

DECLARATION

BETWEEN THE

DEPARTMENT OF ARTS AND CULTURE

OF THE

GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

AND THE

NEDERLANDSE TAALUNIE

ON COLLABORATION IN THE FIELD OF HUMAN LANGUAGE TECHNOLOGIES

PREAMBLE

The Department of Arts and Culture of the Government of the Republic of South Africa and the Nederlandse Taalunie (Dutch Language Union), a treaty organization and legal entity, established as a common governmental body responsible for the policies of the Netherlands and Flanders (Belgium) with respect to the Dutch language, language education and literature and situated in The Hague, the Netherlands, hereafter known as "NTU", (hereinafter jointly referred to as the 'Parties' and separately as the 'Party');

IN ACCORDANCE with the Letter of Intent for closer co-operation on language between the Republic of South Africa and the Dutch Language Union signed on 20 November 2010;

AFFIRMING the existing good relations between the Parties;

RECOGNISING the role that Human Language Technologies (hereinafter referred to as 'HLT') can play in empowering citizens, addressing inequalities, promoting social inclusion and facilitating multilingualism;

NOTING the discussions and consultations that resulted from the "Workshop on HLT Collaboration between South Africa and the Low Countries" in November 2008 where the outlines of the HLT-collaboration were defined,

DESIRING to promote long-term and broader relations between the HLT communities in South Africa, the Netherlands and Flanders (Belgium);

AGREEING that a spirit of true partnership will permeate the collaborative relationship;

HEREBY AGREE AS FOLLOWS:

ARTICLE 1 OBJECTIVE OF THE DECLARATION

The objective of this Declaration is to encourage and support collaboration between South Africa, the Netherlands and Flanders (Belgium) in research and knowledge dissemination in the field of HLT.

ARTICLE 2

SCOPE

- (1) The Parties will enter into collaboration in the field of HLT;
- (2) This collaboration will focus on cooperation between the parties in the fields of research, training, transfer of technology and dissemination of knowledge;
- (3) To this end, the Parties shall establish particular collaboration programmes, projects and activities;
- (4) The Parties will exchange information on experiences in setting up and implementing policy towards promoting HLT such as exchange of views and best practices and methodologies of multi-annual programming;
- (5) Nothing contained in this Declaration shall be construed as binding the Parties to any form of exclusivity and Parties shall be entitled to conduct business independent of each other unless otherwise agreed upon in writing.

ARTICLE 3

INSTRUMENTS OF COLLABORATION

- (1) The collaboration provided under the Declaration may be effectuated by means of
 - a. realisation of joint studies, publications and research projects, including the exchange of their results;
 - b. realisation of joint courses, education and training projects and organisation of internships;
 - c. grants or other possible forms of financial support;
 - d. exchange of scientists, researchers, experts and students in the areas of collaboration, for example scholarships and visiting programmes;
 - e. exchange of resources (data and tools), scientific information and documentation;
 - f. organisation of and participation in meetings, conferences, seminars and workshops;
 - g. any other instruments of collaboration that may be agreed to by the Parties and that may be deemed to contribute to HLT development as envisaged in Article 1 and outlined in Article 2.

- (2) The Parties shall seek, through consultation and joint decision-making, to align these instruments of collaboration to concrete programmes and projects reflecting priorities in the areas of mutual interest.
- (3) The instruments of collaboration are subject to (i) the laws and regulations binding each Party and (ii) further specific agreements between the Parties with respect to the local availability of capacity, facilities and funding and all other aspects of these programmes.

