

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE MINISTRY OF ENVIRONMENT AND WATER MANAGEMENT
OF ROMANIA**

AND

**THE MINISTRY OF HOUSING, SPATIAL PLANNING AND THE ENVIRONMENT
OF THE NETHERLANDS**

on cooperation in the field of environmental protection

The Ministry of Environment and Water Management of Romania and the Ministry of Housing, Spatial Planning and the Environment of the Netherlands, hereinafter referred to as "Signatories",

Recognising that many environmental problems are of a cross-border nature and require international cooperation, both bilaterally and through international conventions, and that cooperation between national environmental authorities can be of mutual benefit at national, regional and global level;

Acknowledging the significance of a sustainable development approach for the protection and enhancement of the environment as well as for the health and well-being of the present and future generations and sharing the commitment to implement these principles declared in Agenda 21;

Wishing to strengthen the cooperation in the framework of "Environment for Europe" process and specific international conventions signed by both Parties, including the results of the pan-European Ministerial Conferences on the Environment (Dobříš 1991, Lucerne 1993, Sofia 1995, Århus 1998, Kyiv 2003);

Recognizing that the conservation and sustainable use of the European natural heritage is a shared responsibility of European states;

Acknowledging the importance of environmental protection within the accession process of Romania to the European Union and convinced that the Netherlands may support it on specific topics during this process,

Have decided as follows:

Paragraph 1

1. The Signatories shall promote bilateral cooperation in the fields of environmental protection and of water and nature management on the basis of equality, reciprocity and mutual benefit. This bilateral cooperation shall complement and in no way duplicate joint efforts made within the multilateral bodies to which both Signatories belong.

Paragraph 2

Main areas of cooperation may include¹:

- Harmonisation of environmental protection policies in Romania with environmental standards and policies of the European Union;
- Reduction, control and monitoring of air pollution from energy production and industries;
- Solid waste management;
- Dangerous chemicals management;
- Biological diversity conservation, natural protected areas management;
- Environmental impact assessment and public participation;
- Setting up the legal and institutional framework for implementation of the environmental legislation;
- Use of economic instruments for the implementation of environmental strategy objectives at national, regional and local level.

Paragraph 3

1. This Memorandum of Understanding does not create any rights or obligations under international law.
2. The Signatories shall cooperate in the following forms on the subjects enlisted in Paragraph 2 of this Memorandum of Understanding:
 - meetings, workshops and symposia of experts;
 - training and exchange of personnel;
 - exchange of scientific and technical information;
 - projects involving stakeholders in both countries;
 - any other form of cooperation deemed necessary by the Signatories.

Paragraph 4

1. The Signatories shall establish a Joint Environmental Working Group to promote cooperation under this Memorandum of Understanding and systematically review its results. Bi-annual working programmes will be set up which will list the actions agreed upon under Memorandum of Understanding.

¹ **Note:** Applications for funding for intended projects may be considered under one of the existing Dutch programmes for cooperation with countries in Central and Eastern Europe:

- a. The Eastern Europe Cooperation Programme (*Programma Samenwerking Oost-Europa*, PSO) administered by the EVD agency under auspices of the Dutch Ministry of Economic Affairs;
- b. The Social Transformation Programme (*Programma Maatschappelijke Transformatie*, Matra) administered by the Dutch Ministry of Foreign Affairs;
- c. The Programme for International Environmental Cooperation under the Environmental Grants Decree administered by the Dutch Ministry of Housing, Spatial Planning and the Environment.
- d. The Netherlands' Action Plan for Nature Protection in Central and Eastern Europe 2001-2004 administered by the Dutch Ministry of Agriculture, Nature Management and Fisheries.

4. The Signatories, acting within their competence and in conformity with their respective national legislation, shall assist in establishing direct relations between third-party stakeholders within the intended fields of cooperation.

Paragraph 5

1. Except where agreed otherwise, there shall be no exchange of funds and each Signatory shall provide adequate resources to carry out its responsibilities. No financial commitments shall be made without concurrence of appropriate authorities on either side.

2. Meetings between representatives of the Joint Environmental Working Group regarding the implementation of the above mentioned bi-annual working programmes will be organised annually. This forum can also discuss environmental issues not directly related to the working programme which could be of interest to the Signatories.

3. The meetings shall be organised alternately in Romania and in the Netherlands.

Paragraph 6

Visits of experts in the course of implementation of this Memorandum of Understanding shall be arranged as follows:

- travel expenses to and from the capital of the host country shall be covered by the delegating party;
- costs of local transport and lodging shall be paid by the host party;
- the number of days for the exchange of experts will not exceed 200 days for each of the parties for the period covered by an agreed work programme.

These arrangements may be altered by mutual consent of the Signatories in specific cases.

Paragraph 7

1. The overall coordination of this Memorandum of Understanding shall be the responsibility of the Head of Department for International Relations of the Ministry of Environment and Water Management in Romania and the Director for International Environmental Affairs of the Ministry of Housing, Spatial Planning and the Environment in the Netherlands.

2. The Signatories shall nominate contact persons in the field of environmental protection and draw up two-yearly work programmes for the purpose of implementing this Memorandum of Understanding.

Paragraph 8

Any disagreement that may arise during the implementation of this Memorandum of Understanding and so far not regulated shall be solved by consultations between the Signatories.

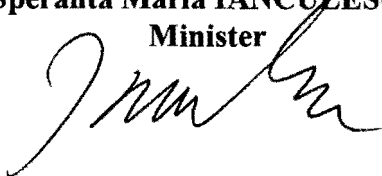
Paragraph 9

1. This Memorandum of Understanding shall become effective on the date of signature.
2. This Memorandum of Understanding shall remain in force for a period of five years.
3. This Memorandum of Understanding may be supplemented or amended upon the mutual consent of the Signatories.
4. Either Signatory shall have the right to denounce the Memorandum of Understanding at any moment, by a notification sent through diplomatic channels. The Memorandum of Understanding shall cease its validity one month after the receipt of denunciation note.

Signed at Bucharest in two original copies in the English language this 3rd day of September 2004.

**For The Ministry of Environment
and Water Management from
Romania**

**Speranta Maria IANCULESCU
Minister**



**For The Ministry of Housing,
Spatial Planning and the
Environment of the Netherlands,**

**Pieter van GEEL
Secretary of State**

