

No. 48071

**South Africa
and
Lesotho**

Memorandum of Understanding between the Government of the Republic of South Africa and the Government of the Kingdom of Lesotho concerning co-operation in the legal field. Maseru, 12 August 2010

Entry into force: *12 August 2010 by signature, in accordance with article 10*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 16 December 2010*

**Afrique du Sud
et
Lesotho**

Mémorandum d'accord entre le Gouvernement de la République sud-africaine et le Gouvernement du Royaume du Lesotho relatif à la coopération dans le domaine juridique. Maseru, 12 août 2010

Entrée en vigueur : *12 août 2010 par signature, conformément à l'article 10*

Texte authentique : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 16 décembre 2010*

[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING

BETWEEN

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

AND

**THE GOVERNMENT OF THE KINGDOM OF
LESOTHO**

CONCERNING

CO-OPERATION IN THE LEGAL FIELD

PREAMBLE

The Government of the Kingdom of Lesotho and the Government of the Republic of South Africa (hereinafter jointly referred to as the "Parties" and in the singular as a "Party");

RECOGNIZING the principles of sovereign equality and territorial integrity of all States;

CONSCIOUS of the benefits to be derived from close co-operation and the maintenance of friendly relations between the two countries;

CONSIDERING the need to promote democratic principles and good governance between the two countries;

DESIROUS of developing close co-operation in the legal field;

FURTHER DESIROUS of promoting and maintaining an efficient and effective legal profession and judicial system in the two countries;

HEREBY AGREE as follows:

ARTICLE 1

Co-Operation

The Parties undertake to promote closer co-operation in criminal and civil matters, including legal training and technical assistance.

ARTICLE 2

Exchange Programmes, Technical Support, and Legal Co-operation

- (1) The Parties shall encourage exchange programmes concerning-
 - (a) judges, lawyers, magistrates, prosecutors and organizations representing these professions;
 - (b) library personnel, legal publications and relevant legislation;
 - (c) legal training; and
 - (d) law reform.

- (2) The Parties shall endeavour to provide each other with technical support in the legal field.

- (3) The Parties shall, to the extent possible, co-operate in the secondment of judges, magistrates, legal officers and judicial staff.

ARTICLE 3

Areas of Co-operation

- (1) The Parties shall, by mutual agreement, co-operate in -
- (a) reciprocal service of civil process and enforcement of civil judgments and orders;
 - (b) mutual legal assistance in criminal matters;
 - (c) extradition;
 - (d) legal information; and
 - (e) the holding of conferences and workshops on legal issues.
- (2) The Parties shall, by mutual agreement, identify, as and when necessary, new areas of co-operation in addition to those identified in sub-Article 1.

ARTICLE 4

Seminars and Conferences

- (1) The Parties shall hold seminars and conferences on legal subjects of mutual interest.
- (2) A Party, when holding seminars and conferences on legal subjects, may invite appropriate institutions of the other Party to send delegates to such seminars and conferences.
- (3) Notification of or request for a conference, symposium or seminar shall be done in writing, through the diplomatic channel.