

MEMORANDUM OF UNDERSTANDING

Concerning the strengthening of cooperation between the Commission of the European Communities and the United Nations Environment Programme in the field of environment

Considering the Commission's communication to the European Council and Parliament "The European Union and the United Nations: the choice of multilateralism"¹

Considering the European Council conclusions of March 2003, which called for "*strengthening international environmental governance, which could lead to the upgrading of UNEP into a specialised UN Agency with a broadly based mandate on environmental matters*";

Considering the Exchange of Letters between the Commission and UNEP on the strengthening of cooperation between the two institutions²;

Considering the Memorandum of Understanding between UNEP and the European Environment Agency of October 1997;

Considering United Nations General Assembly Resolution 2997 (XXVII) of 15 December 1972, establishing the United Nations Environment Programme; having regard to the "Nairobi Declaration" adopted by UNEP's Governing Council at its nineteenth session in February 1997, emphasizing that UNEP has been and should continue to be the principal United Nations body in the field of the environment; having regard to Agenda 21 adopted at the Earth Summit in Rio in 1992, which further elaborated the mandate of UNEP, and to the Plan of Implementation resulting from the World Summit on Sustainable Development held in Johannesburg in 2002;

The Commission and the UNEP hereby conclude this Memorandum of Understanding with the aim of consolidating, developing and intensifying their cooperation and increasing their effectiveness to achieve their common goals and objectives in the field of environment.

1. OBJECTIVES

- (1) The Commission and the UNEP will to mutual benefit consolidate, develop and structure their cooperation in areas of common concern, bearing in mind their respective mandates, in order to make the greatest possible contribution to strengthening the environmental pillar of sustainable development, at the global, regional, sub-regional levels, national and local levels.
- (2) The MoU will aim to reinforce synergies between the European Commission and UNEP, thereby contributing to the achievement of the environment-related UN Millennium Development Goals, to the implementation of the environment commitments emanating from the World Summit for

¹ COM (2003) 526, 10.9.2003

² 1983/C 248/2, modified by a latter Exchange of Letters between UNEP and the European Commission, whereby UNEP's Executive Director appointed an official UNEP representative in Brussels to serve as focal point between the two institutions.

Sustainable Development and other internationally agreed environment targets.

- (3) In particular, the objectives of the reinforced cooperation are:
 - (a) to foster policy exchange and integration, increased consultation and close cooperation at all levels between the Commission and the UNEP on issues of common interest;
 - (b) to enhance exchange and cooperation on analysis and strategic assessments regarding pressures on, state and trends of the environment;
 - (c) to build on each other's comparative advantage in order to make specific contributions to strengthening environmental protection;
 - (d) to reinforce global and regional environmental governance;
- (4) The objectives of the MoU will be achieved through:
 - (a) regular policy dialogue meetings between the Commission and the UNEP
 - (b) enhanced cooperation at the global, regional and country levels;
 - (c) common efforts to define and implement joint activities, projects and programmes;
 - (d) raising awareness of key issues within governmental, private and public sectors and institutions;
 - (e) financial co-operation where Parties agreed that there is added value, relevant impact, common interest and adequate capacities, within the framework of existing Community instruments and with due regard to the relevant Commission and UN rules and procedures.
- (5) The Commission will furthermore endeavour to strengthen its participation in relevant UNEP governing bodies (without implying a change in its current observer status), and the UNEP will endeavour to facilitate this approach. The Commission will, as appropriate, involve UNEP in relevant meetings.

2. AREAS OF COOPERATION

Areas of cooperation are agreed jointly through the cooperation mechanism in the MoU. Policies and priorities under this MoU agreement may also be jointly reviewed by the EC and UNEP after consultations, allowing them to respond to newly emerging issues in the realm of environment and sustainable development.

- (1) The Commission and the UNEP have agreed the following preliminary overarching themes for the MoU:
 - (a) sustainable production and consumption;

- (b) capacity development on trade, environment and sustainable development, including impact assessments of trade negotiations and compliance with environmental requirements in exporting markets and cooperation for the implementation of regional trade agreements (technical and analytical support from UNEP for sustainable development issues).
 - (c) supporting MEA implementation, with an initial focus on biodiversity and Regional Seas;
 - (d) water and energy.
 - (e) enabling developing countries and countries with economies in transition to achieve environment-related targets and meet their international commitments, including implementation of multilateral environmental agreements, global initiatives and regional initiatives, and the integration of environmental considerations into poverty reduction strategies and national development strategies; and in monitoring progress against core environmental indicators, including those for monitoring the environment Millennium Development Goal.
- (2) These areas form part of UNEP's mandate and programme of work and have been approved by UNEP's Governing Council. They are also priorities for the European Commission. Some activities under these above mentioned fields are already ongoing, but are in need of additional support.

The above list is not exhaustive and should not be taken to exclude or replace other forms of cooperation between the EC and UNEP on other issues of common interest. Other areas where UNEP is active that are of interest for the Commission include NEPAD, Desertification, Climate Change – Disaster Preparedness, Chemicals, Great Apes, Coral reefs, CITES, the Poverty and Environment Initiative, Research and Development, industrial and environmental accidents.

3. ORGANISATION OF THE COOPERATION

- (1) The Commission and the UNEP will hold formal, regular high-level bilateral meetings on strategic policy matters of common interest, in accordance with an agenda agreed in advance by the two parties, aiming also at the definition and monitoring of a joint work programme. Such meetings will take place at least once per year, beginning the year after the signature of this Memorandum. These bilateral meetings will be held between the Director-General responsible for Environment in the Commission, with the participation of other concerned / interested departments and the Deputy Executive Director in the UNEP, or their nominated representatives, to review progress of work in the priority areas of cooperation and to discuss policy, technical and operational issues related to furthering the objectives of the MoU.
- (2) Within the context defined above, further bilateral meetings at desk-to-desk and at expert level will be encouraged and set up on an ad hoc basis as

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deemed necessary by the relevant UNEP divisions and EC directorates to address priority matters of common interest regarding the preparation and implementation of joint activities in specific areas, countries or regions.

- (3) The focal point for the MoU will be, on the one hand the Directorate-General for Environment in the European Commission, who shall ensure coordination with other concerned Commission departments, and on the other, the Office of the Deputy Executive Director of UNEP, in coordination with the UNEP ROE, assisted by UNEP's Liaison Office to the EU in Brussels.
- (4) In implementing the MoU due regard will be given to the geographic coverage of UNEP's regional offices, sub-regional offices, out-posted offices, national offices and scientific and technical centres.
- (5) Where one of the parties is organising a meeting with external participation at which policy matters related to the aims of the MoU will be discussed, the party will, as appropriate, invite the other to participate.

4. FINANCIAL ASPECTS OF THE MOU

- (1) Any financial cooperation by the Commission to the activities undertaken by the UNEP shall, unless otherwise agreed in exceptional circumstances, be in accordance with the Financial and Administrative framework agreement between the European Community, represented by the Commission of the European Communities, and the United Nations, which entered into force on 29 April 2003, including the agreement on the application of the verification clause annexed thereto.
- (2) Any financial support should, unless otherwise agreed, be additional to UNEP's regular budget, permitting the acceleration of the delivery of results, or widening the scope and/or the geographical extension of the programme concerned.
- (3) The parties will also consider possibilities of an enhanced, more predictable, multi-year financial cooperation in area(s) agreed under the MoU.

5. DURATION

The Memorandum enters into force at the date of the signature and has indeterminate duration. Its content is to be reviewed in three years.

Done at *Brussels, 20th September 2004*

Member of the European Commission

Executive Director of the UNEP

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