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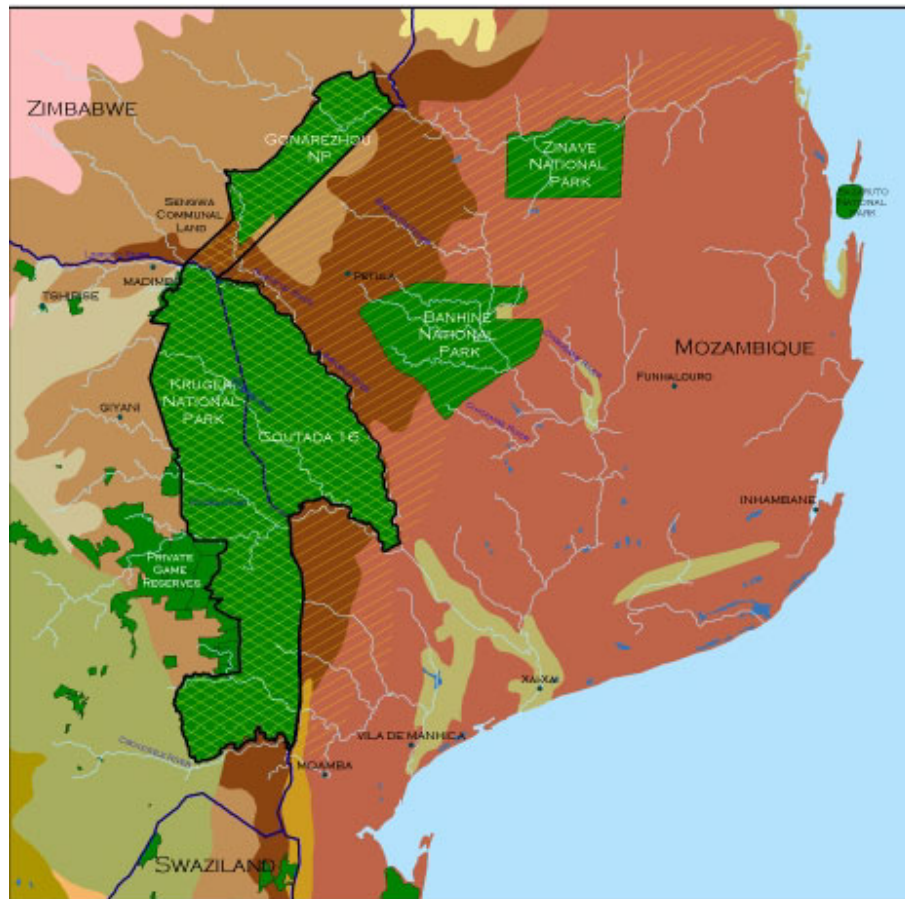
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Annexure A

  **Great Limpopo Transfrontier Park**


Please note that, until October 2001, the Great Limpopo Transfrontier Park was called the Gaza-Kruger-Gonarezhou Transfrontier Park.



- Places
- Core and Extended Area of TFCA
- Core Area
- Extended Area
- International Boundary
- Rivers
- Conservation Areas
- General African Landscape Description
- Flat plain at a very low level (<300m)
- Flat plateau at a medium level (300 - 1500m)
- Flat wet plain at a very low level (<300m)
- Moderately steep high hills (local relief of > 400m)
- Moderately steep high minor escarpment zone (local relief of >400m)
- Moderately steep high ridge (local relief of >400m)
- Steep low major escarpment zone (600 - 1500m)
- Steep medium major escarpment zone (1500 - 3000m)
- Undulating plain at a low level (300 - 600m)
- Undulating plain at a very low level (<300m)
- Undulating plateau at a high level (1500 - 3000m)
- WATER



THE GAZA-KRUGER-GONAREZHOU TFCA




Digital Elevation Model derived from USGS grid data.  
Vector Data obtained from African Data Sampler (ADS)

Projection System:  
Lamberts Equal-Area Azimuthal  
Central Meridian 20  
Reference Latitude 0

Logo's of Park Authorities to be added.

Maps Compiled by:  
Peace Parks Foundation (PPF)  
Prof. Willem van Riel  
Dr. Lize Brink  
Orla Becht

For more information, contact Orleg Becht:  
Tel: +27 (0)21 867 02 80  
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Annexure B



**Gaza-Kruger-Gonarezhou Transfrontier Park Agreement**  
Signed on 10 November 2000

**AGREEMENT<sup>1</sup> ON THE DEVELOPMENT OF THE  
GAZA-KRUGER-GONAREZHOU TRANSFRONTIER PARK**

**BETWEEN**

**THE GOVERNMENT OF THE REPUBLIC OF MOZAMBIQUE,  
THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA, AND  
THE GOVERNMENT OF THE REPUBLIC OF ZIMBABWE**

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<a href="#">Article 4</a>	Processes and Procedures
<a href="#">Article 5</a>	Co-operation
<a href="#">Article 6</a>	Implementation
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***PREAMBLE***



The Government of the Republic of Mozambique, the Government of the Republic of South Africa and the Government of the Republic of Zimbabwe (hereinafter jointly referred to as "the Parties" and in the singular as "a Party")

RECOGNISING the principle of sovereign equality and territorial integrity of their states;

CONSCIOUS of the benefits to be derived from close co-operation and the maintenance of friendly relations with each other;

ACKNOWLEDGING the necessity to conserve the environment for the benefit of all the people of Southern Africa;

RECALLING that the countries promoting the Transfrontier Park (hereinafter also referred to as "the Park") initiative are signatories or Parties to the Convention on Biological Diversity (Rio de Janeiro, 1992), United Nations Convention to Combat Desertification (Paris, 1994), SADC Wildlife & Law Enforcement Protocol (Maputo, 1999), the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) (Washington, 1973); as well as other Conventions and Agreements of relevance, and

DESIRING to promote ecosystem integrity, biodiversity conservation and sustainable socio-economic development across international boundaries;

HEREBY AGREE AS FOLLOWS:

---

## **ARTICLE 1**

### **Establishment of a Transfrontier Park**

1. The Parties hereby agree to jointly establish and develop a Transfrontier Park which will integrate for conservation and ecotourism purposes the areas detailed in Sub-article (2) below.

2. It is agreed that the Transfrontier Park will include the areas as follows:

(a) In Mozambique, the area known as -

(i) Coutada 16

(b) In South Africa, the areas known as -

(i) Kruger National Park; and

(ii) The Makuleke Region administered as part of the Kruger National Park.

(c) In Zimbabwe, the areas known as -

(i) Gonarezhou National Park;

(ii) Malipati Safari Area;

(iii) Manjinji Pan Sanctuary; and

(iv) the community areas linking Gonarezhou to the Kruger National Park further south.

