

No. 45296*

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

Memorandum of understanding between the Government of the Republic of South Africa and the Government of the Democratic Republic of Congo on cooperation in the field of human settlements. Sun City, 23 February 2006

Entry into force: *23 February 2006 by signature, in accordance with article 9*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *South Africa, 15 September 2008*

**The texts reproduced below are the original texts of the agreement as submitted. For ease of reference, they were sequentially paginated. The relevant Treaty Series volume will be published in due course.*

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

Protocole d'accord entre le Gouvernement de la République d'Afrique du Sud et le Gouvernement de la République démocratique du Congo relatif à la coopération en matière des établissements humains. Sun City, 23 février 2006

Entrée en vigueur : *23 février 2006 par signature, conformément à l'article 9*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 15 septembre 2008*

**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. Le volume correspondant du Recueil des Traités sera disponible en temps utile.*

[ENGLISH TEXT – TEXTE ANGLAIS]



MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE GOVERNMENT OF THE REPUBLIC OF
SOUTH AFRICA**

AND

**THE GOVERNMENT OF THE DEMOCRATIC
REPUBLIC OF CONGO**

**ON COOPERATION IN THE FIELD OF HUMAN
SETTLEMENTS**

PREAMBLE

The Government of the Republic of South Africa, through its Department of Housing and the Government of the Democratic Republic of Congo, through its Ministry of Urban Planning and Housing (hereinafter jointly referred to as the "Parties" and in the singular as a "Party")

RECOGNISING the deep friendship between the States of the Democratic Republic of Congo and Republic of South Africa and their respective peoples;

RECOGNISING further, the General Co-operation Agreement signed between the Republic of South Africa and the Democratic Republic of Congo on 14 January 2004;

CONSIDERING the necessity to intensify their efforts in promoting greater cooperation between the Department of Housing of the Republic of South Africa and the Ministry of Urban Planning and Housing of the Democratic Republic of Congo in the areas of human settlements, housing and urban planning;

RECOGNISING the mutual interest and benefits in exchanging information and research relating to human settlements and the wish to cooperate with one another in the spirit of a partnership to realize their commitments towards the Millennium Development Goals;

CONSIDERING the Action Plans of both countries for the development of sustainable human settlements; and

RECOGNISING the opportunity of developing institutional, economic and technical cooperation in order to allow for a continuous exchange of information between those responsible for human settlements, housing and urban planning in the civil services of the two countries;

HEREBY AGREE as follows:

ARTICLE 1
PURPOSE OF THE MEMORANDUM OF UNDERSTANDING

- (1) The purpose of this Memorandum of Understanding (hereinafter referred to as "this MOU") is to:
- (a) co-operate in the fields of housing and urban planning on the basis of equality, reciprocity, mutual advantage and complementarity, taking into consideration existing bi-lateral co-operation agreements between the two States;
 - (b) establish a frame of reference in view of formalizing the interaction between the two Ministries;
 - (c) establish and pursue mutual cooperation in a number of areas covering amongst others:
 - (i) bilateral cooperation, consisting of technical cooperation, exchange of experiences and capacity building.
 - (ii) multilateral cooperation, consisting of joint participation to workshops, mutual consultation on country and regional positions before attending relevant international fora such as UN HABITAT, UN Commission For Sustainable Development, AMCHUD, World Urban Forum, Cities Alliance, World Bank, and others.

ARTICLE 2
PRINCIPLES GOVERNING COOPERATION

- (1) The Parties undertake to:
- (a) mutually take responsibility towards the implementation of this MOU;
 - (b) cooperate towards the implementation of this MOU in respect of the areas identified under Article (3), taking into account the actions and projects led by regional and multilateral organisations;
 - (c) implement their bilateral cooperation within the budgetary limitations and financial constraints of both parties in a manner that could include the following terms:
 - (i) The exchange of technical and scientific information, between the Parties on the new projects that enter into the domains of the ministries in question;

- (ii) the mutual support of both Parties to projects between their respective governments;
- (iii) co-operation between the Parties in the development of project proposals, in view of presenting them to the multilateral and/or international donor community;
- (iv) co-operation between the Parties on strategic questions that are dealt with by specialised international organisations insofar as they relate to housing and human settlements;
- (v) the implementation of sectoral co-operation programmes with agreed terms of reference to implement them in accordance with the technical co-operation mechanism for the sector in question.

ARTICLE 3
AREAS OF MUTUAL COOPERATION

- 1) The Parties commit themselves to develop and promote ongoing mutual technical cooperation in the following areas:
 - (a) legislative framework for housing provision;
 - (b) development of institutional capacity;
 - (c) land management, land release mechanisms and sites servicing mechanisms;
 - (d) development of urban planning and management tools;
 - (e) micro-finance and savings-linked credit schemes for housing;
 - (f) community driven housing and developer driven housing; and
 - (g) informal settlements upgrading and urban renewal.