ARTICLE 4

DECISION MAKING AND DELEGATION OF POWERS

- (1) The Competent Authorities, as representatives of the signing Parties responsible for the collaboration and implementation of activities under this Declaration, shall be,
 - a. On behalf of South Africa: the Director-General of the Department of Arts and Culture,
 - b. On behalf of the Nederlandse Taalunie: the Secretary General of the Nederlandse Taalunie;
- (2) In order to ensure the effective implementation of the terms of this Declaration, the Parties shall set up a Joint Planning and Monitoring Committee (hereinafter referred to as 'the Committee'). The Joint Planning and Monitoring Committee shall draw up, through consultation and joint decision-making, a framework document and budget that will explicate the practical implementation of this Declaration and serve as a programme of activities. This framework document will be revised and updated annually. The Committee will be composed of maximum eight (8) representatives, appointed by the Competent Authorities, in equal numbers and including a representative from each side designated as the point of contact. The Committee will be chaired by the Parties on a rotational basis.
- (3) The Committee will report on its programme and activities at minimum once a year to the Competent Authorities whereby the representatives of the Competent Authorities will act as liaison for their own organisations;
- (4) The tasks of the Committee are to:
 - a. monitor the process of implementation of the Declaration;
 - b. discuss specific measures to enhance the range and quality of collaboration under this Declaration;
 - c. propose specific areas of collaboration;
 - d. define and advise on an annual work programme of collaboration activities;

- e. advise on a clear mechanism for dealing with calls for proposals, submission of proposals, acceptance of proposals and/or completion of Research Agreements, monitoring the accepted projects and assessing its results;
 - f. assess joint project proposals for their contribution to the goals of this Declaration;
 - g. ensure that joint project proposals have been subjected to a proper assessment of both their scientific value and their utilisation perspective according to the regulations binding each Party;
 - h. advise on the allocation of seed money for projects based on the agreed set of criteria and procedures;
 - i. should it be considered necessary, appoint separate committees under the Declaration on an *ad hoc* basis to discuss specific issues;
 - j. advise on budgetary needs and funding sources;
 - k. make recommendations regarding the future of the Declaration.
- (5) The Committee will meet – preferably digitally or through telephone or video conferencing - at mutually agreed regular intervals;
- (6) The decision making power lies with the Competent Authorities who will base their decisions upon the advice of the Committee.

ARTICLE 5 BUDGET

- (1) Parties will agree, after mutual consultation and consent, on the allocation of funding for the collaboration and implementation of activities under this Declaration.
- (2) The Parties may also consider possibilities of funding or financing of cooperative projects or activities, through the participation of third parties.

ARTICLE 6 SETTLEMENT OF DISPUTES

Any disputes between the Parties arising of the interpretation or implementation of this Declaration shall be settled amicably through consultation or negotiation between the Parties.

ARTICLE 7
ENTRY INTO FORCE, AMENDMENT, AND TERMINATION

- (1) This Declaration shall enter into force on the date of signature thereof;
- (2) This Declaration shall remain in force for a period of five (5) years, and may be renewed for the following five (5) years, subject to agreement of the parties after a positive evaluation of the collaboration, unless terminated by either Party at the end of the initial period or at any time thereafter by giving to the other Party at least six month's written notice through the diplomatic channel to the other Parties of its intention to terminate this Declaration;
- (3) Six months before the anniversary of the date of effect of this Declaration the Competent Authorities will jointly commission an evaluation of the Declaration, with any amendments agreed by the Competent Authorities becoming part of this Declaration.
- (4) The termination of the Declaration will not affect the activities already initiated before such notice of termination;
- (5) This Declaration may be amended through an addendum to the Declaration between the Parties at the request of any of the Parties.

This Declaration does not create any rights or obligations under international law or the laws of the Netherlands, Flanders (Belgium) or South Africa and is not enforceable in any court.

IN WITNESS WHEREOF the undersigned, being duly authorised by their respective Governments, have signed and sealed this Declaration in two originals, both texts being equally authentic.

DONE at PRETORIA on this 6th day of July 2011



FOR THE GOVERNMENT OF THE
REPUBLIC OF SOUTH AFRICA

Dr Joseph Phaahla
Deputy Minister of Arts and Culture

DONE at Den Haag on this 9th day of September 2011



FOR THE NEDERLANDSE TAALUNIE

Marja van Bijsterveldt-Vliegenthart
Chair of the Committee of Ministers

