

No. 53397*

**South Africa
and
Mauritania**

**Memorandum of Understanding between the Government of the Republic of South Africa
and the Government of the Islamic Republic of Mauritania on economic co-operation.
Pretoria, 8 May 2015**

Entry into force: *8 May 2015 by signature, in accordance with article 10*

Authentic texts: *English and French*

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**Afrique du Sud
et
Mauritanie**

**Mémorandum d'accord de coopération économique entre le Gouvernement de la
République islamique de Mauritanie et le Gouvernement de la République de l'Afrique
du Sud. Pretoria, 8 mai 2015**

Entrée en vigueur : *8 mai 2015 par signature, conformément à l'article 10*

Textes authentiques : *anglais et français*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 14 janvier 2016*

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[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING

BETWEEN

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

AND

**THE GOVERNMENT OF THE
ISLAMIC REPUBLIC OF MAURITANIA**

ON

ECONOMIC CO-OPERATION

PREAMBLE

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

HAVING attended bilateral meetings and high-level consultations between the senior officials of the two countries;

DESIRING to promote investments, industry, trade and technical co-operation between the Republic of South Africa and the Islamic Republic of Mauritania on equitable terms;

COGNISANT of the significant economic challenges and opportunities arising and consequential to the evolving continental economic integration and emerging new global order;

DETERMINED to find new approaches and strategies of consolidating, expanding and deepening areas of economic development, industrial, trade and technical co-operation between the Republic of South Africa and the Islamic Republic of Mauritania, with specific focus on economic development which will be firmly guided by the principles of national sovereignty, opportunities to implement world class projects and of mutually beneficial outcomes;

WISHING to promote investments, industry, trade and technical co-operation between the Republic of South Africa and the Islamic Republic of Mauritania on equitable terms;

DESIROUS to facilitate the realisation of increased flow of investments and the enhancement of trade and industry co-operation, including technical and institutional co-operation; and

ENVISIONING the objectives to promote industrial co-operation, technical co-operation and to develop trade and investment co-operation between the Parties;

HEREBY AGREE as follows:

ARTICLE 1
COMPETENT AUTHORITIES

The Competent Authorities responsible for the implementation of this MoU shall be—

- (a) in the case of the Government of the Republic of South Africa, the Department of Trade and Industry (hereinafter referred to as “**the dti**”); and
- (b) in the case of the Government of the Islamic Republic of Mauritania, the Ministry of Trade, Industry and Tourism (hereinafter referred to as the “**MCIAT**”).

ARTICLE 2
TRADE CO-OPERATION

- (1) The Parties shall intensify efforts to promote trade between the two countries, with a view to expanding the volume of trade and reducing the trade imbalance.
- (2) In order to take advantage of the existing vast trade opportunities in both countries, the Parties shall—
 - (a) sensitise, encourage and assist trade operators to undertake joint trade promotional activities including, but not confined to, participation in the national and international trade fairs organised in both countries; and closer co-operation between the business associations of the two countries;
 - (b) encourage the exchange of information relating to economic sectors and trade as well as laws and regulations applying to trade in each country; and

- (c) endeavour to carry out all the necessary actions, including those contained in this Memorandum of Understanding (hereinafter referred to as the “MoU”), to expand and deepen reciprocal trade between the Republic of South Africa and the Islamic Republic of Mauritania.
- (3) The Parties agree to co-operate in the trade areas specified in Articles ,3, 4 and 5 of this MoU.

ARTICLE 3
INDUSTRIAL AND TECHNICAL CO-OPERATION

- (1) The Parties shall jointly endeavor to develop industrial and technical co-operation between them and the private sectors of both Parties in the following fields, but not limited to—
- (a) standardisation, quality control and accreditation;
 - (b) development of small, medium and micro enterprises;
 - (c) tourism;
 - (d) technology transfer; and
 - (e) skills development in, *inter alia*, the following areas :
 - (i) Industrial and trade policy formulation and implementation; and
 - (ii) trade and investment promotion.
- (2) Co-operation shall promote and encourage, in particular—
- (a) fish and food processing; leather goods from hides and skins, engineering goods, mining, energy, infrastructure and construction, tourism related industries and other relevant sectors as identified and agreed by both Parties;
 - (b) the establishment of an environment favourable to the development of private enterprises, in order to stimulate the growth and diversification of industrial production.