3. It is agreed that an area adjacent to the GKG Transfrontier Park, comprising compatible conservation areas but not lending themselves to integration with the GKG Transfrontier Park, will be managed as the GKG Transfrontier Conservation Area (hereinafter referred to as the "GKG TFCA"). In Mozambique these areas will include the Banhine and Zinave National Parks, the Massingir and Corumana areas, as well as the interlinking regions as reflected in the accompanying map. In South Africa and Zimbabwe it is proposed that areas forming part of the GKG TFCA would include the various private and provincial reserves bordering the GKG Transfrontier Park.

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## **ARTICLE 2**

### **Name of the Transfrontier Park**

The term "Gaza-Kruger-Gonarezhou Transfrontier Park", hereinafter referred to as "the GKG Transfrontier Park", shall be an interim name to refer to the area under discussion, and a more permanent name shall be arrived at through a process of public participation as jointly determined by the Parties.

---

## **ARTICLE 3**

### **Transfrontier Park Objectives**

The objectives of the creation of the GKG Transfrontier Park shall be:

1. to foster transnational collaboration and co-operation among the Parties in implementing ecosystem management through the establishment, development and management of the Transfrontier Park;
2. to promote alliances in the management of biological natural resources by encouraging social, economic and other partnerships among the Parties, Private Sector, Local Communities and NGOs;
3. to enhance ecosystem integrity and natural ecological processes by harmonising environmental management procedures across international boundaries and striving to remove artificial barriers impeding the natural movement of animals;
4. to develop frameworks and strategies whereby local communities can participate in, and tangibly benefit from, the management and sustainable use of natural resources that occur within the Transfrontier Park;
5. to facilitate the establishment and maintenance of a subregional economic base by way of appropriate development frameworks, strategies and work plans; and
6. to develop trans-border ecotourism as a means for fostering regional socio-economic development.

---

## **ARTICLE 4**

## **Processes and Procedures**

1. The sovereign rights of each Party shall be respected, and no Party shall impose decisions on another.
2. The process of planning and implementation of the Transfrontier Park shall be done through joint decision-making by accredited country representatives.
3. Each Party shall ensure that full stakeholder participation is engaged in within their respective countries, so that broad social and political acceptance is achieved for the process.
4. The Parties undertake to follow relevant regional treaties and international protocols in the development and management of the Transfrontier Park.

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### **ARTICLE 5 Co-operation**

1. The Parties undertake to ensure that the various areas committed for Transfrontier Park development within this Agreement, shall be managed in accordance with the broad objectives as outlined in Article 3 of this Agreement, and in particular with the Management Plan that will jointly be developed and agreed upon between the Competent Authorities designated by each respective Party as defined in Article 6.
2. The Parties undertake to:
  - (a) consult, assist and support each other in the implementation of this Agreement;
  - (b) promote integrated and co-ordinated management of the Transfrontier Park for their optimal benefit;
  - (c) use their best endeavours to harmonise legislation and policies to facilitate integrated and complementary conservation and socio-economic development activities;
  - (d) ensure that during development of the Transfrontier Park effective measures are implemented to address issues relating to customs and immigration, security and border control, public health, wildlife diseases and other matters which affect relations between the Parties;
  - (e) synchronize where possible related development actions in areas bordering each other; and
  - (f) from time to time, enter into further agreements which may be required to give effect to the spirit and intent of this Agreement.

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### **ARTICLE 6 Implementation**

1. The Competent Authorities responsible for the implementation of this Agreement shall be:

(a) on behalf of the Government of the Republic of Mozambique, the *DirecVão Nacional de Florestas e Fauna Bravia* (hereinafter referred to as the "DNFFB"), designated through the Ministry of Agriculture and Rural Development;

(b) on behalf of the Government of the Republic of South Africa the South African National Parks (hereinafter referred to as the "SANP"), designated through the Ministry of Environmental Affairs and Tourism; and

(c) on behalf of the Government of the Republic of Zimbabwe, the Department of National Parks and Wild Life Management (hereinafter referred to as the "DNPWLM"), designated through the Ministry of Environment and Tourism.

2. The parties shall delegate such powers and functions to their respective Competent Authorities as are required for the co-ordination of activities leading to the establishment, development and management of the Transfrontier Park.

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## **ARTICLE 7**

### **Institutional Framework for International Collaboration**

1. For purposes of executing this Agreement the following bodies are hereby established:

(a) the GKG Transfrontier Park Trilateral Ministerial Committee (hereinafter referred to as "the Trilateral Ministerial Committee");

(b) the GKG Transfrontier Park Technical Committee (hereinafter referred to as "the Technical Committee");

(c) the GKG Transfrontier Park Co-ordinating Party (hereinafter referred to as "the Co-ordinating Party"); and

(d) the GKG Transfrontier Park Working Group (hereinafter referred as "the Working Group").

2. Other committees may be established should the need arise.

---

## **ARTICLE 8**

### **The Trilateral Ministerial Committee**

1. The Trilateral Ministerial Committee shall consist of the Ministers designated and mandated by the respective Parties.

2. The Trilateral Ministerial Committee shall:

(a) be responsible for overall policy guidance in the development of the Transfrontier Park;

- (b) be chaired on a rotational basis;
  - (c) meet at least once a year; and
  - (d) monitor progress in the implementation of the action plans for the Transfrontier Park.
3. The decisions of the Trilateral Ministerial Committee shall be by consensus.

---

**ARTICLE 9**  
**The Technical Committee**

1. The Technical Committee shall consist of senior representatives of the Competent Authorities and/or their respective Ministries from Mozambique, South Africa and Zimbabwe.
2. The Technical Committee shall be responsible for:
- (a) interpreting the political directives of the Trilateral Ministerial Committee into a set of operational guidelines and policies;
  - (b) approving action plans for the development and management of the Transfrontier Park;
  - (c) harmonising the expectations and aims of the Parties with respect to the establishment, development and management of the Transfrontier Park;
  - (d) monitoring the implementation process of the establishment, development and management of the Transfrontier Park; and
  - (e) preparing reports and other appropriate documentation for the Trilateral Ministerial Committee.
3. The Technical Committee shall:
- (a) be chaired on a rotational basis; and
  - (b) meet at least twice a year, or more frequently, depending on the urgency of the issues tabled for discussion.
4. Decisions of the Technical Committee shall be by consensus.

---

**ARTICLE 10**  
**The Co-ordinating Party**

1. It is hereby agreed that a specific Party be designated on a rotational basis as Co-ordinating Party in order to promote accountability and sustained momentum in the Transfrontier Park implementation process.

2. The Co-ordinating Party shall be appointed for a period of two years, and will commence upon Tri-nation ministerial signature of this Agreement.

3. A Party may elect to forfeit its designation as Co-ordinating Party depending on circumstance, in which event the function will rotate to the next Party eligible.

4. The Co-ordinating Party shall be recommended by the Technical Committee, but final designation shall be by the Trilateral Ministerial Committee.

