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**United States of America
and
Kazakhstan**

Memorandum of Understanding between the Environmental Protection Agency of the United States of America and the Ministry of Natural Resources and Environmental Protection of the Republic of Kazakhstan concerning the Regional Environmental Center for Central Asia. Almaty, 1 March 2002

Entry into force: *1 March 2002 by signature, in accordance with article 9*

Authentic texts: *English and Russian*

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**États-Unis d'Amérique
et
Kazakhstan**

Mémorandum d'accord entre l'Agence de protection de l'environnement des États-Unis d'Amérique et le Ministère des ressources naturelles et de la protection de l'environnement de la République du Kazakhstan concernant le Centre régional pour l'environnement de l'Asie centrale. Almaty, 1^{er} mars 2002

Entrée en vigueur : *1^{er} mars 2002 par signature, conformément à l'article 9*

Textes authentiques : *anglais et russe*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 15 juillet 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
ENVIRONMENTAL PROTECTION AGENCY
OF THE UNITED STATES OF AMERICA AND THE
MINISTRY OF NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION OF
THE REPUBLIC OF KAZAKHSTAN
CONCERNING THE
REGIONAL ENVIRONMENTAL CENTER FOR CENTRAL ASIA

The Environmental Protection Agency of the United States of America (EPA) and the Ministry of Natural Resources and Environmental Protection of the Republic of Kazakhstan (hereinafter, the Parties),

Recognizing that the Central Asian Republics have serious environmental problems;

Affirming that solutions to these problems require the cooperative efforts of governments, non-governmental public interest organizations (hereinafter, NGOs) and individuals from throughout Central Asia;

Appreciating the role of international cooperation in solving global and regional environmental problems;

Recalling that the Declaration of the Sofia Environment for Europe Ministerial Conference in October 1995, as well as that of the parallel NGO Conference, called upon interested countries and international organizations to support a network of independent Regional Environmental Centers (RECs) in the New Independent States;

Recognizing that the Central Asia Regional Environmental Center (hereinafter CA REC) has been established for an unlimited term as an independent, non-profit, non-political organization of international character, in accordance with an Agreement between the Republic of Kazakhstan, the Commission of the European Communities, and the United Nations Development Programme (UNDP), executed 12 May 2000 and ratified by the Republic of Kazakhstan on 5 July 2000 (hereinafter, the "May 12 Agreement");

Supporting the decision by Central Asian countries (the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, Turkmenistan and the Republic of Uzbekistan) to establish the CA REC in Almaty, the Republic of Kazakhstan, and pledging to support the activities of the CA REC in accordance with the terms of this Memorandum of Understanding (MOU);

Considering that the purpose of the CA REC is to assist in solving environmental problems in Central Asia through the promotion of cooperation at national, regional and local levels among governments, NGOs, and other environmental stakeholders, in order to develop a free exchange of experience and information; to increase public participation

in the making of environmental policies and decisions that affect the environment; and to offer assistance to environmental NGOs and other environmental stakeholders, thereby assisting the Central Asian States in the further development of a democratic civil society and the achievement of a safe environment; and

Recognizing that the CA REC, a legal entity established under the laws of the Republic of Kazakhstan, shall own separate assets, shall be liable for its obligations to the extent of such assets, may on its own behalf enter into contracts and agreements, may acquire and exercise property and non-property rights, may have obligations and may appear in court as claimant or defendant, in accordance with the May 12 Agreement;

Recognizing further that the Republic of Kazakhstan has established the appropriate organizational conditions for the effective functioning of the CA REC, including provision of communication channels and transfer of building and premises for the Central Office of the CA REC in the Center's ownership, free of charge;

Acknowledging that the Center shall be exempt from customs duties and taxes on funds, goods and services provided to the REC in accordance with the Charter and the May 12 Agreement;

Welcoming other governmental entities or international organizations to accede as Parties to this MOU;

Hereby agree as follows:

Article 1

Commitments of the Parties

1. The Parties shall, subject to the conditions set forth in Article 6 of this MOU:

- (a) provide or facilitate initial support to the CA REC and its activities, following the respective laws and regulations regarding funding requirements, with support being subject to the availability of resources and appropriated funds;
- (b) assist the CA REC in broadening its international contacts, obtaining necessary information and disseminating the results of the CA REC's activities outside Central Asia; and
- (c) assist, when necessary and appropriate, in selecting experts and involving them in the CA REC's activities.

2. In addition, each Party shall, subject to the conditions set forth in Article 6 of this MOU, provide initial support for the CA REC activities, which may include the following, among others:

- (a) supporting initiatives aimed at solving concrete environmental problems;
- (b) organizing, funding, and conducting studies, with the exception of basic research, of the current environmental problems in Central Asia;
- (c) providing venues for discussion of environmental issues and policy;
- (d) promoting public participation in the decision-making process related to environmental issues;
- (e) providing training on managing environmental projects; developing annual environmental action plans; public education to raise environmental awareness; communicating environmental information; and environmental project monitoring and evaluation.
- (f) to the extent authorized by law, providing grants, and supporting the CA REC's participation with other Regional Environmental Centers in developing a "sub-grant" program for regional and transboundary projects;
- (g) disseminating information on issues of the environment, sustainable development, and the results of scientific research; facilitating access to existing national and international databases and developing new databases; and producing newsletters and other publications;
- (h) strengthening regional governmental and non-governmental cooperation; and
- (i) assisting Central Asian participation in international environmental cooperation.

Article 2

CA REC

In accordance with the Charter and the May 12 Agreement, the CA REC is expected to:

- (a) promote cooperation at the local, regional and international levels among non-governmental organizations (associations), governments, business, and all other environmental stakeholders, in order to develop a free exchange of information; offer direct assistance to any entities and individuals involved in environmental protection.
- (b) promote public participation in the decision making process of member States in relation to the environment and sustainable development.
- (c) The activities of the Center shall be in conformity with the Charter and the Work Program developed by the Center and approved by the Parties to this agreement.
- (d) The Center shall co-operate with Regional Environmental Centers in other countries.

Article 3

Commitments of the Kazakhstan Ministry of Natural Resources
and Environmental Protection

The Kazakhstan Ministry of Natural Resources and Environmental Protection shall:

- (a) take all measures possible to ensure that funds, goods and services that are provided to CA REC are exempt from taxes, customs duties, and other fees;
- (b) provide the CA REC with relevant information that is available to the Ministry;
- (c) assist in the implementation of the proposals of the CA REC.
- (d) assist, to the extent possible, in ensuring that REC CA REC staff members who are not nationals of Kazakhstan and who are in Kazakhstan temporarily are provided with any necessary work permits or similar documents and are not required to pay social insurance contributions.