

No. 45037*

**South Africa
and
United Republic of Tanzania**

Agreement between the Government of the United Republic of Tanzania and the Government of the Republic of South Africa on cooperation in areas of migration matters. Dar es Salaam, 5 April 2007

Entry into force: *4 June 2007, in accordance with article 11*

Authentic texts: *English*

Registration with the Secretariat of the United Nations: *South Africa, 18 June 2008*

**Afrique du Sud
et
République-Unie de Tanzanie**

Accord de coopération en matière de migration entre le Gouvernement de la République-Unie de Tanzanie et le Gouvernement de la République sud-africaine. Dar es-Salaam, 5 avril 2007

Entrée en vigueur : *4 juin 2007, conformément à l'article 11*

Textes authentiques : *anglais*

Enregistrement auprès du Secrétariat des Nations Unies : *Afrique du Sud, 18 juin 2008*

* *The text reproduced below is the original text of the agreement as submitted. For ease of reference, it was sequentially paginated. The final UNTS version of it is not yet available. Le texte reproduit ci-dessous est le texte authentique de l'accord tel que soumis pour enregistrement. Pour référence, il a été présenté sous forme de la pagination consécutive. La version finale RTNU n'est pas encore disponible.*

[ENGLISH TEXT – TEXTE ANGLAIS]

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PREAMBLE

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

CONSIDERING the importance of the Presidential Economic Commission established on 22 September 2005;

CONSIDERING the need for the smooth functioning of economic and trade cooperation;

CONSIDERING the need to streamline visa issuance policies and procedures which will be in the best interest of both Parties;

RECOGNISING the objective of the SADC Protocol on the Facilitation of the Movement of Persons, which aims at the progressive elimination of obstacles to the movement of persons of the Region generally into and within the territories of member States;

RECOGNISING the importance of international mutual cooperation in matters related to visa issuance procedures, the prevention and combating of illegal migration and the exchange of information and experience;

CONVINCED that the close cooperation between the Parties will result in the harmonization and effective combating of illegal migration; and

DESIRING to enter into a visa waiver agreement for holders of diplomatic, service or official passports,

HEREBY AGREE as follows:



Article 1
OBJECTIVES

In order to facilitate the movement of persons between the two countries, the Parties—

- (a) shall abolish the requirement for holders of valid diplomatic, service or official passports to obtain visas in order to enter the country of the other Party;
- (b) shall, as far as possible, harmonize application requirements and issuance procedures for visas in respect of the holders of ordinary passports; and
- (c) undertake to work closely in areas of cooperation agreed upon in terms of this Agreement.

Article 2
COMPETENT AUTHORITIES

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

- (a) on behalf of the Government of the United Republic of Tanzania, the Ministry of Home Affairs; and
- (b) on behalf of the Government of the Republic of South Africa, the Department of Home Affairs.

Article 3
EXCHANGE OF INFORMATION AND EXPERIENCE

- (1) The Parties shall host joint meetings alternately in South Africa and Tanzania. The date and venue of the meetings shall be agreed upon between the Parties in writing.
- (2) Each Party shall bear its own expenses relating to international travel and travel expenditure and accommodation in the country of the other Party during the visit contemplated in sub-Article (1).

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- (3) Notwithstanding the provisions of sub-Article (1), either Party may invite the other Party for an extraordinary meeting in the case of an urgent matter.
- (4) The Parties shall exchange information pertaining to immigration laws, regulations and policies. The Parties shall also exchange information relating to best practices in relation to migration control with a view to enhancing capacity building.
- (5) The Parties shall share knowledge on genuine, fraudulent and counterfeit travel documents, illegal migration, drug and human trafficking, routes and networks of smugglers and traffickers and technology and methods at their disposal to detect fraudulent documents.
- (6) Cooperation undertaken in terms of Sub-Articles (4) and (5) shall be in accordance with and subject to the Parties' domestic law and international obligations.

Article 4
CONTACT

The following contact points shall serve as the direct link between the Parties:

In respect of the Government of the United Republic of Tanzania:

Director of Immigration Services

Postal Address:

Physical Address:

Office Telephone Number:

Office Fax Number:

E-mail Address:

In respect of the Government of the Republic of South Africa:

Deputy Director-General: National Immigration Branch

Postal Address:





Physical address:
Office Telephone Number:
Office Fax Number:
Email address:

Article 5
COMBATING ILLEGAL MIGRATION

The Parties shall take measures to combat illegal migration and cooperate with regard to deportation processes and procedures.

Article 6
STRENGTHENING OF PERSONNEL TRAINING

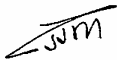
The Parties shall strengthen cooperation regarding the training of personnel on migration management issues and the use of advanced technology in this regard.

Article 7
DECLARATION AND PROTECTION OF INFORMATION

- (1) The Parties hereby declare their readiness to consider requests made by either Party with regard to the areas of cooperation agreed upon.
- (2) The Parties may not provide any third party with any information exchanged within the framework of this Agreement, unless the Party wanting to provide information to a third party has obtained the written consent of the other Party in this regard.

Article 8
SUSPENSION OF AGREEMENT

- (1) Each Party reserves the right to completely or partially suspend this Agreement.





- (2) The suspension, together with the reasons thereof, shall be conveyed to the other Party in writing through the diplomatic channel and shall take effect immediately upon receipt of such notification.
- (3) The suspending Party shall lift the suspension as soon as possible by way of written notice to the other Party through the diplomatic channel, after the resolution of the dispute.

Article 9

SETTLEMENT OF DISPUTES

Any dispute between the Parties arising out of the interpretation or implementation of this Agreement shall be settled amicably through consultation or negotiation between the Parties.

Article 10

AMENDMENT

This Agreement may be amended by mutual consent of the Parties through an Exchange of Notes between the Parties through the diplomatic channel.

Article 11

ENTRY INTO FORCE, DURATION AND TERMINATION

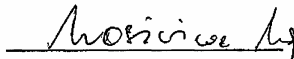
- (1) This Agreement shall enter into force sixty (60) days after the date of signature thereof.
- (2) This Agreement shall remain in force for an indefinite period, but may be terminated by either Party by giving three (3) months written notice in advance to the other Party through an Exchange of Notes, through the diplomatic channel, of its intention to terminate this Agreement.



IN WITNESS WHEREOF the undersigned, having been duly authorized thereto by their respective Governments, have signed and sealed this Agreement in duplicate, in the English language, both texts being equally authentic.

DONE at Dar Es Salaam on this 5th day of April 2007.


FOR THE GOVERNMENT OF THE
UNITED REPUBLIC OF TANZANIA


FOR THE GOVERNMENT OF THE
REPUBLIC OF SOUTH AFRICA

Name: Joseph Inungu

Name: N. Mapasa Ngatula

Designation: Minister of Home Affairs

Designation: Minister of Home Affairs