

**DECLARATION OF INTENT**

**BETWEEN**

**THE GOVERNMENT OF THE UNITED  
KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND**

**AND**

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

**ON**

**ENVIRONMENTAL COOPERATION**

## INTRODUCTION

The Government of the United Kingdom of Great Britain and Northern Ireland as represented by the Centre for Environment, Fisheries and Aquaculture Science ("Cefas"), an Executive Agency of the United Kingdom Government's Department for Environment, Food and Rural Affairs and the Government of the Republic of South Africa as represented by the Department of Environmental Affairs ("DEA") (jointly referred to as the "Participants" and separately as a "Participant")

## RECOGNISING

- a) Cefas as an executive agency, and therefore part of, the United Kingdom's Department for Environment, Food and Rural Affairs and not a legally distinct entity. In entering into this Declaration of Intent the United Kingdom of Great Britain and Northern Ireland is represented by the Secretary of State for Environment, Food and Rural Affairs, who is part of the Crown and has the power to enter into contracts and other legal instruments acting as and through Cefas.
- b) Cefas has experience in providing innovative solutions for the aquatic environment, biodiversity and food security. Cefas collaborates with others to identify country specific solutions to tackle marine environmental issues and is currently working on the Commonwealth Litter Programme ("CLiP"), funded by the UK Government; and
- c) DEA and Cefas have all the rights and powers necessary to enter into this Declaration of Intent ("DoI") on behalf of their respective Governments;

**AWARE** of the regional and global nature of environmental issues and the need to find effective and long-term solutions that ensure strong environmental protection while advancing, in a mutually inclusive manner, economic growth and job creation;

**CONVINCED** of the potential benefits of bilateral cooperation in the field of environment;

**RECOGNISING** the expertise of the Republic of South Africa and the United Kingdom of Great Britain and Northern Ireland on environmental issues and their desire to share that expertise and learn from each other's respective experiences;

**HAVE REACHED** the following understanding:

## **PARAGRAPH 1**

### **OBJECTIVES**

The objective of this DoI is to develop a framework for cooperation between the Participants on a range of environmental topics of mutual interest.

This DoI will provide a framework for the exchange of scientific and technical knowledge and the augmentation of scientific and technical capabilities of the Participants with respect to the marine environment, aquatic sciences and environmental management in support of any collaborative opportunities identified by the Participants, as more particularly set out in this DoI.

The Participants will cooperate on the basis of mutual benefit, equality and reciprocity and in accordance with applicable domestic laws and relevant international agreements.

## **PARAGRAPH 2**

### **COMPETENT AUTHORITIES**

- (1) The competent authorities responsible for the implementation of this DoI will be—
  - (a) in the case of the Government of the Republic of South Africa, the Department of Environmental Affairs, ("DEA"); and
  - (b) in the case of the Government of the United Kingdom of Great Britain and Northern Ireland, Cefas.
- (2) Each competent authority is to designate a coordinator for the purpose of implementing this DoI.

### **PARAGRAPH 3**

#### **FIELDS OF COOPERATION**

The following areas have been identified by the Participants as mutual priority areas of cooperation and collaboration:

- (a) facilitation of the exchange of marine and freshwater experience and knowledge;
- (b) sustainable use of marine and freshwater resources;
- (c) marine environmental challenges, in particular marine litter and plastics pollution, and implications for policy making;
- (d) promotion of a circular economy, waste minimisation and recycling, and the contribution of the recycling sector in a green economy.
- (e) any other areas related to the protection and conservation of the environment mutually decided upon by the Participants.

### **PARAGRAPH 4**

#### **FORMS OF COOPERATION**

(1) Cooperative activities may include the following:

- (a) establishing or facilitating the establishment of partnerships in the relevant fields of cooperation addressing a range of marine environmental topics of mutual interest in order to carry out mutually beneficial exchanges and projects;
- (b) exchanging information, technologies and best practices in the fields of cooperation mentioned in Paragraph 3 in accordance with the domestic laws and regulations in place in each country;
- (c) share mechanisms and approaches on environmental awareness-raising initiatives;
- (d) organising technical training, workshops, seminars or study trips on subjects of mutual interest; and
- (e) other forms of cooperation or collaboration as mutually decided upon by the Participants.

**PARAGRAPH 5**  
**JOINT COMMITTEE ON ENVIRONMENT**

- (1) The competent authorities for implementing this DoI will set up a joint coordinating Committee ("Joint Committee") consisting of representatives nominated by each Participant.
- (2) Unless otherwise decided, the Joint Committee will meet annually, on mutually convenient dates, in South Africa and the United Kingdom alternately. The Presidency of the Joint Committee is to rotate every year between the Participants.
- (3) Decisions of the Joint Committee will be reached by consensus.
- (4) Within the framework set up in this DoI, the responsibilities of the Joint Committee will be to—
  - decide on the terms of reference of the Joint Committee;
  - develop, promote, and review cooperative activities;
  - consider and consult on the policy aspects relevant to the implementation of this DoI;
  - identify and discuss areas of mutual interest and forms of cooperative activities; and
  - monitor and evaluate the progress of cooperation and collaboration under this DoI and guide future activities.

**PARAGRAPH 6**  
**FINANCIAL MATTERS**

- (1) Cooperative activities will be decided upon having regard to the availability of appropriate funds, resources and personnel and subject to the applicable national laws, regulations and procedures of each Participant.
- (2) Unless otherwise provided for, each Participant will bear the costs of its participation and that of its personnel engaged in cooperative activities under this DoI.

- (3) CLiP, funded by UK Government, will be the first opportunity to progress collaborative activities. Cefas envisages that CLiP activities will enrich and complement the work already taking place through DEA initiatives within South Africa to reduce the input of plastics in the oceans.

#### **PARAGRAPH 7**

#### **INTELLECTUAL PROPERTY**

- (1) The protection of intellectual property rights and confidential information (including trade and business secrets) arising from cooperative activities under this DoI will be in accordance with the respective domestic laws and regulations of both Participants as well as international agreements on intellectual property rights and other rights mentioned above which are applicable to both the Republic of South Africa and the United Kingdom of Great Britain and Northern Ireland.
- (2) The Participants will equally have regard to laws relating to competition and antitrust law (including State aid law) and laws against bribery and corruption and business ethics, data protection and freedom of information.

#### **PARAGRAPH 8**

#### **ENTRY INTO EFFECT, AMENDMENT, TERMINATION AND DISPUTE SETTLEMENT**

- (1) This DoI shall enter into effect on the date of signature thereof by both Parties.
- (2) This DoI shall remain in force for a period of five (5) years, whereafter it shall automatically be renewed for further consecutive periods of five (5) years, unless it is terminated by either Party giving six (6) months' written notice in advance, through the diplomatic channel, to the other Party of its intention to terminate this DoI.
- (3) The termination of this DoI will not affect the validity of any arrangements already made under this DoI.

- (4) Any dispute concerning the interpretation or application of this DoI will be resolved amicably by consultations or negotiation between the Participants, or such other means as they mutually decide.

Signed in duplicate at Pretoria on the 11th day of September,  
2019 in the English language.



FOR THE GOVERNMENT OF  
THE UNITED KINGDOM OF  
GREAT BRITAIN AND  
NORTHERN IRELAND



FOR THE GOVERNMENT OF  
THE REPUBLIC OF  
SOUTH AFRICA