

No. 48076

**South Africa
and
Russian Federation**

Agreement between the Government of the Republic of South Africa and the Government of the Russian Federation on co-operation in the field of plant quarantine. Moscow, 5 August 2010

Entry into force: *5 August 2010 by signature, in accordance with article 12*

Authentic texts: *English and Russian*

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

**Afrique du Sud
et
Fédération de Russie**

Accord entre le Gouvernement de la République sud-africaine et le Gouvernement de la Fédération de Russie relatif à la coopération dans le domaine de la quarantaine phytosanitaire. Moscou, 5 août 2010

Entrée en vigueur : *5 août 2010 par signature, conformément à l'article 12*

Textes authentiques : *anglais et russe*

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

[ENGLISH TEXT – TEXTE ANGLAIS]

AGREEMENT

BETWEEN

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

**AND THE GOVERNMENT OF THE
RUSSIAN FEDERATION**

**ON CO-OPERATION IN THE FIELD OF PLANT
QUARANTINE**

PREAMBLE

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

GUIDED by the provisions of the International Plant Protection Convention of 6 December 1951, as amended by the Conference of the Food and Agriculture Organization of the United Nations at its 29th session in 1997 (hereinafter referred to as “the Convention”);

EXPRESSING their desire to strengthen bilateral co-operation in the field of plant quarantine with a view to improving the protection of the territories of their countries against the introduction and spread of regulated pests and reducing damage caused by them; and removing obstacles to international trade in plants and plant products subject to phytosanitary control;

HEREBY AGREE as follows:

ARTICLE 1

DEFINITIONS

(1) For the purpose of this Agreement, the term "products subject to phytosanitary control" shall mean regulated products as defined under the domestic law of each Party (hereinafter referred to as “regulated products”).

(2) For the purpose of this Agreement and in accordance with the Convention, the term “regulated pest” shall mean quarantine pests or regulated non-quarantine pests of potential economic importance for the Parties according to the regulated pests lists established by the Competent Authority of each of the Parties. The Competent Authority of either Party may make changes to its list, which shall be communicated to the Competent Authority of the other Party and become effective 60 days after the receipt of the communication thereof.

ARTICLE 2
COMPETENT AUTHORITIES

The Competent Authorities responsible for the implementation of this Agreement shall be-

- (a) in the case of of the Republic of South African, the National Plant Protection Organization of the Department of Agriculture, Forestry and Fisheries and;
- (b) in the case of the Russian Federation, the Federal Service for Veterinary and Phytosanitary Surveillance.

ARTICLE 3
CO-OPERATION

The Parties, guided by the provisions of the Convention and the domestic law in force in the countries relating to the field of plant quarantine and phytosanitary standards, shall co-operate in the field of plant quarantine and take the necessary measures to prevent the introduction and spread of regulated pests with imported regulated products.

ARTICLE 4
OBLIGATIONS

- (1) The Parties shall exchange information regarding the occurrence and spread of new regulated pests in the territories of their States as well as on the phytosanitary measures taken to prevent their occurrence and spread.
- (2) The Parties shall exchange their phytosanitary legislation and other documents regulating to import, export and transit of regulated products.
- (3) The Parties shall render scientific and technical assistance in the field of plant quarantine to each other.

ARTICLE 5
IMPORTS, EXPORTS AND TRANSIT

(1) Each regulated product consignment transported from the territory of the state of one Party to the territory of the state of the other Party or in transit via the territory of the state of one Party to the territory of the state of the other Party, shall be accompanied by a phytosanitary certificate as set out in the Model of the Convention, issued by the Competent Authority of the exporting Party, and certifying that this regulated product consignment complies with the phytosanitary requirements of the importing Party.

(2) The importing Party shall not require phytosanitary certificates for the regulated product consignments, that have been processed in such a way that they have no potential for introducing regulated pests, or for other materials that do not require phytosanitary measures. The Exporting Party shall provide documents certifying that such treatment has been carried out. In such cases the Parties shall be guided by the Convention and International Standards for Phytosanitary Measures.

(3) Regulated products shall be exported, imported and transited from the territory of the state of one Party to the territory of the state of the other Party through the border entry points determined by the Parties.

(4) The Parties recognize the possibility of joint audit of the main sites of production, processing, storage and packing of regulated products, transported from the territory of the state of one Party to the territory of the state of the other Party. Auditing expenses shall be determined by mutual consent of the Parties.

(5) Availability of the phytosanitary certificate does not exclude the right of the Parties to carry out phytosanitary inspection of the regulated products in accordance with the phytosanitary requirements of their respective countries.

(6) In case regulated pests are detected in the regulated products consignment during phytosanitary inspection, the Competent Authority of the importing Party has the right to return it back to the exporter or to subject it to disinfestations, and in case disinfestations is not possible to destroy it, notifying the Competent Authority of the exporting Party of the phytosanitary measures taken.