

**No. 47495**

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**South Africa  
and  
United States of America**

**Framework Agreement between the Government of the Republic of South Africa and the Government of the United States of America concerning cooperation in the scientific, technological and environmental fields (with annex). Pretoria, 5 December 1995**

**Entry into force:** *27 August 2001 by notification, in accordance with article XV*

**Authentic text:** *English*

**Registration with the Secretariat of the United Nations:** *South Africa, 18 May 2010*

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**Afrique du Sud  
et  
États-Unis d'Amérique**

**Accord-cadre entre le Gouvernement de la République sud-africaine et le Gouvernement des États-Unis d'Amérique concernant la coopération dans les domaines scientifique, technologique et environnemental (avec annexe). Pretoria, 5 décembre 1995**

**Entrée en vigueur :** *27 août 2001 par notification, conformément à l'article XV*

**Texte authentique :** *anglais*

**Enregistrement auprès du Secrétariat des Nations Unies :** *Afrique du Sud, 18 mai 2010*

[ ENGLISH TEXT – TEXTE ANGLAIS ]

**FRAMEWORK AGREEMENT BETWEEN  
THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA  
AND  
THE GOVERNMENT OF THE UNITED STATES OF AMERICA  
CONCERNING COOPERATION IN THE  
SCIENTIFIC, TECHNOLOGICAL AND ENVIRONMENTAL FIELDS**

The Government of the Republic of South Africa and the Government of the United States of America (hereinafter referred to as "the Parties");

Desiring to further the close and friendly relations existing between their countries;

Recognizing their common interest in promoting scientific research, technological and sustainable development;

Recognizing further, the mutual benefits to be derived from close cooperation in scientific, technological and environmental fields;

Have agreed as follows:

**ARTICLE I**

**PURPOSE**

The Parties undertake to develop, support and facilitate cooperation between their two countries in the scientific, technological and environmental fields.

**ARTICLE II**

**COOPERATIVE ACTIVITIES**

The Parties shall develop, support and facilitate cooperative activities between their scientific and technological organizations and agencies.

ARTICLE III

SCOPE OF COOPERATIVE ACTIVITIES

Cooperation may be undertaken in such fields as basic science, environmental issues, biomedical sciences and health, agriculture, chemical and physical sciences, engineering, energy, natural resources, earth sciences, oceanography and marine sciences, materials sciences and metrology, mathematical and computer sciences, information technologies, space, science and technology policy and management, social sciences, and other areas of science and technology as may be agreed by the Parties.

ARTICLE IV

METHODS OF COOPERATION

Cooperative activities under this Framework Agreement may include the mutual exchange of scientific and technological information; the mutual exchange of scientists and other research and technical personnel; coordinated and joint research projects, studies and investigations; the convening of seminars and meetings; education and training; exchanges, sharing, joint construction or ownership of equipment, materials or facilities; and such other forms of scientific, technological and environmental cooperation as may be mutually agreed by the Parties.

ARTICLE V

CONDITIONS FOR COOPERATION

Cooperative activities under this Framework Agreement shall be undertaken in accordance with applicable laws and

regulations of the Parties and shall be subject to availability of personnel, resources and appropriated funds.

#### ARTICLE VI

##### IMPLEMENTING AGREEMENTS

1. Each cooperative activity under this Framework Agreement shall be defined in an individual implementing agreement between the Parties.

2. Such implementing agreements may describe the nature and the duration of cooperation for a specific area or purpose, funding, allocation of costs, mechanism for dispute settlement, and other relevant matters.

#### ARTICLE VII

##### PROVISION OF INFORMATION OF A NON-PROPRIETARY NATURE

Scientific, technological and environmental information of a non-proprietary nature derived from the cooperative activities under this Framework Agreement shall be made available to the world scientific community through customary channels and in accordance with current procedures of the Parties, unless otherwise agreed in writing in the said implementing agreements.

#### ARTICLE VIII

##### INTELLECTUAL PROPERTY

Provisions for the protection and distribution of intellectual property created or furnished in the course of cooperative activities under this Framework Agreement are set forth in Annexure A, except as otherwise specifically

agreed by the Parties in any relevant implementing agreements. Annexure A shall form an integral part of this Framework Agreement.

#### ARTICLE IX

##### MATTERS RELATING TO NATIONAL SECURITY

1. Unless the Parties otherwise agree, a cooperative activity shall not involve research which is classified for the purpose of national security by one or both Parties.

2. Should an activity, information or equipment to be shared, or any anticipated result of a cooperative activity, undertaken pursuant to this Framework Agreement, require protection in the interests of national defence or foreign relations of a Party, that Party shall so notify the other prior to undertaking the activity or sharing the information or equipment.

3. Appropriate measures for such protection shall be agreed upon in the implementing agreement.

#### ARTICLE X

##### ADMINISTRATIVE MATTERS

The Parties shall, to the extent permitted by applicable laws and regulations, use their best efforts to resolve administrative matters relating to cooperative activities and to facilitate entry and exit from their territories of personnel or equipment engaged or used in cooperative activities under this Framework Agreement.