

**Agreement between the Government of the Republic of South Africa, the  
Government of the Kingdom of Swaziland and the Government of the  
People's Republic of Mozambique relative to the establishment of a  
Tripartite Permanent Technical Committee**

The Governments of the Republic of South Africa, the Kingdom of Swaziland and the People's Republic of Mozambique have agreed as follows:

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**Article 1**

The Contracting Parties shall establish a Tripartite Permanent Technical Committee.

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**Article 2**

The Tripartite Permanent Technical Committee (hereinafter referred to as "the TPTC") shall consist of three representatives from each Government one of whom shall be nominated chairman, and each Government will have power to co-opt additional suitable persons to take part in the discussions as advisors. The chairmanship and the venue of meetings shall rotate among the Republic of South Africa and the Kingdom of Swaziland and the People's Republic of Mozambique.

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**Article 3**

The three Chairmen shall convene the TPTC as and when circumstances require. Six members of the Committee shall form a quorum for any meeting, provided at least two representatives of each Government are present at such meetings. All conclusions and recommendations by the TPTC shall be by consensus.

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**Article 4**

Each Government shall bear its own representative's cost as well as the cost of any persons it wishes to appoint as advisors.

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**Article 5**

The functions and duties of the TPTC shall, inter alia, be to recommend to the three Governments:

- (a) Any measures to be undertaken to alleviate short term problems regarding water shortages on rivers of common interest during drought periods, taking into account the existing amount of stored water and water requirements in the three countries.
- (b) On the division of flows in rivers of common interest.

(c) On procedures, programming, operations, maintenance, measurement of water, abstraction of water, curtailing of abstraction and supervision with regard to the implementation of any agreements that are entered into between the three Governments.

(d) Arrangements for the investigation of, and access to, common watersheds and joint water schemes on rivers of common interest.

(e) The required mechanism to co-ordinate and integrate the findings and plans of each country including the appointments of consultants as required.

(f) The estimated costs of investigations and appointments which shall be apportioned on an equitable basis.

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## **Article 6**

On the basis of preliminary studies, to be carried out either individually or jointly by the three Governments, and to the extent feasible, the TPTC shall prepare a report or reports with recommendations in respect of the optimum joint scheme or schemes that cater for the needs of the three countries. Such report or reports may include proposals for financing of proposed schemes.

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## **Article 7**

These terms of reference may be amended or added to as circumstance require.