

DEPARTMENT OF INTERNATIONAL RELATIONS AND COOPERATIONS**NO. 577****27 MAY 2016**

It is hereby published for general information that the Minister of International Relations and Cooperation has, in terms of section 6(2) of the Diplomatic Immunities and Privileges Act, 2001 (Act No. 37 of 2001), recognised the Seventeenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora, and the 67th and 68th meetings of the CITES Standing Committee, scheduled to take place in Sandton, Johannesburg from 24 September 2016 to 5 October 2016 for the purposes of granting the immunities and privileges as set out in the Schedule hereto.



MINUTE

In accordance with section 6(2) of the Diplomatic Immunities and Privileges Act 37 of 2001 ("the Act"), I hereby recognise the Seventeenth Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and the 67th and 68th meetings of the CITES Standing Committee, scheduled to take place in Sandton, Johannesburg from 24 September to 5 October 2016, for the purposes of section 6(1) of the Act.

In accordance with section 7(1) of the Act, the immunities and privileges conferred for the duration of the Meeting is provided for in the Agreement between the Government of the Republic of South Africa and the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) regarding the Hosting of the Seventeenth Meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the 67th and 68th Meetings of the CITES Standing Committee that entered into force on 2 March 2016.

A handwritten signature in black ink, appearing to read 'Maite Nkoana-Mashabane', written over a horizontal line.

MAITE NKOANA-MASHABANE

Minister of International Relations and Cooperation

Date: 11 May 2016

ARTICLE 5
PRIVILEGES AND IMMUNITIES

- (1) In all matters relating to CoP17, including SC67 and SC68, the Government of South Africa shall apply, *mutatis mutandis*, the relevant provisions of the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946¹ with regard to –
- (a) representatives of States referred to in paragraph (1)(a) and (b) of Article 3 of this Agreement, who shall enjoy the privileges and immunities provided under Article IV of the 1946 Convention.
- (b) observers from the bodies referred to in paragraph (1)(b) of Article 3 of this Agreement, who shall enjoy the privileges and immunities provided under Articles V, VI and VII of the 1946 Convention.
- (2) The observers referred to in paragraph (1)(c) of Article 3 of this Agreement, who are authorized to participate in the meeting by the Conference of the Parties, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them necessary for their participation.
- (3) All participants entitled under provisions of the text of the Convention to attend CoP17, including SC67 and SC68, shall be granted visas and entry permits where required free of charge and as speedily as possible so as to permit them to participate without hindrance.
- (4) The personnel provided by the Government under paragraph (7) of Article 4 shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the meeting.

¹ Provisions contained in the Convention as set out in Schedule 3 of the Diplomatic Immunities and Privileges Act, Act No 37 of 2001

- (5) Pursuant to Article II, Section 7 of the Convention on the Privileges and Immunities of the United Nations, the Government shall allow, free of prohibitions and restrictions, the temporary importation and exportation of all documents, publications and equipment. The Government shall waive any import or other duties and taxes on equipment and supplies required for the CoP17, including SC67 and SC68 and shall issue without delay any necessary import and export permits for this purpose.
- (6) All persons referred to in paragraph (1) of Article 3 shall have the right to take out of South Africa at the time of their departure, without any restriction, any unexpended portions of the funds they brought into South Africa in connection with CoP17 including SC67 and SC68.
- (7) Without prejudice to the preceding paragraphs, all persons performing functions in connection with CoP17, including SC67 and SC68, and all persons invited to the meetings, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with these meetings.
- (8) For the purpose of the Convention on the Privileges and Immunities of the United Nations, the premises for CoP17 specified in paragraph (3) of Article 4 shall be deemed to constitute premises of the United Nations in the sense of Article II, Section 3, of the 1946 Convention, and access thereto shall be subject to the authority and control of the Secretariat. The premises shall be inviolable for the duration of CoP17, including SC67 and SC68, including the whole period for which the premises are at the disposal of the Secretariat in accordance with paragraph (3) of Article 4.