



PROTOCOL

BETWEEN

**DEPARTMENT OF POLICE
OF THE REPUBLIC OF SOUTH AFRICA**

AND

**THE MINISTRY OF INTERIOR
OF THE REPUBLIC OF ANGOLA**

ON

POLICE COOPERATION

PREAMBLE

The Department of Police of the Republic of South Africa and the Ministry of Interior of the Republic of Angola, hereinafter referred to as the "Participants";

RECOGNIZING the importance of the promotion and development of police cooperation;

RECALLING the Agreement in respect of Cooperation and Mutual Assistance in the Field of Crime Combating, signed by the Republic of South Africa and the Republic of Angola and other countries of the Southern African region in Harare on 1 October 1997;

TAKING INTO ACCOUNT the objectives and principles of the Agreement in respect of Cooperation and Mutual Assistance in the Field of Crime Combating;


WISHING to further develop bilateral cooperation in order to promote stability, security and prosperity in the countries of the Participants;

HEREBY reach the following understanding:

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OBJECTIVE

- (1) The objective of this Protocol is to enhance police cooperation between the Participants through the establishment of a framework for the exchange of information, experience, best practices and knowledge.


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SCOPE OF COOPERATION

(1) The cooperation contemplated in clause 1 of this Protocol may relate to the following areas:

(a) The prevention, combating and investigation of transnational crime, including, but not limited to:

- (i) Organised crime;
- (ii) illicit manufacturing and trafficking of narcotic drugs, psychotropic substances and precursors;
- (iii) trafficking in persons;
- (iv) kidnapping of persons;
- (v) economic crimes, including money laundering;
- (vi) illicit trafficking of firearms, ammunition, explosive materials, toxic substances, including nuclear, chemical and biological materials;
- (vii) cyber crime;
- (viii) corruption;
- (ix) illicit trafficking of stolen goods, including motor vehicles, products of illegal wildlife trade and objects of cultural and historical significance;
- (x) illicit trafficking of diamonds, unwrought precious metal and related crimes;



- (xi) crimes related to intellectual property rights; and
 - (xii) environmental crimes.
- (b) Training and capacity building of staff.
 - (c) Public order policing.
- (2) The Participants will also cooperate in preventing and suppressing terrorist acts in accordance with the domestic law in force in their countries and applicable international conventions and United Nations Security Council Resolutions.
- (3) This Protocol does not apply to any formal request for extradition and mutual legal assistance in criminal matters.

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OTHER AREAS OF COOPERATION

This Protocol does not preclude the Participants from identifying and developing, by consensus, other areas and forms of police cooperation that are compatible with the objective of this Protocol.


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MANNER OF COOPERATION

- (1) In order to realize the objective of this Protocol, the Participants will cooperate by -
- (a) the exchange of information and best practices in policing and victim support programmes;
 - (b) the exchange of information relating to crimes which are being planned or have been committed and relating to persons and organisations involved in those crimes;



- (c) the exchange of information of interest relating to maintenance of public order;
- (d) the exchange of information, including operational and forensic information about narcotic drugs and psychotropic substances, and products of illegal wildlife trade;
- (e) the exchange of information with a view to assisting in the control and supervision of the trade in precursors and essential chemicals, in order to prevent the diversion thereof;
- (f) the exchange of information on new criminal trends;
- (g) the exchange of relevant legislation;
- (h) the exchange of scientific and technical literature and data in areas covered within the scope of this Protocol;
- (i) taking necessary measures to coordinate investigations and operations, including the implementation of special investigative techniques, such as controlled deliveries, surveillance and undercover operations, for the purpose of gathering evidence so that legal action may be taken against the persons involved in crime;
- (j) searching for and tracing missing persons and persons who are evading criminal prosecution or execution of a criminal sentence;
- (k) the exchange of information and working experience in respect of the equipment and methods used in the investigation and combating of crime;
- (l) the sharing of information and expertise on matters relating to command and control, and discipline management; and


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- (m) the sharing of information and expertise on the recruitment and training of staff, as well as the retention of skills.
- (2) The Participants will use their best efforts to cooperate in accordance with the provisions of this Protocol, acting under their jurisdiction and subject to the international obligations and domestic law applicable to the Participants.

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REQUESTS AND PROPOSALS FOR ASSISTANCE

- (1) Cooperation within the framework of this Protocol is to take place on the basis of requests and proposals for assistance from the interested Participant or on the initiative of the Participant which deems such assistance to be of interest to the other Participant.
- (2) Requests and proposals for assistance will be made in writing. In cases of emergency, requests and proposals may be made orally, but will be confirmed in writing within fourteen (14) days from the date on which such oral request or proposal was made.
- (3) Should there be any doubt about the authenticity or the content of the request, further confirmation may be requested.
- (4) Requests and proposals for assistance will contain the following information:
 - (a) details of the case or matter;
 - (b) the purpose of and grounds for the request or proposal;
 - (c) a description of the assistance requested or proposed; and
 - (d) any other information which may assist in the effective execution of the request or proposal.

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- (5) Requests and proposals for assistance will be signed by the relevant Participant or his/her delegate.

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EXECUTION OF REQUESTS AND PROPOSALS

- (1) The Participants will take all measures to ensure the prompt and full execution of a request or proposal.
- (2) The Participant who requested assistance will be notified immediately of any circumstances hampering the execution thereof.
- (3) The requested Participant will, at its earliest convenience, inform the requesting or proposing Participant about the results of the execution of the request or proposal.