5. The Co-ordinating Party shall:

(a) coordinate the activities associated with the planning and implementation of the GKG Transfrontier Park;

(b) ensure that an effective Working Group is established, with full representation by all the Parties and that a working programme focussed on achieving the objectives of the GKG Transfrontier Park is sustained;

(c) co-ordinate the drafting and implementation of an effective Action Plan for achieving the objectives of the GKG Transfrontier Park, with full participation of relevant stakeholders;

(d) promote appropriate processes and procedures which are in accordance with relevant regional treaties and international protocols, during the planning and implementation of the GKG Transfrontier Park;

(e) prepare reports on key resolutions and directives emanating from the Trilateral Ministerial and Technical Committees;

(f) facilitate the convening of various Committee meetings; and

(g) and liaise with all the Parties in identifying joint activities that require funding and identify sources for funding.

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## **ARTICLE 11**

### **The Working Group**

1. The Working Group shall be composed of representatives appointed by the Competent Authorities of the Parties and/or representatives delegated by the relevant Ministries of the Parties.

2. The Working Group shall:

(a) be responsible for implementation of the Action Plan as developed and guided by the Technical Committee;

(b) ensure full participation by all appropriate stakeholders in the preparation of policy recommendations, resource management plans, and other relevant documents relating to the GKG Transfrontier Park;

(c) liaise and collaborate with other relevant regional initiatives, such as the Maputo Development Corridor, in the establishment, development and management of the Transfrontier Park; and

(d) provide feedback and progress reports to the Technical Committee.

3. The Working Group shall have no decision-making authority, but shall make recommendations to and receive guidance and supervision from the Technical Committee regarding its activities.

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## **ARTICLE 12**

### **Financing for Committees**

1. The Technical Committee shall be responsible for identifying financial needs and sourcing such funds as are required to achieve the objectives of this Agreement. Such sourcing of funds will be done either directly or indirectly from the Competent Authorities of each Party, donor agencies, aid agencies, or other means approved by prior consent of the Ministers or their approved delegates forming part of the Trilateral Ministerial Committee.

2. As a general principal the Technical Committee will not become involved in the direct administration of funds, but will leave such matters either to the donor agencies or aid agencies themselves, or the Financial Departments or equivalent structures within each of the Competent Authorities of the three Parties. However, this arrangement is in no way meant to detract from the ability of the Technical Committee to decide and prioritize on financial needs, and decision-making regarding expenditure required for purposes aimed at achieving the objectives of the Agreement.

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## **ARTICLE 13**

### **Settlement of Disputes**

1. In the event of any dispute arising between the Parties as to the interpretation, application or performance of this Agreement including its existence, validity or termination, such dispute shall be settled amicably through consultation and negotiation between the Parties, or be referred for mediation.

2. Should the dispute not be resolved in the manner referred to above, any Party may submit the dispute to final and binding arbitration in accordance with the Permanent Court of Arbitration Optional Rules for Arbitrating Between Two States, as in effect on the date of signature of this Agreement.

3. The appointing authority shall be the Secretary-General of the Permanent Court of Arbitration in The Hague.

---

## **ARTICLE 14**

### **Entry into Force**

1. This Agreement shall enter into force on the date on which each Party has notified one another in writing, through the diplomatic channel, of its compliance with the constitutional requirements necessary for the implementation of this Agreement. The date of entry into force shall be the date of the

last notification.

2. In the event of any one Party not signing this Agreement, the remaining signatory Parties shall remain bound by the intent and spirit of this Agreement.

---

**ARTICLE 15**  
**Amendments to Agreement**

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

2. Any amendment to this Agreement shall be in writing and signed by all Parties.

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**ARTICLE 16**  
**Termination of Agreement**

This Agreement shall remain in force until terminated by any of the Parties giving one year's written notice in advance to the other Parties through diplomatic channels.

---

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed and sealed this Agreement in English.

SIGNED at \_\_\_\_\_ on this \_\_\_\_\_ day

of \_\_\_\_\_ 2000

FOR THE GOVERNMENT OF THE REPUBLIC OF MOZAMBIQUE

\_\_\_\_\_

FOR THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

\_\_\_\_\_

FOR THE GOVERNMENT OF THE REPUBLIC OF ZIMBABWE

\_\_\_\_\_



**Annexure c**

**Southern African Development Community**

**Protocol on Wildlife Conservation and Law Enforcement**

**PREAMBLE**

WE, the Heads of State or Government of:

The Republic of Angola

The Republic of Botswana

The Democratic Republic of Congo

The Kingdom of Lesotho

The Republic of Malawi

The Republic of Mauritius

The Republic of Mozambique

The Republic of Namibia

The Republic of Seychelles

The Republic of South Africa

The Kingdom of Swaziland

The United Republic of Tanzania

The Republic of Zambia

The Republic of Zimbabwe

.

AFFIRMING that Member States have the sovereign right to manage their wildlife resources and the corresponding responsibility to sustainably use and conserve these resources;

NOTING that Article 5 of the SADC Treaty states that the sustainable use of natural

resources and effective protection of the environment is one of the objectives of SADC;  
NOTING also that Article 21 of the SADC Treaty designates natural resources and environment as an area of co-operation for SADC Member States;  
AWARE that the conservation and sustainable use of wildlife in the SADC Region contribute to sustainable economic development and the conservation of biological diversity;  
CONVINCED that the viability of wildlife resources in the SADC Region requires collective and co-operative action by all SADC Member States;  
CONVINCED also that the conservation and sustainable use of wildlife in the SADC Region depend on the proper management and utilisation of wildlife, including enforcement of laws governing such use ;  
RECOGNISING that the survival of wildlife depends on the perceptions and development needs of people living with wildlife;  
BELIEVING that the regional management of wildlife and wildlife products will promote awareness of the socio-economic value of wildlife and enable equitable distribution of the benefits derived from the sustainable use of wildlife;  
ACKNOWLEDGING the need for co-operation among Member States in enforcing laws governing wildlife, in sharing information about wildlife resources and wildlife law enforcement, and in building national and regional capacity to manage wildlife and enforce the laws that govern it;  
RECALLING that all SADC Member States are members of the International Criminal Police Organisation (Interpol), and that all are signatories or parties to the Convention on Biological Diversity (Rio de Janeiro, 1992), the African Convention on the Conservation of Nature and Natural Resources (Algiers, 1968) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (Washington, 1973);  
NOTING ALSO the agreement for the establishment of the Southern African Convention for Wildlife Management (SACWM, 1990), the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora (Lusaka, 1994) and the Master Plan for the Security of Rhino and Elephant in Southern Africa (1996);  
DESIRING to establish a common framework for the conservation and sustainable use of

wildlife resources in the SADC Region and to assist with the effective enforcement of laws governing those resources;

HEREBY agree as follows:

## **ARTICLE 1**

### **DEFINITIONS**

In this Protocol the terms and expressions defined in Article 1 of the Treaty shall bear the same meaning unless the context otherwise requires.

