

Memorandum of Understanding
on
co-operation regarding Clean Development Mechanism projects

between

the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety
of the Federal Republic of Germany

and

the Ministry of Environmental Protection
of the State of Israel

The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety of the Federal Republic of Germany,

and

the Ministry of Environmental Protection of the State of Israel,

Recall the Agreement between the Government of the Federal Republic of Germany and the Government of the State of Israel on Cooperation in Environmental Matters and Nature Conservation of 17 March 1993 and stress the need to preserve and improve the environment for this generation and generations to come, and the importance of sustainable development,

Recall furthermore that the Federal Republic of Germany and the State of Israel are Parties to the United Nations Framework Convention on Climate Change (UNFCCC) and the Kyoto Protocol to that Convention,

Recall that Article 12 of the Kyoto Protocol provides for the transfer of certified emission reductions (CERs) resulting from Clean Development Mechanism (CDM) project activities aimed at reducing anthropogenic emissions by sources or enhancing anthropogenic removals by sinks of greenhouse gases,

Underline that CDM project activities should assist the host country in achieving sustainable development and that it is the host Party's prerogative to confirm this,

Take into account decisions, guidelines, modalities and procedures adopted by the Conference of Parties (COP) to the UNFCCC and the COP serving as the Meeting of the Parties (COP/MOP) to the Kyoto Protocol on Article 12 of the Kyoto Protocol and by the Executive Board of the CDM,

Express their political will to develop a lasting process of cooperation on matters relating to climate change, in light of the objectives of the UNFCCC and of the Kyoto Protocol, particularly with regard to the implementation of the CDM of the Kyoto Protocol

Have reached the following understanding:

I. Scope and Instruments of Co-operation

Both Sides share the view

1. that the co-operation under this Memorandum of Understanding should include the development and further improvement of framework conditions to facilitate the implementation of project activities under the CDM, especially by the private sector;

2. that co-operation regarding the CDM and CDM project activities in particular should include – subject to the national legislation of the Federal Republic of Germany and the State of Israel - the following:

- a) exchange of information on the subject of compliance with the eligibility requirements for participation in CDM project activities;

- b) exchange of information on project opportunities, in particular in the fields of renewable energies and energy efficiency, project funding and financing conditions and facilitation of the information flow to public and private entities;
- c) exchange of information and views on the assessment of project activities including approval procedures and guidelines for CDM project activities applied by the parties involved; the information concerning bilateral CDM project activities should be exchanged by means of electronic communication;
- d) exchange of information and views on the negotiations in the framework of the UNFCCC and the Kyoto Protocol, especially with regard to developments beyond 2012.
- e) exchange of information and views on methodologies and mechanisms for determining emission baselines and demonstrating additionality; the information concerning bilateral CDM project activities should be exchanged by means of electronic communication;
- f) facilitation of project activities identified jointly as being able to fulfil the CDM project cycle requirements, especially in the case of Small Scale Projects. Project activities identified jointly should preferably be endorsed through official letters from each side;
- g) facilitation of the development of project ideas presented to the Designated National Authorities (DNAs) by pre-checking them in due time, in order to determine the endorsement of project activities as CDM projects. Both DNAs should communicate their decisions to the applicant entity in written form;

- h) cooperation with a view to initiate joint workshops and other capacity building programs regarding the CDM, climate change activities and new technologies distribution, including exchange of information, exchange of experts and financing of joint activities.

II. General Principles, Procedures and Structure of the Cooperation

In their cooperation, both Sides intend to

1. facilitate the exchange of information concerning business agreements, joint ventures and licensing agreements among legal entities in the Federal Republic of Germany and the State of Israel, while preserving the appropriate confidentiality;
2. consult regularly on the progress of project activities and other activities that occur within the co-operation under this Memorandum of Understanding and to inform relevant departments within the national administrations and others involved in a project activity;
3. make every effort to facilitate and shorten the process of the development of CDM project activities, and in particular, intend to take and to communicate decisions on approval of validated Project Design Documents (PDDs) within six weeks at the latest.
4. inform each other in writing immediately after signing this Memorandum of Understanding regarding the contact persons of their respective DNAs and the person who is responsible for the implementation of the cooperation under this Memorandum of Understanding.

III. Disagreement

Both sides intend to resolve any disagreement which may arise in the context of co-operation under this Memorandum of Understanding by consultation between them.

IV. Amendment

Both Sides share the view that

1. this Memorandum of Understanding may be amended at any time in writing by mutual consent,
2. this Memorandum of Understanding should be revised if it proves necessary to take into account new requirements emerging from new COP and COP/MOP decisions, changes in the national climate policy strategy, including CDM project assessment and approval procedures, or the lessons learned from the implementation of CDM project activities.

V. Duration of the Co-operation

Both Sides share the view that

1. co-operation under this Memorandum of Understanding should commence on the date of signature thereof;
2. co-operation should be continued until one side informs the other in writing six months in advance of its wish to terminate co-operation under this Memorandum of Understanding;
3. the termination of the cooperation under this Memorandum of Understanding should not affect CDM project activities already implemented or approved by both sides.

This Memorandum of Understanding is signed in duplicate in the English language.

Tel-Aviv, 12 February 2008

For the Federal Ministry for the Environment,
Nature Conservation and Nuclear Safety of
the Federal Republic of Germany

For the Ministry of Environmental Protection
of the State of Israel



NAME



NAME