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REFUSAL OF ASSISTANCE

- (1) Assistance contemplated in this Protocol may be refused wholly or partially if a Participant deems the execution of a request or proposal to be detrimental to the sovereignty, security, public order or other essential interests of its State, or deems it to be in conflict with the domestic law or international obligations applicable to the relevant Participant.
- (2) A Participant may also refuse assistance if the execution of a request or proposal does not fall within its area of responsibility, or imposes an excessive burden on available resources.
- (3) The Participant who made the request or proposal will be notified in writing about full or partial refusal to execute the request or proposal together with an explanation of the reasons for such refusal.

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**LIMITATIONS ON THE USE OF
INFORMATION AND DOCUMENTS**

- (1) Each Participant will ensure the confidentiality of information and documents received from the other Participant in accordance with conditions determined by the providing Participant in writing.
- (2) Information and documents received in accordance with this Protocol are not to be used without the consent of the providing Participant for purposes other than those for which they were requested and provided.
- (3) Information and documents received from a Participant in accordance with this Protocol will not be disclosed to a third party, except with the prior written consent of the Participant providing such information and documents.

COORDINATION AND IMPLEMENTATION

- (1) The Participants designate the following authorities that will be responsible for the coordination and implementation of this Protocol:
 - (a) For the Department of Police of the Republic of South Africa, the South African Police Service (SAPS); and
 - (b) for the Ministry of Interior of the Republic of Angola, the office of exchange relations and cooperation (GIC/MININT).
- (2) A Technical Working Group will be established that will meet annually or as the need arises in order to assist with the implementation and evaluation of cooperation.
- (3) The provisions of this clause will not be interpreted as derogating from the use of existing channels of communication.

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EXPENSES

- (1) Each Participant will bear its own costs associated with its cooperation in accordance with this Protocol, unless otherwise agreed upon in writing.
- (2) Ordinary expenses incurred in processing a request or proposal will be borne by the Participant executing such request or proposal, unless otherwise agreed upon in writing.
- (3) Should a request or proposal involve high or extraordinary expenses, the Participants will consult with each other in order to establish the terms and conditions under which it is to be processed, and the way in which the expenses are to be borne.
- (4) The requesting Participant will bear the expenses relating to training and capacity building, unless otherwise agreed upon.
- (5) Unless otherwise agreed, the costs of meetings will be borne by the receiving Participant and the travel and accommodation costs of visiting delegates by the sending Participant.

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LANGUAGE

The Participants, in the course of their cooperation in accordance with this Protocol, will use English or Portuguese as their medium of communication.

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RESOLUTION OF DIFFERENCES

Any differences, doubts and omissions arising out of the interpretation or implementation of this Protocol will be resolved amicably through consultation or negotiations between the Participants.

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RELATION TO OTHER INTERNATIONAL TREATIES

- (1) The provisions of this Protocol will not affect the rights and obligations arising out of the Agreement in respect of Cooperation and Mutual Assistance in the Field of Crime Combating, signed in Harare on 1 October 1997, or any other international treaty binding to the Participants.
- (2) This Protocol constitutes a mechanism of police cooperation between the Participants and does not intend to create rights and obligations that will bind the Participants in terms of International Law.

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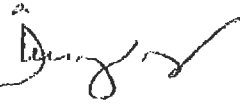
AMENDMENTS

This Protocol may be amended by mutual consent of the Participants in writing.

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DURATION

This Protocol will remain valid for a period of five (5) years from the date of entry into effect, after which it shall be renewed automatically for an identical period or periods, unless terminated by either Participant in accordance with clause 16.

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TERMINATION

- (1) This Protocol may be terminated by either Participant by giving at least six (6) month's written notice in advance through appropriate channels to the other Participant of its intention to terminate this Protocol.

- (2) The termination of this Protocol will not affect the full execution of any project or cooperative activity that has already commenced, but has not been fully executed at the time of termination, unless otherwise agreed upon in writing by the Participants.

ENTRY INTO EFFECT

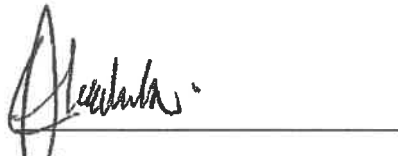
This Protocol will enter into effect on the date on which the Participants have notified each other in writing through appropriate channels of their compliance with required procedures.

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IN WITNESS WHEREOF the undersigned have signed this Protocol in two originals in the English and Portuguese languages, all texts being equally authentic.

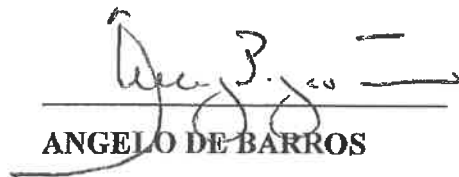
DONE at Pretoria..... on this 24 day of November..... 2017.

**FOR THE DEPARTMENT OF
POLICE OF THE REPUBLIC
OF SOUTH AFRICA**



**NIKILE APRIL
MBALULA
MINISTER OF POLICE**

**FOR THE MINISTRY OF
INTERIOR OF THE REPUBLIC
OF ANGOLA**



**ANGELO DE BARROS
VEIGA TAVARES
MINISTER OF INTERIOR**