ARTICLE 4
INVESTMENTS AND PROMOTION OF INVESTMENTS

- (1) Co-operation shall aim at increasing the flow of capital, exchanging expertise and technology between the Parties through-
 - (a) appropriate means of identifying investment opportunities and information channels on investment regulations;
 - (b) establishing mechanisms for encouraging and promoting investments.

- (2) With a view to promote industrial co-operation, the Parties agree to encourage potential investments of both Parties to establish, *inter alia*, the following projects:
 - (a) energy projects;
 - (b) mining projects;
 - (c) transport and communications infrastructure projects;
 - (d) agro-processing projects;
 - (e) tourism projects;
 - (f) commercial farming projects;
 - (g) processing of natural resources; and
 - (h) information technology.

ARTICLE 5
EXHIBITIONS, TRADE AND INVESTMENT MISSIONS

- (1) The Parties agree to encourage participation in international and national exhibitions organised by both countries in order to promote trade and investment relations between business communities in both countries.

- (2) The Parties confirm the importance of organising mutual business trade and investment missions to explore the trade and investment opportunities in the two

countries, as well as study missions, to understand each other's trade and investment environment.

ARTICLE 6
ESTABLISHING JOINT TRADE AND INVESTMENT COMMITTEE

- (1) The Parties agree to establish a Joint Trade and Investment Committee (hereinafter referred to as "JTIC") which shall consist of senior officials, to drive the overall facilitation of trade and investment between the countries.

- (2) The JTIC shall identify opportunities for expanding trade and investment and identify areas of technical co-operation that concern—
 - (a) agriculture;
 - (b) industrial products;
 - (c) agro-processing;
 - (d) tourism;
 - (e) mining;
 - (f) handicrafts;
 - (g) services and telecommunications;
 - (h) investment Issues;
 - (l) infrastructure and construction; and
 - (j) other issues of mutual benefit and importance such as SME development.

- (3) Within the JTIC, the Parties agree to establish Joint Working Groups (hereinafter referred to as "JWGs") whose objectives shall be to focus on specific sectors or projects as identified by the JTIC.

- (4) In addition to the objectives referred to in sub-Article (3), the JWGs shall-
 - (a) Suggest steps to enhance bilateral trade, related to the above mentioned relevant trade and investment issues; and

- (b) Propose ways and means for enhanced intra-continental trade, industry integration, technical assistance and co-operation.

ARTICLE 7
GENERAL PROVISIONS

- (1) This MoU provides a broad basis for co-operation between the Parties and is intended to stimulate private sector interests and involvement of the two countries.
- (2) The Parties shall negotiate and conclude detailed operational agreements before the implementation of the projects referred to in Article (4)2.
- (3) The South African and Mauritanian investors shall not have any exclusive rights in terms of this MoU regarding the projects identified.
- (4) Neither Party shall have any obligation in respect of projects other than those explicitly stated in the operational agreements contemplated in sub-Article (2).

ARTICLE 8
AMENDMENT

- (1) This MoU may be amended at any time by mutual consent of the Parties through an Exchange of Notes between the Parties through the diplomatic channel.
- (2) The effective date of the amendment shall be proposed and confirmed through the diplomatic channel.

**ARTICLE 9
SETTLEMENT OF DISPUTES**

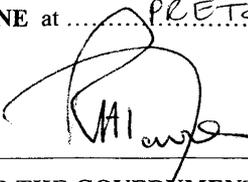
Any dispute between the Parties arising out of the interpretation, application or implementation of this MoU, shall be settled amicably through consultation or negotiations between the Parties.

**ARTICLE 10
ENTRY INTO FORCE, DURATION AND TERMINATION**

- (1) This MoU shall enter into force on the date of signature thereof.
- (2) This MoU shall remain in force until it is terminated by either Party giving twelve months' written notice in advance through the diplomatic channel of its intention to terminate it.
- (3) The termination of this MoU shall not affect the detailed operational agreements referred to in Article 7(2) the implementation of which has not been completed.

IN WITNESS WHEREOF, the undersigned being duly authorised by their respective Governments, have signed and sealed this MoU in two originals in the English and French languages, all texts being equally authentic.

DONE at PRETORIA on this 8th day of MAY 2015.



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

**FOR THE GOVERNMENT OF THE
ISLAMIC REPUBLIC OF MAURITANIA**

*Minister of Trade, Industry
& Commerce*
