



CITY OF CAPE TOWN  
ISIXEKO SASEKAPA  
STAD KAAPSTAD

Making progress possible. Together.



## COOPERATION PROTOCOL

by and between

**CITY OF CAPE TOWN MUNICIPALITY,  
REPUBLIC OF SOUTH AFRICA**  
(Hereinafter referred to as "Cape Town")

Duly represented by **Ald Patricia De Lille** in her capacity as **Executive Mayor**  
and duly authorised thereto

and

**THE CITY OF HOUSTON  
UNITED STATES OF AMERICA**  
(Hereinafter referred to as "Houston")

Duly represented by the **Honourable Annise D. Parker** in her capacity as  
**Mayor** and duly authorised thereto

(Hereinafter referred as "the Participants")

## **PREAMBLE**

**WHEREAS** the Participants are recognised as global leaders in business and international commerce, and whereas the Participants have fostered climates of innovation and corporate excellences, which has been strengthened in turn by each Participants international relationships;

**WHEREAS** strengths and synergies between the Participants have cultivated many successful and prosperous business relationships. Thus, a unique opportunity exists for the Participants to harness and enhance collaborative and cooperative initiatives, both culturally and economically, towards the fulfilment of a strong and growing city-to-city partnership;

**WHEREAS** Cape Town and the City of Houston would like to establish more partnerships with international cities and explore economic, social and cultural links that could benefit trade, industry, facilitate job creation, investment in both cities and promote excellence and innovation in government;

**WHEREAS** both mayors expressed interest in forming a bilateral partnership in their meeting of 6 of February 2014, and in subsequent correspondence;

**WHEREAS** the Participants envisage working together to further existing and potential alliances and ventures, as well as to identifying arising opportunities and create, where needed well-tailored and practical programs to support the realisation of these opportunities and furthermore exchanging knowledge pertaining to best practices with regards to various areas in order to improve the lives of its peoples;

**WHEREAS** the Participants wish to promote better goodwill, friendship and mutual understanding, as well as favourable cooperation between the peoples of the two cities; and

**WHEREAS** the Participants have recognised the importance of the principles of equality and mutual benefits.

**The Participants hereby record their understanding to cooperate as follows:**

## 1

### *Purpose of this Declaration*

- 1.1 The Participants declare their intention to establish a co-operative relationship, in accordance with prevailing laws and regulations of each country, and with the city governments of Houston and Cape Town to act as the Facilitator to any processes to the extent required, in the following fields:
  - 1.1.1 Energy and renewables;
  - 1.1.2 gas and oil
  - 1.1.3 green industries
  - 1.1.4 infrastructure
  - 1.1.5 transportation (inclusive of air service)
  - 1.1.6 municipal health services;
  - 1.1.7 tourism/lifestyle
  - 1.1.8 cultural sectors

## 2

### *Objectives of the Cooperation*

The Participants undertake to work together in appropriate ways towards:

- 2.1 Achieving growth and development related to social, economic, technological and environmental as well as good governance goals within

each Participant's area of jurisdiction, and to realising the full potential of each Participant.

### 3

#### *Areas of Cooperation*

In giving effect to these undertakings, the Participants commit themselves:

- 3.1 To build integrated and sustainable partnerships with one another in which expertise, research and best practices are shared with the goal of achieving the purposes as mentioned in 2.1 hereof.
- 3.2 To seek to understand each other's priorities, capacities and constraints.
- 3.3 To develop mechanisms to identify mutually agreed programmes and projects for the purpose of achieving the goals mentioned in 2.1 hereof.
- 3.4 To further the development goals of each city in a sustainable manner.
- 3.5 To promote innovation and knowledge transfer.

### 4

#### *Duration*

- 4.1 This Cooperation Protocol comes into effect upon signature and will remain effective for three year unless and until terminated by written notice by either Participant.
- 4.2 Before the expiration of this Cooperation Protocol it may be extended for an additional 3 (three) years by written agreement between the Participants.

*Good Faith and Dispute Resolution*

The Participants must seek to resolve any dispute concerning the implementation of this Cooperation Protocol through dialogue and discussions in good faith.

## 6

*Warranties*

- 6.1 The Participants commit to identify and undertake projects in line with the objectives of this Cooperation Protocol.
- 6.2 The Participants warrant that when the projects as mentioned in 6.1 herein are identified, they shall make every effort to obtain the authority necessary to support implementation, which said implementation may, at the Participants' discretion, include but not be limited to, sharing information, projects and updates.
- 6.3 The Participants warrant that they have the necessary authority and will to commit to this Cooperation Protocol.
- 6.4 The Participants warrant that this Cooperation Protocol is in accordance with and does not conflict with their respective legal systems.
- 6.5 The Participants warrant that the areas of collaboration as mentioned in Paragraph 1 herein falls within their respective functional areas, or that the Participants have obtained the necessary authority to act within that specific functional area from the appropriate sphere of their respective governments, or the role the Participant will undertake in regard to specific areas of collaborations (where applicable) will extend to that of the Facilitator of any processes between the appropriate sphere of government and the Other Participant.



6

7

*Funding*

- 7.1 At the signing of the Cooperation Protocol there are no financial implications that are foreseen or immediately ascertainable.
- 7.2 Should any financial implications or obligations arise out of this Cooperation Protocol, the Cooperation Protocol would be reviewed.
- 7.3 Any renegotiated Cooperation Protocol as contemplated in clause 7.2 or amendment herein shall be reduced to writing and signed by both Participants.

8

*Monitoring and Administration*

Each Participant will appoint a representative who will be responsible for the good execution of its provisions.

9




*Signature*

- 9.1 This Cooperation Protocol is signed by the Participants on the dates and at the places indicated below.
- 9.2 This Cooperation Protocol may be executed in counterparts, each of which shall be deemed an original, and all of which together shall constitute one and the same Cooperation Protocol as at the date of signature of the Participant last signing one of the counterparts.
- 9.3 The person signing this Cooperation Protocol in a representative capacity warrant their authority to do so.

- 9.4 The Participants record that it is not required for this Cooperation Protocol to be valid and enforceable that a Party have its signature to this Cooperation Protocol verified by witnesses.




Signed on the 11<sup>th</sup> day of June, 2015 in the City of Houston in two original copies in English.

WITNESSES

1.  for and on behalf of **CAPE TOWN**
2.    
**Ald Patricia De Lille**  
**EXECUTIVE MAYOR**

Signed on the 11<sup>th</sup> day of June, 2015 in the City of Houston in two original copies in English

WITNESSES

1.  for and on behalf of **HOUSTON**
2.    
**Honourable Annise D Parker**  
**MAYOR**