

Memorandum of Understanding

between the OSPAR Commission and the European Environment Agency

RECOGNISING that the OSPAR Commission ("the Commission")

- a. has functions under the 1992 Convention for the Protection of the Marine Environment of the North East Atlantic, signed in Paris on 22 September 1992;
- b. seeks, where appropriate, to cooperate with competent regional organisations and other competent international organisations and competent bodies;

RECOGNISING that the European Environment Agency ("EEA")

- a. was established to produce objective, reliable and comparable information for the implementation and the further development of the European environment framing policy;
- b. has established, in cooperation with the Member States, a European environment and information observation network, with, as one of its elements, a network of European Topic Centres set up to carry out particular tasks identified in the Multi Annual Work Programme;
- c. shall liaise with other relevant national, regional and global environmental programmes and institutions.

RECOGNISING that the Baltic Marine Protection Commission (HELCOM), the Barcelona Commission and the Istanbul Commission, having functions similar to the functions of the Commission, also are developing agreements on cooperation with the EEA.

RECOGNISING that both the Commission and the EEA are intergovernmental organisations which ensure the observance of the normal standards of public bodies in their work.

THE COMMISSION AND THE EEA have therefore reached the following understanding:

General

1. The scope of the Memorandum is to set up the cooperation between OSPAR and the EEA which shall be based upon the principles of reciprocity and work sharing.
2. Cooperation between OSPAR and the EEA shall, *inter alia*, be focused on ensuring mutual compatibility of data, information and approaches to information provision and dissemination in the environmental field.
3. The principles of reciprocity and work sharing implies a free flow of mutually useful information between the two organisations that should not be paid for.
4. However, if the Commission or the EEA require assistance from the other organisation for the implementation of specific projects which are not included in the work programme of the other organisation, then the Commission or the EEA should be ready to award contracts for the implementation of such projects, following normal contractual agreements and procedures.
5. Cooperation between the Commission and the EEA at the strategic level shall be made with reference to the Commission's annual Action Plan and the relevant work programmes of the Commission's third tier working groups on the one hand and the EEA's Multi-annual Work Programme on the other hand.
6. The working link between OSPAR and the EEA will be handled at an appropriate level, complemented by review meetings between the Executive Secretary of the Commission and the Executive Director of the EEA, at a frequency established by them. The Executive Secretary of HELCOM and of the Barcelona Commission and the Istanbul Commission shall be invited to attend these meetings. Other relevant international organisations may be invited to attend these meetings.

Cooperation with European Topic Centres

7. Cooperation between the Commission and the European Topic Centre on Marine and Coastal Environment (ETC/MC) will be established within the 'Inter-Regional Forum' (IRF) operated under the responsibility of the ETC/MC. Cooperation will focus on the following topics:

- a. promotion of new methodologies for monitoring;
- b. provision of data and information;
- c. harmonisation of reporting procedures and requirements;
- d. review and use of assessment techniques and tools.

8. A representative of the ETC/MC will be invited to participate in meetings of the Environmental Assessment and Monitoring Committee (ASMO) of the Commission and in any relevant meeting of third tier working groups under this Committee.

9. Travel and accommodation expenses of one representative of the Commission per meeting participating in meetings held within the framework of the IRF will be reimbursed by the ETC/MC.

10. Cooperation on specific topics will be established between the Commission and other European Topic Centres, for example, the European Topic Centre on Inland Waters, European Topic Centres on Air Quality and Air Emissions and the European Topic Centre on Nature Conservation.

Assessment reports

11. The Commission will contribute to the establishment of European-wide assessment reports on marine environmental issues of the EEA, using work carried out within the framework of the Commission's Joint Assessment and Monitoring Programme (JAMP).

Disputes

12. If any dispute should arise between the Commission and the EEA about their mutual cooperation, both sides will endeavour to resolve it by agreement reached through consultation. If there is any difficulty in reaching such agreement, the Chairman of the Commission will nominate one person and the Executive Director of the EEA will nominate another. The two persons so nominated will then invite a suitable third person, who is not employed by, or an office holder in, either the Commission or the EEA, to assist them on a honorary basis in considering the matter and making a recommendation for the resolution of the dispute."

The Memorandum of Understanding

13. This MOU may be amended by mutual agreement. Such amendment will come into force on the date such amendment is signed by the two parties.

14. Either party may terminate this MOU by giving six months notice to the other party.

15. This MOU will come into effect upon signature.

For OSPAR

For the EEA

Signature: _____

Signature: _____

Alan Simcock
Chairman, OSPAR

Domingo Jiménez-Beltrán
Executive Director, EEA