

No. 53398*

**South Africa
and
Cambodia**

Memorandum of Understanding between the Government of the Republic of South Africa and the Royal Government of Cambodia on cooperation in biodiversity conservation and protection. Pretoria, 29 May 2015

Entry into force: *29 May 2015 by signature, in accordance with article 10*

Authentic text: *English*

Registration with the Secretariat of the United Nations: *South Africa, 14 January 2016*

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**Afrique du Sud
et
Cambodge**

Mémorandum d'accord entre le Gouvernement de la République sud-africaine et le Gouvernement royal du Cambodge relatif à la coopération en matière de conservation et de protection de la biodiversité. Pretoria, 29 mai 2015

Entrée en vigueur : *29 mai 2015 par signature, conformément à l'article 10*

Texte authentique : *anglais*

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 ROYAL GOVERNMENT OF
CAMBODIA**

ON

**COOPERATION IN BIODIVERSITY
CONSERVATION AND PROTECTION**

PREAMBLE

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

RECOGNISING the goals and principles stated in the Convention on Biological Diversity (hereinafter referred to as "CBD"), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as "CITES") and National Environment, Biodiversity, and Wildlife Legislation in both countries;

AWARE of the regional and global nature of biodiversity management, conservation and protection, compliance, and law enforcement issues and the urgency to find cost-effective and long-term solutions in addressing these issues through international cooperation and the importance of coordinating joint activities of the Parties;

NOTING that illegal wildlife trafficking remains a global challenge;

IN THE SPIRIT of cooperation and collaboration in CITES and the CBD;

SHARING the common concerns and responsibilities of the Parties to enhance cooperation in the field of biodiversity management, conservation and protection, law enforcement and compliance with CITES;

CONVINCED that cooperation between the Parties in the field of biodiversity conservation and protection, law enforcement and compliance with CITES is of mutual benefit and will further promote the friendly relations between their respective countries.

HEREBY AGREE to the following:

ARTICLE 1

OBJECTIVE

The objective of this Memorandum of Understanding (hereinafter referred to as the "MoU") is to promote cooperation between the Parties in the field of biodiversity management, conservation and protection, law enforcement, compliance with CBD, CITES, and other relevant legislation and Conventions on the basis of equality and mutual benefit.

ARTICLE 2

COMPETENT AUTHORITIES

The competent authorities responsible for the implementation of this MoU shall be

- (a) in case of the Government of the Republic of South Africa, the Department of Environmental Affairs; and
- (b) in case of the Royal Government of Cambodia, the Ministry of Environment.

ARTICLE 3
AREAS OF COOPERATION

The following areas have been identified by the Parties as priority areas of cooperation:

- (a) Biodiversity management, conservation and protection;
- (b) Compliance with CBD, CITES and other relevant internationally binding Conventions;
- (c) Best practice of biodiversity law enforcement and compliance with domestic frameworks and applicable conventions;
- (d) Strengthening the cooperation on the above through exchange of information, and research;
- (e) Technology use, transfer and development;
- (f) Natural resource management, wildlife trade, protected areas management, community development, sustainable livelihoods; and
- (g) Other areas related to the objective referred to in Article 1 as agreed upon by the Parties.

ARTICLE 4
FORMS OF COOPERATION

The Parties shall cooperate by -

- (a) exchanging relevant information and documentation on biodiversity conservation and protection, law enforcement and compliance, subject to domestic laws of each Party;
- (b) conducting joint research on biodiversity management, conservation and protection;
- (c) exchanging visits of experts and delegations;
- (d) jointly organising seminars, workshops and meetings attended by scientists, experts, policy makers, regulators, law enforcers and others concerned;
- (e) undertaking collaborative projects, subject to the Parties domestic legislation and available funding;
- (f) other forms of cooperation as shall be mutually agreed upon by the Parties subject to the Parties domestic laws and available funding.

ARTICLE 5
IMPLEMENTATION

- (1) To implement this MoU, the Parties shall encourage their respective environmental protection organisations, law enforcement agencies, and research institutions, to establish and develop direct contacts with each other in the field of biodiversity management, conservation and protection, law enforcement and compliance with CBD, CITES and other related Conventions and legislation.

- (2) Each competent authority shall appoint a focal point for the purpose of implementing this MoU.
- (3) The venues and times of focal points' meetings shall be agreed upon in writing between the focal points.

ARTICLE 6

COSTS

Each Party shall bear its own costs and expenses arising from the implementation of this MoU unless otherwise agreed upon by the Parties.

ARTICLE 7

OBLIGATIONS

The provisions of this MoU shall not affect the rights and obligations of the Parties deriving from any treaty, convention, regional or global agreement related to biodiversity, wildlife trade or law enforcement and this MoU shall be implemented in accordance with the national laws and regulations in force in their respective countries.

ARTICLE 8
SETTLEMENT OF DISPUTES

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

ARTICLE 9
AMENDMENTS

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

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 for a period of five (5) years after which it shall be automatically renewed for a further period of five (5) years and on such terms as the parties may then agree unless it is terminated in accordance with sub-article 3.
- (3) This MoU may be terminated by either Party giving six months written notice in advance to the other Party of its intention to terminate it.

- (4) The termination of this MoU shall not affect any arrangement or activity that has already been made or commenced before the termination, unless otherwise agreed upon by the Parties in writing.

IN WITNESS WHERE OF the undersigned, being duly authorised thereto by their respective Governments, have signed and sealed this MoU in two originals in the English language with all texts being equally authentic.

DONE at PRETORIA on this 29th day of MAY 2015



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



**FOR THE ROYAL
GOVERNMENT OF
CAMBODIA**