In this Protocol, unless the context otherwise requires:

"Community-based wildlife management" means the management of wildlife by a community or group of communities which has the right to manage the wildlife and to receive the benefits from that management;

"Conservation"

means the protection, maintenance, rehabilitation, restoration and enhancement of wildlife and includes the management of the use of wildlife to ensure the sustainability of such use;

"State Party"

means a member of SADC that ratifies or accedes to this Protocol;

"Sustainable use" means use in a way and at a rate that does not lead to the long-term decline of wildlife species;

"Transfrontier conservation area"

means the area or the component of a large ecological region that straddles the boundaries of two or more countries, encompassing one or more protected areas, as well as multiple resources use areas;

"Taking" means the hunting, killing, injuring, capturing, harassing, collecting, picking, uprooting, digging up, cutting, destruction and removal of any species of wildlife and include any attempt to engage in such conduct;

"Wildlife"

means animal and plant species occurring within natural ecosystems and habitats;

## **ARTICLE 2**

### **SCOPE**

This Protocol applies to the conservation and sustainable use of wildlife, excluding forestry and fishery resources.

## **ARTICLE 3**

### **PRINCIPLES**

1. Each State Party shall ensure the conservation and sustainable use of wildlife resources under its jurisdiction. Each State Party shall ensure that activities within its jurisdiction or control do not cause damage to the wildlife resources of other states or in areas beyond the limits of national jurisdiction.

2. Pursuant to the attainment of the principles contained in Article 3 of this Protocol, States Parties shall:

- a) ensure co-operation at the national level among governmental authorities, non-governmental organisations hereinafter referred to as NGOs, and the private sector;
- b) cooperate to develop as far as possible common approaches to the conservation and sustainable use of wildlife; and
- c) collaborate to achieve the objectives of international agreements which are applicable to the conservation and sustainable use of wildlife and to which they are party.

In implementing this Protocol, States Parties shall:

- a) take such policy, administrative and legal measures as appropriate to ensure the conservation and sustainable use of wildlife;
- b) take measures as are necessary to enforce national legislation pertaining to wildlife effectively; and
- c) cooperate with other Member States to manage shared wildlife resources as well as any transfrontier effects of activities within their jurisdiction or control.

## **ARTICLE 4**

### **OBJECTIVES**

1. The primary objective of this Protocol is to establish within the Region and within the framework of the respective national laws of each State Party, common approaches to the conservation and sustainable use of wildlife resources and to assist with the effective enforcement of laws governing those resources.
2. To this end, specific objectives of this Protocol shall be to:
  - a) promote the sustainable use of wildlife;
  - b) harmonise legal instruments governing wildlife use and conservation;
  - c) enforce wildlife laws within, between and among States Parties;
  - d) facilitate the exchange of information concerning wildlife management, utilisation and the enforcement of wildlife laws;
  - e) assist in the building of national and regional capacity for wildlife management, conservation and enforcement of wildlife laws;
  - f) promote the conservation of shared wildlife resources through the establishment of transfrontier conservation areas; and
  - g) facilitate community-based natural resources management practices for management of wildlife resources.

## **ARTICLE 5**

### **INSTITUTIONAL ARRANGEMENTS**

1. The institutional arrangements shall be:
  - a) the Wildlife Sector Technical Coordinating Unit;
  - b) the Committee of Ministers responsible for Food, Agriculture and Natural Resources;
  - c) the Committee of Senior Officials; and
  - d) Technical Committee.
2. The Committee of Ministers responsible for Food, Agriculture and Natural Resources shall:
  - a) be composed of Ministers responsible for Food, Agriculture and Natural Resources in Member States;

- b) meet at least once a year; and
  - c) be chaired by the Minister representing the Member State co-ordinating for Food, Agriculture and Natural Resources.
3. The functions of the Committee of Ministers shall include:
- a) adopting regional wildlife policies and development strategies;
  - b) considering and approving any amendment to the policies and strategies;
  - c) providing policy guidance with respect to matters referred to it by the Committee of Senior Officials;
  - d) considering and approving the sectoral Annual Report before submission to the Council;
  - e) submitting proposals to the Council for amending the provisions of this Protocol;
  - f) supervising the implementation of this Protocol;
  - g) supervising the work of any Committee or Sub-committee established under this Protocol;
4. The Committee of Senior Officials shall:
- a) consist of administrative heads of Ministries responsible for wildlife or their representatives;
  - b) meet at least once a year;
  - c) be chaired by the nominated officials representing the country responsible for Food, Agriculture and Natural Resources.
5. The functions of the Committee of Senior Officials shall include:
- a) assessing the requirements of and the need for updating and amending the regional policy and development strategies;
  - b) reviewing and coordinating the activities of the Committees;
  - c) considering any amendment to this Protocol;
  - d) reporting to the Committee of Ministers of Food, Agriculture and Natural Resources on matters relating to the implementation of the provisions contained in this Protocol;
  - e) reviewing the work of the Wildlife Sector;
  - f) approving the documents prepared by the Wildlife Sector Technical Coordinating Unit (hereinafter referred to as WSTCU) to be submitted to the Committee of Ministers of Food, Agriculture and Natural Resources;

- g) monitoring the implementation of this Protocol; and
- h) performing such other functions as may be determined by the Committee of Ministers.

6. The Wildlife Sector Technical Committee (hereinafter referred to as WSTCU) shall comprise the Heads of Wildlife Departments or their representatives and shall:

- a) meet at least once a year;
- b) be chaired by the official representing the country responsible for co-ordinating the Wildlife Sector

7. The functions of the Wildlife Sector Technical Committee shall be to;

- a) supervise the implementation of this Protocol; and
- b) co-ordinate development of policy guidelines for common SADC regional approaches to the conservation and sustainable use of wildlife.

8. The WSTCU shall:

- a) be the Secretariat responsible for implementing this Protocol at the regional level;
- b) co-ordinate with the designated sectoral contact points;
- c) co-ordinate the efforts of States Parties to adopt common approaches to the conservation and sustainable use of wildlife, to harmonise their applicable legislation, and to co-operate in necessary law enforcement;
- d) support the efforts of Governments and NGOs to ensure the conservation and sustainable use of wildlife and the involvement of local communities in such efforts;
- e) promote such co-operation between the national wildlife law enforcement authorities, communities and by NGOs, on all issues related to enforcement;
- f) serve as the regional clearinghouse for the exchange of information;
- g) co-ordinate SADC regional programmes for research and capacity building in the management of wildlife;
- h) liaise with other SADC sectors to promote intersectoral co-operation in wildlife management; such as standardising veterinary regulations which govern the movement of wildlife and wildlife products; and
- i) perform any other task which may be assigned by the Council for the purpose of implementing this Protocol.

## **ARTICLE 6**

### **LEGAL INSTRUMENTS FOR THE CONSERVATION AND SUSTAINABLE USE OF WILDLIFE**

1. States Parties shall adopt and enforce legal instruments necessary to ensure the conservation and sustainable use of wildlife as provided in Article 7 of this Protocol.

