

No. 48062

**South Africa
and
Jamaica**

Agreement between the Government of the Republic of South Africa and the Government of Jamaica on cooperation in the fields of arts and culture. Kingston, 14 December 2009

Entry into force: *14 December 2009 by signature, in accordance with article 12*

Authentic text: *English*

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**Afrique du Sud
et
Jamaïque**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la Jamaïque relatif à la coopération dans les domaines des arts et de la culture. Kingston, 14 décembre 2009

Entrée en vigueur : *14 décembre 2009 par signature, conformément à l'article 12*

Texte authentique : *anglais*

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[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

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

AND

THE GOVERNMENT OF JAMAICA

**ON COOPERATION IN THE FIELDS OF ARTS
AND CULTURE**

PREAMBLE

The Government of the Republic of South Africa and the Government of Jamaica (hereinafter jointly referred to as the "Parties" and separately as a "Party");

WISHING to consolidate and expand the bonds of friendship which exist between their two countries through cultural exchanges and cooperation;

CONSCIOUS of the desirability of promoting to the greatest extent possible mutual knowledge and understanding of the countries' respective intellectual and artistic achievements, as well as their history and way of life by means of friendly cooperation between them; and

DESIROUS of developing cultural relations and fostering cultural dialogue;

HEREBY AGREE as follows:

ARTICLE 1

RESPONSIBILITIES OF PARTIES

To strengthen the ties between their countries, the Parties shall encourage co-operation and exchange of knowledge, experience and achievements in the fields of arts and culture.

ARTICLE 2

INSTITUTIONS, ORGANISATIONS AND BODIES

- 1) The Parties shall, in accordance with this Agreement, encourage the establishment of contact and cooperation between interested institutions, organizations and persons in their countries in the fields of arts and culture.
- 2) The Parties shall give due regard to the autonomy of the relevant institutions and bodies and the status of implementing agencies. Their freedom to enter into and maintain mutual relations and agreements shall be recognized in accordance with the domestic law in force in their respective countries.

ARTICLE 3

FIELDS OF COOPERATION

The Parties shall, within the limits of their respective resources, promote and facilitate the development of cultural ties between the countries by:-

- a) arranging visits of music and theatre groups, visual artists, actors, dancers, musicians, writers, journalists and other professionals in arts and culture of the two countries;

- b) organizing artistic and cultural activities including exhibitions, shows, conferences and workshops;
- c) exchanging books, periodicals, photographs, tapes, recordings, videos, film and other types of audio visual material, as well as statistical information;
- d) publishing and distributing books and periodicals;
- e) exchanging documents on their museums, libraries and other cultural institutions, as well as information of all kinds of cultural industries, including natural history, art and craft;
- f) greater participation in the activities of cultural institutions, especially in relation to documentation, studies and research;
- g) exchanging radio and television programmes and cinematic works of a cultural nature;
- h) exchanging expertise in the areas of art and craft with special attention to artistic design in fashion, sculpture and woodcraft;
- i) twinning cultural and artistic institutions;
- j) encouraging cooperation between institutions of higher learning and research institutes through the conclusion of inter-institutional arrangements;
- k) disseminating information on cultural events;
- l) encouraging the participation of representatives of one of the Parties in congresses, conferences and other meetings pertinent to cultural cooperation organized by the other Party; and
- m) any other form of cooperation as may be agreed upon between the Parties or relevant institutions in the respective countries.

ARTICLE 4

EQUIPMENT AND WORKS OF ART

Any equipment or works of art that will be used in the activities referred to in Article 3 shall be admitted free of duty in both countries, in accordance with the domestic law in force in the respective countries.

ARTICLE 5

PROJECTS AND ACTIVITIES

- 1) The Parties shall co-operate in projects and activities in the fields of:-
 - a) archaeological research;
 - b) artistic and architectural restoration;
 - c) urban rehabilitation; and
 - d) preserving, restoring and generally developing the national heritage of both tangible and intangible nature.
- 2) The Parties shall devote special attention to cooperation in the preparation and organization of international artistic, educational, literary and other cultural events to be held in their respective countries.

ARTICLE 6

PROTECTION OF INTELLECTUAL PROPERTY RIGHTS

- 1) The Parties shall protect the intellectual property rights over works which include (but are not exclusive to) literary, scientific and artistic works created by authors who are nationals of their respective countries, subject to the domestic law and the International Agreements to which they are Parties, in force in their respective countries and their commitments under international law.
- 2) The Parties shall encourage cooperation in the implementation of international conventions to which they are a party and which relate to the areas covered by this Agreement, including those areas related to the protection of Intellectual Property Rights.
- 3) Any intellectual property that is created in terms of the activities under this Agreement shall be subject to the domestic law relating to the protection of intellectual property rights in the respective countries.

ARTICLE 7

PROGRAMMES OF CO-OPERATION

The Parties or the implementing agencies of the Parties shall undertake programmes of cooperation in terms of separate agreements, which shall be valid for specific periods.

ARTICLE 8

FINANCIAL ARRANGEMENTS

The cost of visits by artists, academics and specialists in the areas covered by this Agreement and other approved persons pursuant to the provisions of Articles 3 and 5 shall be met by the sending Party, autonomous body or implementing agency, as the case may be, unless the contrary is agreed to in writing by the Parties.

ARTICLE 9

IMPLEMENTATION OF THE AGREEMENT

The Parties shall coordinate the implementation of this Agreement through the diplomatic channel by:-

- a) monitoring the progress of the implementation of the programmes of cooperation in the field of culture; and
- b) examining and approving the exchange programmes and evaluating the implementation thereof.