) Capacity building in the Decentralised Administrative Entities;
- b) identifying the appropriate equipment;
- c) information technology systems, supporting decentralized entities;
- d) assistance with organising the Administrative Departments;
- e) assistance with organising the Financial Departments and Audit systems of the

- Decentralised Administrative Entities;
- f) assistance with equipment, the refurbishment of infrastructure and logistics;
- g) assistance in developing the organic law on the organisation and functioning of the Decentralised Administrative Entities.

Article 3

FORMS OF CO-OPERATION

Co-operation between the Parties shall be in the form of -

- (a) mutual visits at ministerial level;
- (b) mutual visits at senior official level;
- (c) study visits;
- (d) technical visits by joint teams from both countries;
- (e) training of -
 - (I) the trainers;
 - (II) the public and civil servants in the Decentralised Administrative Entities;
 - (III) the provincial and local executives, as well as members of the provincial and local governments;
- (a) the exchange of relevant information and experience;
- (b) organising workshops on Provincial and Local Government;
- (c) assistance in determining internal territorial boundaries;
- (d) logistical support and supplying electronic and office equipment;
- (e) establishment of a joint Team of Experts to carry out periodic assessment of progress on the objectives of this Agreement.

Article 4

COOPERATION PRINCIPLES

- (1) The Parties shall co-operate on the basis of mutual trust, respect and interest;
- (2) The information, knowledge and technical expertise exchanged between the Parties shall not be made available to a third party without the prior written consent of the initiating Party.