2. States Parties shall endeavour to harmonise national legal instruments governing the conservation and sustainable use of wildlife; such harmonisation shall include but not be limited to standardising:

- a) measures for the protection of wildlife species and their habitat;
- b) measures governing the taking of wildlife;
- c) measures governing the trade in wildlife and wildlife products and bringing the penalties for the illegal taking of wildlife and the illegal trade in wildlife and wildlife products to comparable deterrent levels;
- d) powers granted to wildlife law enforcement officers;
- e) procedures to ensure that individuals charged with violating national laws governing the taking of and trading in wildlife and wildlife products are either extradited or appropriately sanctioned in their home country;
- f) measures facilitating community based natural resources management practices in wildlife management and wildlife law enforcement;
- g) economic and social incentives for the conservation and sustainable use of wildlife;
- h) measures incorporating obligations assumed under applicable international agreements to which Member States are party;
- i) any other measures which the Council may deem necessary.

3. The WSTCU shall co-ordinate initiatives of Member States to harmonise national legislation governing the conservation and sustainable use of wildlife.



## ARTICLE 7

### WILDLIFE MANAGEMENT AND CONSERVATION PROGRAMMES

1. States Parties shall establish management programmes for the conservation and sustainable use of wildlife and integrate such programmes into national development plans.
2. States Parties shall assess and control activities which may significantly affect the conservation and sustainable use of wildlife so as to avoid or minimise negative impacts.
3. Measures which shall be taken by States Parties to ensure the conservation and sustainable use of wildlife shall include -
  - a) the protection of wildlife and wildlife habitats to ensure the maintenance of viable wildlife populations;
  - b) prevention of over-exploitation and extinction of species;
  - c) restrictions on the taking of wildlife, including but not limited to restrictions on the number, sex, size or age of specimens taken and the locality and season during which they may be taken; and
  - d) restrictions on trade in wildlife and its products, both nationally and internationally, as required by relevant international agreements.
4. States Parties shall establish or introduce mechanisms for community-based wildlife management and shall, as appropriate, integrate principles, and techniques derived from indigenous knowledge systems into national wildlife management and law enforcement policies and procedures.
5. States Parties shall, as appropriate, establish programmes and enter into agreements:
  - a) to promote the co-operative management of shared wildlife resources and wildlife habitats across international borders; and
  - b) to promote co-operative management, the conservation of species and populations and the marketing of their products.
6. States Parties shall, as appropriate, promote economic and social incentives to encourage the conservation and sustainable use of wildlife.
7. States Parties shall, as appropriate, develop programmes and mechanisms to:

- a) educate the general public and raise public awareness concerning issues of the conservation and sustainable use of wildlife;
- b) build national and regional capacity for wildlife management and law enforcement;
- c) promote research which contributes to and supports the conservation and sustainable use of wildlife.

8. States Parties shall in recognition of the important role played by rural communities in the conservation and sustainable use of wildlife, promote community-based conservation and management of wildlife resources.

9. States Parties shall, in recognition of the location of key wildlife resources near international boundaries, promote the development of trans frontier conservation and management programmes.

## **ARTICLE 8**

### **INFORMATION SHARING**

1. The States Parties shall establish a regional database on the status and management of wildlife. The regional database shall:

- a) comprise data on all wildlife resources within the Region; and
- b) be accessible to States Parties and to the general public.

2. The WSTCU shall:

- a) co-ordinate surveys of all wildlife databases in the SADC Region;
- b) on the basis of the results of the surveys, coordinate the establishment of a Regional database which complements those already in existence;
- c) co-ordinate the development of standard methodologies for wildlife inventories;
- d) upon request assist efforts at the national level and co-ordinate efforts at the regional level to gather data for incorporation into the regional database;
- e) serve as the clearing house mechanism for the regional database;
- f) ensure that the regional database is linked with other appropriate databases in the Region and that it is mutually accessible; and
- g) perform any other task necessary for the establishment and functioning of the regional database.

## ARTICLE 9

### CO-OPERATION IN WILDLIFE LAW ENFORCEMENT

1. States Parties shall take the necessary measures to ensure the effective enforcement of legislation governing the conservation and sustainable use of wildlife.
2. States Parties shall allocate the financial and human resources required for the effective enforcement of legislation governing the conservation and sustainable use of wildlife.
3. States Parties shall enforce legislation governing the conservation and sustainable use of wildlife, particularly in trans frontier contexts. Such enforcement shall include:
  - a) coordinating with their designated Interpol National Central Bureaus (Interpol NCBs);
  - b) exchanging information concerning the illegal taking of, and trade in, wildlife and wildlife products;
  - c) co-ordinating efforts with wildlife law enforcement authorities and Interpol NCBs to apprehend illegal takers and traders and to recover and dispose of illegal wildlife products; and
  - d) undertaking any other initiatives which promote the effective and efficient enforcement of wildlife laws and regulations within, between and among States Parties.
4. Through the designated Interpol NCB, the wildlife law enforcement authorities in a State Party may request from the designated Interpol NCB in any other State Party or States Parties any assistance or information which may be required to locate, apprehend, or extradite an individual charged with violating the wildlife laws of the State Party.
5. The wildlife law enforcement authorities in each State Party shall provide to the designated Interpol NCB in that Member State all available data on, inter alia, the location and movements of illegal takers and traders and the location of routes for illegal transfrontier trafficking in wildlife and wildlife products, except where the provision of such information would jeopardise investigations or impinge on the security of a State Party.

## **ARTICLE 10**

### **CAPACITY-BUILDING FOR EFFECTIVE WILDLIFE MANAGEMENT**

1. States Parties shall co-operate in capacity-building for effective wildlife management.
2. States Parties shall endeavour to incorporate into existing training programmes, techniques such as community-based natural resources management and administration, indigenous knowledge systems as well as current practices in both the wildlife management and wildlife law enforcement fields.
3. States Parties shall identify aspects of wildlife management and wildlife law enforcement for which adequate training programmes are not available within the Region and shall establish training programmes to meet the needs identified.
4. The WSTCU shall co-ordinate, at the regional level, initiatives of States Parties to standardise and initiate training programmes.

## **ARTICLE 11**

### **FINANCIAL PROVISIONS**

1. States Parties shall allocate the necessary financial resources for the effective implementation of this Protocol at the national level.
2. Member States shall meet their own expenses for attending meetings of the WSTC .
3. Member States shall create a fund known as the Wildlife Conservation Fund for programmes and projects associated with this Protocol pursuant to Article 25 of the Treaty.
4. Other resources of the Wildlife Conservation Fund may include grants, donations, technical assistance and funds for specified projects and programmes pursuant to this Protocol.

## **ARTICLE 12**

### **SANCTIONS**

1. Sanctions may be imposed against any State Party which:
  - a) persistently fails, without good reason, to fulfil obligations assumed under this Protocol; or
  - b) implements policies which undermine the objectives and principles of this Protocol.
2. The Council shall determine whether any sanction should be imposed against a State Party and shall make the recommendation to the Summit if it decides that a sanction is called for. The Summit shall decide, on a case-by-case basis, the appropriate sanction to be imposed.

