

No. 46813

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

Memorandum of Understanding between the Government of the Democratic Republic of the Congo and the Government of the Republic of South Africa on co-operation in immigration and population matters. Kinshasa, 30 November 2004

Entry into force: *30 November 2004 by signature, in accordance with article 7*

Authentic texts: *English and French*

Registration with the Secretariat of the United Nations: *South Africa, 12 November 2009*

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

Protocole d'accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la République démocratique du Congo sur les questions de l'immigration et de la population. Kinshasa, 30 novembre 2004

Entrée en vigueur : *30 novembre 2004 par signature, conformément à l'article 7*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 12 novembre 2009*

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE GOVERNMENT OF THE

DEMOCRATIC REPUBLIC OF THE CONGO

AND

THE GOVERNMENT OF THE REPUBLIC

OF SOUTH AFRICA

ON

CO-OPERATION IN IMMIGRATION AND

POPULATION MATTERS

PREAMBLE

The Government of the Democratic Republic of the Congo and the Government of the Republic of South Africa (hereinafter jointly referred to as the “Parties” and separately referred to as a “Party”);

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

WISHING to pursue the objective of co-operation in the fields of immigration and population;

DESIRING that the Memorandum of Understanding should constitute the foundation for the technical engagements of the Parties, as well as the further expansion of co-operation;

BEARING IN MIND that the Parties are Member States of the Southern African Development Community (SADC);

HEREBY AGREE as follows:

ARTICLE 1

COMPETENT AUTHORITIES

- (1) The competent authorities responsible for the implementation of this Memorandum of Understanding shall be-
 - (a) in the case of the Republic of South Africa, the Department of Home Affairs; and
 - (b) in the case of the Democratic Republic of the Congo, the Ministry of Interior, Decentralisation and Security.
- (2) The competent authorities shall jointly decide on detailed arrangements to facilitate the application and implementation of this Memorandum of Understanding.
- (3) The competent authorities shall meet annually or when requested by the Parties, to review the application of this Memorandum of Understanding.

ARTICLE 2

AREAS OF CO-OPERATION

The Parties shall co-operate in the field of -

- a) immigration by -
 - (i) capacity building of immigration personnel;
 - (ii) identification of relevant equipment;
 - (iii) developing information technology systems;
 - (iv) development of standard operating procedures; and
 - (v) safekeeping and management of records; and
- b) the Population Register by -
 - (i) developing information technology systems;
 - (ii) enhancing the population register and identity documents;
 - (iii) improving equipment and infrastructure; and
 - (iv) safekeeping and management of records