

AGREEMENT

BETWEEN

THE GOVERNMENT OF THE STATE OF

QATAR

AND

THE GOVERNMENT OF THE REPUBLIC OF

SOUTH AFRICA

ON

POLICE COOPERATION

PREAMBLE

The Government of the State of Qatar, represented by the Ministry of Interior, and the Government of the Republic of South Africa, represented by the Department of Police (hereinafter jointly referred to as the “Parties” and separately as a “Party”);

WISHING to consolidate and develop the cordial relations between them;

BELIEVING in promoting the peace, stability, security and prosperity of their respective countries;

RECOGNIZING the importance of the promotion and development of cooperation in the field of combating crime;

TAKING INTO ACCOUNT the objectives and principles of international agreements to which they are parties, as well as resolutions of the United Nations and its specialized agencies on combating crime;

HEREBY AGREE as follows:

ARTICLE 1
COMPETENT AUTHORITIES

- (1) The Competent Authorities responsible for the implementation of this Agreement shall be -
 - (a) on the part of the Government of the Republic of South Africa, the Department of Police; and
 - (b) on the part of the Government of the State of Qatar, the International Cooperation Department of the Ministry of Interior.
- (2) The Competent Authorities stated in Article 1(1) shall, in the implementation of this Agreement, act within the areas of their responsibility and subject to the international obligations of the Parties and the domestic law in force in their respective countries.

ARTICLE 2
AREAS OF COOPERATION

- (1) The Parties shall, within their means, undertake to cooperate in preventing, combating and investigating crime, including, but not limited to:
 - (a) organized crime and corruption;
 - (b) smuggling and illicit trafficking of narcotic drugs and psychotropic substances;
 - (c) smuggling and illicit trafficking of firearms, ammunition, explosive materials, toxic substances including nuclear, chemical and biological materials;

- (d) smuggling and illicit trafficking of stolen goods, including stolen motor vehicles and objects of cultural and historic value;
 - (e) smuggling and illicit trafficking of unpolished diamonds, unwrought precious metals and related crimes;
 - (f) trafficking in persons;
 - (g) economic crimes, including money laundering;
 - (h) the production, sale and circulation of forged banknotes, securities and identity documents and other forged or falsified documents;
 - (i) cyber crime;
 - (j) crimes related to intellectual property rights; and
 - (k) environmental crimes.
- (2) The Parties shall further cooperate in the fields of public order policing and training of staff.
- (3) The Parties shall also cooperate in preventing and suppressing terrorist acts in accordance with the domestic law in force in their countries and their international obligations, including relevant international conventions and United Nations Security Council Resolutions.
- (4) The Parties may agree on determining and developing other areas and forms of police cooperation within their competencies.

ARTICLE 3
MANNER OF COOPERATION

In order to give effect to the provisions of Article 2, the Parties shall cooperate by-

- (a) the exchange of information on working experience in respect of police and criminal sciences, including personnel training courses and victim support programmes;
- (b) the exchange of information of interest relating to crimes which are being planned or have been committed and to organizations and persons involved in these crimes;
- (c) the exchange of information of interest relating to the maintenance of public order;
- (d) the exchange of information, including operational and forensic information, on narcotic drugs and psychotropic substances;
- (e) the exchange of information that assists 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 on the functions of the Competent Authorities;
- (i) taking the necessary measures to cooperate in implementing special investigation 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 persons who are evading criminal prosecution and persons who are reported missing; and
- (k) the execution of requests contemplated in Article 4.

ARTICLE 4

REQUESTS FOR ASSISTANCE

- (1) Cooperation within the framework of this Agreement shall take place on the basis of requests for assistance from the interested Competent Authority or on the initiative of the Competent Authority which deems such assistance to be of interest to the other Competent Authority.
- (2) Requests for assistance shall be made in writing. In case of emergency, requests may be made orally, but shall be confirmed in writing within seven days.
- (3) Should there be any doubt about the authenticity or the content of a request, further confirmation may be requested.
- (4) Requests for assistance shall contain -
 - (a) the name of the Competent Authority applying for assistance and the name of the Competent Authority to which application has been made for assistance;
 - (b) details of the case;
 - (c) the purpose of and grounds for the request;

- (d) a description of the assistance requested; and
- (e) any other information which may assist in the effective execution of the request.