## **ARTICLE 13**

### **SETTLEMENT OF DISPUTES**

Any dispute arising from the interpretation or application of this Protocol which cannot be settled amicably shall be referred to the Tribunal for adjudication.

## **ARTICLE 14**

### **ANNEXES**

1. States Parties may develop and adopt annexes for the implementation of this Protocol.
2. An annex shall form an integral part of this Protocol unless the annex contains a provision stipulating otherwise.

## **ARTICLE 15**

### **AMENDMENT**

1. An amendment to this Protocol shall be adopted by a decision of Members of the Summit who are Parties to this Protocol.

2. A proposal for the amendment of this Protocol may be made to the Executive Secretary by any State Party to this Protocol. Within thirty (30) days of receipt, the Executive Secretary shall notify the States Parties to this Protocol of any proposal for amendment. Three (3) months after notification, the Executive Secretary shall submit the proposal for amendment to the Council for preliminary consideration.

## **ARTICLE 16**

### **SIGNATURE**

This Protocol shall be signed by the duly authorised representatives of the Member States.

## **ARTICLE 17**

### **RATIFICATION**

This Protocol shall be ratified by the signatory Member States in accordance with their constitutional procedures.

## **ARTICLE 18**

### **ENTRY INTO FORCE**

This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Member States.

## **ARTICLE 19**

### **ACCESSION**

This Protocol shall remain open for accession by any Member State.

## **ARTICLE 20**

### **RESERVATIONS**

No reservations shall be made to this Protocol.

## **ARTICLE 21**

### **WITHDRAWAL**

1. Any State Party wishing to withdraw from this Protocol shall give written notice of its intention, six (6) months in advance, to the Executive Secretary. Withdrawal shall be effective on the date of expiration of the notice period.
2. Any States Parties withdrawing from this Protocol shall:
  - a) cease to enjoy all rights and benefits under this Protocol from the effective date of the withdrawal;
  - b) remain bound to the obligations assumed under this Protocol for a period of twelve (12) months from the date of withdrawal.

## **ARTICLE 22**

### **TERMINATION**

This Protocol may be terminated by a decision of the Summit.

## **ARTICLE 23**

### **DEPOSITARY**

1. The original text of this Protocol and all instruments of ratification and accession shall be deposited with the Executive Secretary who shall transmit certified copies to all Member States.
2. The Executive Secretary shall register this Protocol with the Secretariats of the United Nations and the Organisation of African Unity.

IN WITNESS WHEREOF, WE, the Heads of State or Government, or duly authorised representatives of SADC Member States have signed this Protocol.

DONE at Maputo, on the 18th day of August, 1999, in two (2) original texts, in the English and Portuguese languages, both texts being equally authentic.

REPUBLIC OF ANGOLA  
REPUBLIC OF BOTSWANA  
DEMOCRATIC REPUBLIC OF CONGO  
KINGDOM OF LESOTHO  
REPUBLIC OF MALAWI  
REPUBLIC OF MAURITIUS  
REPUBLIC OF MOZAMBIQUE  
REPUBLIC OF NAMIBIA  
REPUBLIC OF SEYCHELLES  
REPUBLIC OF SOUTH AFRICA  
KINGDOM OF SWAZILAND  
UNITED REPUBLIC OF TANZANIA  
REPUBLIC OF ZAMBIA  
REPUBLIC OF ZIMBABWE



Annexure D

**SOUTHERN AFRICAN DEVELOPMENT COMMUNITY  
PROTOCOL ON TOURISM**

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### **PREAMBLE**

WE, the Heads of State or Government of:

The Republic of Angola

The Republic of Botswana

The Democratic Republic of Congo

The Kingdom of Lesotho

The Republic of Malawi

The Republic of Mauritius

The Republic of Mozambique

The Republic of Namibia

The Republic of Seychelles

The Republic of South Africa

The Kingdom of Swaziland

The United Republic of Tanzania

The Republic of Zambia

The Republic of Zimbabwe

IN PURSUANCE of Article 22 of the SADC Treaty which provides for Member States to

conclude Protocols which may be necessary in agreed areas of co-operation to spell out the objectives and scope of, and institutional mechanisms for, such co-operation and integration;

AWARE of the global significance of tourism as the world's largest and fastest growing industry, which on account of its socio-cultural and economic dynamics also forms an excellent instrument for promoting economic development, understanding, goodwill and close relations between peoples;

CONSCIOUS that Africa's share of world tourism receipts and SADC countries' share of the global takings stands at a very low level;

MINDFUL of the Region's rich tourism potential which offers an array of natural features and a number of sites containing natural wonders of the world; added to all these being the diversity of history and cultural lifestyles of the people of the Region;

DEEPLY CONCERNED that most of this potential remains underdeveloped and, therefore,

not contributing to the economic well being of the people of the Region as it should;

CONVINCED that the realisation of the full potential can only be achieved through the collective and concerted action of all SADC Member States by evolving clearly defined policies and strategies for the development and promotion of the tourism industry regionwide;

RECOGNISING that for sustainable tourism development to become a reality, the increased co-operation and facilitation from the sectors responsible for immigration, transport and aviation, information, trade and local government, is fundamental to the full realisation of this Protocol;

REALISING the pivotal role that host communities of Member States play in any successful tourism development endeavour;

WISHING to contribute, through common action in tourism development, to the progress and well being of the peoples of the Region;

CONSIDERING the provisions of the WTO as an intergovernmental organisation of Tourism and WTTC as a global coalition of all sectors of travel and tourism industry

HEREBY AGREE as follows:

## **CHAPTER I: DEFINITIONS**

### **ARTICLE 1**

In this Protocol, unless the context otherwise requires:

"Community" means the organisation for economic integration established by Article 2 of this Treaty;

"Council" means the Council of Ministers of SADC established by Article 9 of the Treaty;

"Member State" means a State which is a Member of SADC;

"Region" means the geographical area of all Member States;

"RETOSA" means Regional Tourism Organisation of Southern Africa;

"SADC" means the Southern African Development Community established by Article 2 of the Treaty;

"Service providers" means those -persons and corporations in the public and private sector who provide a service to visitors as their main source of business or income;

"Stakeholder" means any Government Department or Agency, Corporation, Organisation, Individual or other legal or commercial entity having an interest

in the furtherance of the specific or broad objectives of any SADC legal instrument;

"Summit" means the Summit of the Heads of State or Government of SADC established by Article 9 of the Treaty;

"TCU" means the Tourism Coordinating Unit of SADC;

"Travel document" means a valid passport or other document used to identify a traveller which contains personal particulars and a clear photograph of the holder, issued by or on behalf of the government of a Member State of which the holder is a citizen and on which endorsements may be made by immigration authorities and shall include a laissez-passer or border pass approved by the Council;

"Treaty" means the Treaty establishing SADC;

"Tribunal" means the Tribunal as established under Article 9 of the Treaty;

"Visitor" means any person traveling to a place other than that of his/her usual environment for less than 12 months and whose main purpose of trip is other than the exercise of an activity remunerated from within the place visited;

