

No. 47695

**South Africa
and
Nigeria**

Agreement on the establishment of a bi-national commission of cooperation between the Government of the Republic of South Africa and the Government of the Federal Republic of Nigeria. Cape Town, 9 April 2000

Entry into force: 27 July 2005 by notification, in accordance with article 12

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 30 August 2010*

**Afrique du Sud
et
Nigéria**

Accord relatif à la création d'une commission binationale de coopération entre le Gouvernement de la République sud-africaine et le Gouvernement de la République fédérale du Nigéria. Le Cap, 9 avril 2000

Entrée en vigueur : 27 juillet 2005 par notification, conformément à l'article 12

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 30 août 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

ON THE ESTABLISHMENT OF A BI-NATIONAL COMMISSION OF COOPERATION BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF NIGERIA

PREAMBLE

The Government of the Republic of South Africa and the Government of the Federal Republic of Nigeria (hereinafter jointly referred to as “the Parties” and in the singular as a “Party”);

CONSCIOUS of the bonds between the two countries and of the necessity to promote security and cooperation in support of sustainable development in their respective countries and on the African continent in general;

DESIROUS of enhancing the understanding, friendship and solidarity between their peoples and of promoting their well-being;

DESIROUS of further intensifying and enhancing cooperation in the various sectors of government between their countries;

COMMITTED to the universal norms of equality, democracy, human rights and the rule of law;

CONSIDERING the signing of the “Agreed Minutes of the Inaugural Session of the Joint Commission between the Federal Republic of Nigeria and the Republic of South Africa held on the 5th of October 1999 in Abuja, Nigeria”;

HEREBY AGREE as follows:

Article 1

ESTABLISHMENT OF THE BI-NATIONAL COMMISSION

The Parties hereby establish a South Africa-Nigeria Bi-national Commission of Cooperation (hereinafter referred to as “the Commission”).

Article 2
PURPOSE OF THE BI-NATIONAL COMMISSION

The purpose of the Commission is to seek ways and means of promoting and enhancing cooperation in the various sectors of government and to coordinate initiatives in this regard as well as to facilitate contact between the public and private sectors of the Parties.

Article 3
COMPOSITION AND STRUCTURE OF THE BINATIONAL COMMISSION

- (1) The Commission shall be presided over jointly by the Deputy President of the Republic of South Africa and the Vice-President of the Federal Republic of Nigeria.
- (2) The Commission shall consist of senior Government representatives of the Parties in the various sectors of cooperation agreed upon for the achievement of the Commission's objectives.
- (3) The Commission shall draw up its own rules of procedure.

Article 4
SECTORAL COMMITTEES

- (1) Sectoral Committees may be established by the Parties as and when deemed necessary by the Parties
- (2) Public and private sector representatives may be invited to participate in meetings of Sectoral Committees or in other structures established by these Committees.
- (3) The Sectoral Committees shall draw up their own rules of procedure.
- (4) The Sectoral Committees may meet as and when required.

Article 5
SUB-COMMITTEES/WORKING GROUPS

- (1) Each Sectoral Committee may set up ad hoc Sub-committees or Working Groups to ensure the smooth and proper implementation of the decisions and recommendations of the Commission arrived at by mutual consent.
- (2) The ad hoc Sub-committees or Working Groups shall present reports of their deliberations through their respective sectoral Committees to the Commission.

- (3) Sector-specific agreements may be signed by the Parties within the context of the competency of the Sectoral Committees. Such agreements may be attached to this Agreement as Addenda.

Article 6

FREQUENCY OF MEETINGS OF THE COMMISSION

The Commission shall meet in ordinary session annually in Nigeria and South Africa alternately, and in extraordinary session at the request of either Party at any time when necessary.

Article 7

AGENDA FOR MEETINGS

- (1) The Agenda of each meeting shall be drawn up by the Party hosting the meeting from proposals made by Sectoral Committees.
- (2) The Agenda shall be communicated to the other Party through the diplomatic channel at least one month prior to the opening of each session, and shall be subject to adoption by the plenary session at the commencement of the meeting.

Article 8

DECISIONS OF THE COMMISSION

The Commission shall take decisions and agree on recommendations by mutual consent.

Article 9

RECORD OF DELIBERATIONS

- (1) The outcome of the deliberations of each Sectoral Committee, as well as other matters of importance to the Commission shall be submitted to the Commission, in plenary session for appraisal and record purposes.
- (2) The deliberations of the Commission shall be adopted through a communiqué signed by both Chairpersons.

Article 10
SECRETARIATS

- (1) The Parties agree that their respective Foreign Ministries shall be responsible for the coordination of logistical and administrative arrangements for plenary sessions of the Commission and act as the General Secretariats of the Commission in this regard.
- (2) The Parties further agree that each Sectoral Committee may establish its own Sectoral Secretariat responsible for coordinating sector-specific issues between the Parties within the context of the powers given to the Committee. Each Sectoral Secretariat shall keep the General Secretariat informed of its activities in writing.

Article 11
FINANCIAL OBLIGATIONS

The Parties agree that the hosting Party shall be responsible for the accommodation and transport costs of ten members of the visiting delegation (hereinafter referred to as the A suite). Each Party shall be able to determine the size and composition of its delegation attending the session, notwithstanding the composition of the A-suite and the provisions of Article 3.

Article 12
ENTRY INTO FORCE AND DURATION OF THE AGREEMENT

- (1) This Agreement shall enter into force after each Party has notified the other in writing through diplomatic channels of its compliance with the constitutional requirements necessary for the implementation thereof. The date of entry into force shall be the date of the last notification.
- (2) This Agreement shall remain in force for a period of five years whereafter it shall be extended for a further five years by tacit agreement.

Article 13
AMENDMENTS TO THE AGREEMENT

This Agreement may be amended at any time by mutual consent of the Parties communicated through the diplomatic channel.