ARTICLE 5
EXECUTION OF REQUESTS

- (1) The requested Competent Authority shall take the necessary measures to ensure the prompt and full execution of the requests.
- (2) The requesting Competent Authority shall be notified immediately of any circumstances hampering the execution of the request or causing considerable delay in its execution.
- (3) If the execution of the request does not fall within the jurisdiction of the requested Competent Authority, it shall immediately notify the requesting Competent Authority accordingly.
- (4) The requested Competent Authority may request such further information as it deems necessary to duly execute the request.
- (5) If the requested Competent Authority considers that the immediate execution of the request may hamper criminal prosecutions, other proceedings or investigations being carried out in its State, it may suspend the execution of the request or allow the execution under conditions which were set as necessary after consultation with the requesting Competent Authority. If the requesting Competent Authority agrees to receive assistance under the suggested conditions, it shall comply with these conditions.

- (6) The requested Competent Authority shall, at its earliest convenience, inform the requesting Competent Authority about the results of the execution of the request.

ARTICLE 6

REFUSAL OF ASSISTANCE

- (1) Assistance contemplated in this Agreement may be refused wholly or partially if the requested Competent Authority deems the execution of the request 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 in force in its country or with its international obligations.
- (2) Assistance may also be refused if the execution of the request does not fall within the area of responsibility of the requested Competent Authority, or imposes an excessive burden on its resources.
- (3) If possible, the requested Competent Authority, before taking a decision to refuse the assistance requested in terms of this Agreement, shall consult with the requesting Competent Authority in order to establish whether the assistance may be granted on the conditions which the requested Competent Authority may impose. If the requesting Competent Authority agrees to receive assistance under the suggested conditions, it shall comply with these conditions.
- (4) The requesting Competent Authority shall be notified in writing about full or partial refusal to execute the request together with an explanation of the reasons for such refusal.

ARTICLE 7
LIMITATIONS RELATING TO USE OF
INFORMATION AND DOCUMENTS

Each Party shall, in accordance with this Agreement, ensure the confidentiality of information and documents received from the other Party, and such information and documents shall not be disclosed to a third party, except with the prior written consent of the providing Party.

ARTICLE 8
EXPENSES

Ordinary expenses incurred in processing a request in terms of this Agreement shall be borne by the requested Party, unless otherwise agreed upon in writing by the Parties. Should the request involve high or extraordinary expenses, the Parties may in writing agree on the terms and conditions under which the request shall be processed.

ARTICLE 9
LANGUAGE

The Competent Authorities, in the course of their cooperation in accordance with this Agreement, shall use English as the medium of communication.

ARTICLE 10
MEETINGS AND CONSULTATIONS

- (1) In order to facilitate the execution of this Agreement, representatives of the Competent Authorities may, when necessary, have meetings and consultations with a view to discussing and improving cooperation.

- (2) Each Party shall be responsible for its own expenses for attendance of such meetings, provided that the Party hosting a meeting shall be responsible for providing the venue and secretarial services, unless otherwise agreed to by the Parties.

ARTICLE 11
SETTLEMENT OF DISPUTES

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

ARTICLE 12
RELATION TO OTHER INTERNATIONAL TREATIES

The provisions of this Agreement shall not affect the rights and obligations arising out of other international treaties or conventions to which either of the States is a party.

ARTICLE 13
AMENDMENT

This Agreement may be amended by mutual consent of the Parties and in accordance with the legal procedures applicable in their countries, through an Exchange of Notes between them through the diplomatic channel.

ARTICLE 14
ENTRY INTO FORCE, DURATION AND TERMINATION

- (1) This Agreement shall enter into force on the date on which each Party has notified the other in writing through the diplomatic channel of its completion of the legal procedures and the national legal requirements

necessary for its enforcement. The date of entry into force shall be 30 days after the date of the last notification.

- (2) This Agreement shall remain in force for a period of (3) three years, after which it shall be renewed automatically for an identical period or periods, unless one of the Parties informs the other in writing of its desire to terminate it by giving six months' written notice in advance through the diplomatic channel of such intention.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective Governments, have signed and sealed this Agreement.

SIGNED at the city of*DOHA*..... on*19 MAY 2016*....., corresponding to, in two originals in the English and Arabic languages, all texts being equally authentic.



**FOR THE GOVERNMENT OF
THE STATE OF QATAR**



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