"WTO" means World Tourism Organisation

"WTTC" means World Travel and Tourism Council

## **CHAPTER II**

### **ARTICLE 2: OBJECTIVES**

The objectives of this Protocol are:

1. To use tourism as a vehicle to achieve sustainable social and economic development through the full realisation of its potential for the Region;
2. To ensure equitable, balanced and complimentary development of the tourism

industry region-wide;

3. To optimise resource usage and increase competitive advantage in the Region vis-a-vis other destinations through collective efforts and co-operation in an environmentally sustainable manner;
4. To ensure the involvement of small and micro-enterprises, local communities, women and youth in the development of tourism throughout the Region;
5. To contribute towards the human resource development of the Region through job creation and the development of skills at all levels in the tourism industry;
6. To create a favourable investment climate for tourism within the Region for both the public and private sectors, including small and medium scale tourist establishments;
7. To improve the quality, competitiveness and standards of service of the tourism industry in the Region;
8. To improve the standards of safety and security for tourists in the territories of Member States and to make appropriate provision for disabled, handicapped and senior citizens in their respective countries;
9. To aggressively promote the Region as a single but multifaceted tourism destination capitalising on its common strengths and highlighting individual Member State's unique tourist attractions;
10. To facilitate intra-regional travel for the development of tourism through the easing or removal of travel and visa restrictions and harmonisation of immigration procedures;
11. To improve tourism service and infrastructure in order to foster a vibrant tourism industry.

### **CHAPTER III**

#### **ARTICLE 3: PRINCIPLES**

This Protocol recognises the following basic principles for achieving the Objectives of the

Protocol.

The Member States shall:

1. facilitate private sector involvement and investment by providing incentives,

- infrastructure and the appropriate legal and regulatory framework;
2. fully involve the private sector and other stakeholders in the formulation of policies governing the operations of the tourism sector;
  3. establish within the tourism sector, areas of co-operation between the public and private sector and encourage private sector-driven tourism development;
  4. formulate and pursue policies and strategies that promote the involvement of local communities and local authorities in the planning and development of tourism;
  5. promote environmentally and socially sustainable tourism development based on sound management practices;
  6. preserve and promote the natural, cultural and historical resources of the Region;
  7. promote a culture of human rights, gender sensitivity and be responsive to the requirements and involvement of people with disability.

#### **CHAPTER IV: UNDERTAKINGS**

##### **ARTICLE 4: GENERAL UNDERTAKING**

1. Member States shall take all necessary steps both at national and regional levels, to ensure that the Objectives of this Protocol are achieved and their national laws and policies are in harmony with and supportive of the Objectives and Principles set out in this Protocol.
2. Member States shall refrain from taking any measures, which may hinder the implementation of this Protocol.

##### **ARTICLE 5: TRAVEL FACILITATION**

1. Member States shall endeavour to make the entry and travel of visitors as smooth as possible and shall remove practices likely to place obstacles to the development of travel and tourism both regional and international by:
  - a. co-operating in facilitating travel by air, land or water and to increase and improve transport and communication facilities within the region;
  - b. having visa requirements for regional tourists who wish to enter their territory as visitors, abolished, in furtherance of existing and future

SADC Protocols;

- c. having a tourism univisa which will facilitate movement of international tourists in the region in order to increase the market share and revenue of the region in world tourism on the basis of arrangements to be negotiated and agreed upon by Member States;
- d. removing obstacles to the development of tourism, travel and other impediments and to harmonise legislation relating thereto;
- e. providing appropriate facilities related to the travel of disabled and handicapped persons and senior citizens.

2. Any form of transportation used by visitors and which is registered in the territory of a Member State shall be allowed entry in terms of the relevant provisions of the SADC Protocol on Transport, Communications and Meteorology.

3. Member States shall harmonise tourist registration documents in their respective countries such as visa application forms, entry - exit forms, and other statistical documents.

#### **ARTICLE 6: TOURISM TRAINING AND EDUCATION**

1. Member States shall endeavour to evolve a common education policy with regard to imparting tourism education in schools and include tourism and environmental-related issues in subjects presently taught at school.

2. Member States shall endeavour to co-ordinate and harmonise training at tourism training institutions and develop exchange programmes through the public and private sectors and mobilise support for training institutions in the Region.

3. Member States shall endeavour to harmonise standards of training in their countries and ensure that tourism training institutions in different parts of the Region are complementary to one another in the training courses.

#### **ARTICLE 7: MARKETING AND PROMOTION**

1. The Regional Tourism Organisation of Southern Africa (RETOSA) established in accordance with the provision of the RETOSA Charter shall be the promotional and marketing arm of SADC tourism sector.

2. In accordance with RETOSA Charter, Member States shall:

- a. develop common and coordinated marketing and promotion strategies, action plans, and implementation programmes to promote both intra-regional and international tourism in the Region and respond to market demand;
- b. in pursuit of the tourism marketing strategies, market the Region as a tourist destination of choice and utilise the RETOSA logo and brand to promote the regional destination identity and competitiveness;
- c. undertake marketing and promotion activities, which highlight the diversity of the tourist product of the Region;
- d. notwithstanding and without prejudice to this Article individual Member States may collaborate in packaging their destinations.

#### **ARTICLE 8: TOURISM RESEARCH AND STATISTICS**

1. Member States shall ensure that a unified system of collection and analysis of tourism statistical data is established in line with the Guidelines on the collection and presentation of domestic and international tourism statistics established by the World Tourism Organisation.

2. Member States shall create a regional tourism research, statistics and information exchange network and individually or jointly undertake product development and diversification initiatives through private and public sector cooperation with a view to enriching the Region's product range.

#### **ARTICLE 9: SERVICE STANDARDS**

Member States shall:

- a. establish an agreed regional quality and standards control mechanism;
- b. harmonise the standards for registration, classification, accreditation and grading of service providers and tourism facilities in Member States.

#### **ARTICLE 10: TRANSPORTATION**

1. Member States shall enhance the overall quality of tourism transport in the Region by implementing the relevant provisions of the SADC Protocol on Transport, Communications and Meteorology.

2. Member States shall develop appropriate tourism signage and markings at



relevant locations in their respective countries.

**ARTICLE 11: ENVIRONMENTALLY SUSTAINABLE TOURISM**

Member States shall, in implementing the objectives of this Protocol pursue sound, sustainable policies on utilisation and management of the natural and cultural resources and environment.

**ARTICLE 12: INVESTMENT INCENTIVES AND DEVELOPMENT**

Member States shall:

- a. in accordance with their respective laws, create the necessary enabling environment so as to enhance the competitiveness of the Region as an attractive investment location and develop appropriate tourism-specific incentives to encourage the growth of private sector initiatives in the tourism sector.
- b. develop and pursue tourism investment policies and strategies that promote the growth and development of private sector initiatives. In addition, special consideration is to be given to the private sector for the involvement of the local community in the tourism development process.
- c. ensure that the local communities, as providers of goods and services to the tourism sector, are involved and benefit from the development of tourism.
- d. within the framework of SADC, facilitate the establishment of a tourism financial mechanism so as to facilitate the meaningful participation of the local population.
- e. give priority to investment in the sustainable development of natural and cultural resources that transcend territorial boundaries.

**CHAPTER V**

**ARTICLE 13: INSTITUTIONAL FRAMEWORK FOR IMPLEMENTATION OF THE PROTOCOL**

1. The institutional mechanisms for the implementation of this Protocol shall comprise the SADC Summit, the SADC Committee of Tourism Ministers, Committee of Senior Officials, Tourism Coordinating Unit and Regional Tourism Organisation of Southern Africa (RETOSA).
2. The Committee of Tourism Ministers, responsible for tourism matters, shall:

- a. be composed of Ministers of Member States responsible for Tourism;
- b. meet at least once a year;
- c. be chaired by the nominated Minister representing the country responsible for coordinating the Tourism Sector.

3. The functions of the Committee of Tourism Ministers shall include:

- a. adopting regional tourism sector policies and development strategies;
- b. considering and approving any amendment to the policies and strategies;
- c. providing policy guidance in response to matters referred to it by the Committee of Senior Officials;
- d. considering and approving the sectoral Annual Report before submission to the Council;
- e. submitting proposals to the Council for the amendment of the provisions of this Protocol;
- f. approving new or amending existing annexes to this Protocol;
- g. supervising the implementation of this Protocol;
- h. supervising the work of any committee or sub-committee established under this Protocol.

4. The Committee of Senior Officials shall:

- a. consist of administrative heads of Ministries responsible for tourism or their representatives;
- b. meet at least once a year;
- c. be chaired by the nominated officials representing the country responsible for coordinating the sector,

5. The function of the Committee of Senior Officials shall include:

- a. assessing the requirements of and the need for the updating and for amendments to the regional policy and development strategies;
- b. reviewing and coordinating the activities of the sub-sectoral committees;
- c. considering any amendment to this Protocol;

- d. reporting to the Committee of Tourism Ministers on matters relating to the implementation of the provisions contained in this Protocol;
  - e. reviewing the work of the Tourism Coordinating Unit;
  - f. approving the documents prepared by the Tourism Coordinating Unit to be submitted to the Committee of Tourism Ministers.
  - g. liaising with Tourism Coordinating Unit, RETOSA, private sector, stakeholders and any other technical committees;
  - h. monitoring the implementation of this Protocol;
  - i. performing such other functions as may be determined by the Committee of Tourism Ministers;
6. The Tourism Coordinating Unit shall perform the following functions:
- a. prepare and implement an annual programme of work;
  - b. prepare annual schedules of meeting of the TCU for the following year;
  - c. maintain all records necessary for the efficient discharge of the functions of the TCU;
  - d. coordinate the day-to-day operations in the implementation of this Protocol;
  - e. provide technical and administrative assistance to the Committee of Tourism Ministers of Tourism and the Committee of Senior Officials;
  - f. provide assistance to subsidiary committees, sub-committees and any panels that may be established to implement this Protocol;
  - g. work in consultation with the private sector and RETOSA;
  - h. identify research needs and priorities in order to ensure the sustainability and competitiveness of the SADC Tourism Sector;
  - i. liaise closely with the SADC Secretariat in the implementation of this Protocol;
  - j. facilitate the formulation of policy framework that are geared at enhancing the development and growth of tourism in the Region;
  - k. liaise closely with Member States.
7. RETOSA shall, fulfill its objectives as specified in its Charter by performing,

inter alia, the following functions:

- a. prepare and implement an annual programme of work;
- b. develop tourism through effective marketing of the region in collaboration with the public and private sectors;
- c. work closely with the TCU and the private sector in the implementation of the annual programme;
- d. have full responsibility for the implementation of the tourism development programmes as provided for in its Charter.

## **CHAPTER VI**

### **ARTICLE 14: SETTLEMENT OF DISPUTES**

1. Any dispute which may arise between Member States regarding the interpretation or application of the provisions of this Protocol shall be resolved amicably through negotiations between the parties to the dispute.
2. Any disputes between Member States regarding the interpretation or application of the provisions of this Protocol which are not settled amicably through negotiated settlement shall be referred for adjudication to the Tribunal.

## **CHAPTER VII**

### **ARTICLE 15: AMENDMENT OF THE PROTOCOL**

1. An amendment to this Protocol shall be adopted by a decision of three-quarters of all the members of the Summit.
2. A proposal for the amendment of this Protocol may be made to the Executive Secretary by any Member State for preliminary consideration by the Council, provided, however, that the proposed amendment shall not be submitted to the Council for preliminary consideration until all Member States have been duly notified of it, and a period of three months has elapsed after such notification.
3. Any Member State may propose the inclusion of an annex to this Protocol which shall be adopted as per paragraph (1) under this Article.

## **CHAPTER VIII: FINAL PROVISIONS**

### **ARTICLE 16: SIGNATURE**

1. This Protocol shall be signed by duly authorised representatives of Member States.

2. This Protocol shall remain open for signature by Member States listed in the Preamble, until the date of its entry into force.

**ARTICLE 17: RATIFICATION**

This Protocol shall be ratified by the Member States in accordance with their constitutional procedures.

**ARTICLE 18: ENTRY INTO FORCE**

1. This Protocol shall enter into force thirty (30) days after the deposit of the instruments of ratification by two-thirds of the Member States.

2. Upon its entry into force, this Protocol shall form an integral part of the Treaty.

**ARTICLE 19: ACCESSION**

This Protocol shall remain open for accession by any other Member State subject to Article 8 of the SADC Treaty.

**ARTICLE 20: DEPOSITARY**

1. The original texts of this Protocol and all instruments of its ratification and accession shall be deposited with the Executive Secretary of SADC, who shall transmit certified true copies thereof to all Member States giving notice of the date of each instrument of ratification or accession.

2. The Executive Secretary shall register this Protocol with the Secretariats of the United Nations Organisation and the Organisation of African Unity.

IN WITNESS WHEREOF, WE, the Heads of State or Government, or duly authorised Representatives of SADC Member States, have signed this Protocol.

DONE at \*\*\*\*\* this \*\*\*\*\* day of 1998 in two (2) original texts, in the English and Portuguese languages, both texts being equally authentic.

REPUBLIC OF ANGOLA

REPUBLIC OF BOTSWANA

DEMOCRATIC REPUBLIC OF CONGO

KINGDOM OF LESOTHO

REPUBLIC OF MALAWI

REPUBLIC OF MAURITIUS

REPUBLIC OF MOZAMBIQUE

REPUBLIC OF NAMIBIA

REPUBLIC OF SEYCHELLES

REPUBLIC OF SOUTH AFRICA

KINGDOM OF SWAZILAND

UNITED REPUBLIC OF TANZANIA

REPUBLIC OF ZAMBIA

REPUBLIC OF ZIMBABWE