

Draft
Subject to Legal Review for Accuracy, Clarity, and Consistency
June 18, 2004

Explanatory note: This draft Memorandum of Understanding (“MOU”) on Environmental Cooperation (“MOU”) has been negotiated in the context of, but is separate from, the U.S.-Bahrain Free Trade Agreement (“FTA”). Because this draft MOU has not been signed by the governments of the United States and Bahrain, it remains subject to further revision and may not be relied upon as final text. This draft text is being released in view of the specific legislative framework underlying the U.S.-Bahrain Free Trade Agreement (“FTA”) and the relationship between that FTA and this draft MOU, and should not be construed to serve as precedent for the release of any draft text of international treaties, agreements or other arrangements.

Memorandum of Understanding on Environmental Cooperation

between

The Government of the United States of America

and

The Government of the Kingdom of Bahrain

The Government of the United States of America (“United States”) and the Government of the Kingdom of Bahrain (“Bahrain”),

Desiring to build on the long history of friendship and cooperation between their countries, and

Recognizing the importance of strengthening capacity to protect the environment while promoting sustainable development in concert with the expanded bilateral trade relationship accompanying the U.S.-Bahrain Free Trade Agreement (“FTA”); and

Affirming their intent to pursue efforts to enhance bilateral environmental cooperation,

Have reached the understandings contained herein:

1. The Annex to this Memorandum of Understanding (MOU) highlights areas of ongoing and future environmental cooperation in which the two governments intend to focus their efforts. The governments may cooperate on environmental matters by:

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- Facilitating exchanges of professionals, technicians, and specialists, including study visits, to promote the development of environmental policies and standards;
- Organizing joint conferences, seminars, workshops, meetings, training sessions and outreach and education programs;
- Supporting collaborative projects and demonstrations, including joint research projects, studies and reports;
- Facilitating linkages among representatives of academia, industry, and government to promote the exchange of best practices and environmental information and data likely to be of interest to the two governments;
- Sharing information on national environmental programs; and
- Engaging in such other activities as the two governments consider appropriate.

2. To broaden and deepen effective cooperation on environmental issues, the United States and Bahrain are establishing a Joint Forum on Environmental Cooperation (“Joint Forum”). The governments intend that the Joint Forum be comprised of government representatives appointed by the United States and Bahrain and that it meet regularly to discuss ways in which the governments can work together to strengthen the capacity of Bahrain to protect the environment, including through the development and implementation of science-based standards for the protection of the environment and human health, and through the promotion of sustainable development.

3. The governments expect that the Joint Forum will develop a Plan of Action; review and assess cooperative environmental activities undertaken pursuant to this Plan of Action, recommend ways to improve cooperation; and undertake such other activities as the governments may deem to be appropriate. In this Plan of Action, the Joint Forum should identify priority projects for environmental cooperation guided by the subject areas set forth in the Annex. Recognizing that the governments may identify new cooperative priorities in the light of changing circumstances, the Joint Forum should update the Plan of Action as appropriate.

4. The governments recognize the obligations that each has undertaken under the environment chapter of the FTA and the role of the Joint Committee, or any subcommittee on environmental affairs established thereunder, in supervising the implementation of those provisions. The governments look forward to the ways in which the work of the Joint Committee and of the Joint Forum can inform one another.

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5. In conducting its work, the Joint Forum should consider any views and recommendations of the Joint Committee, or any relevant subcommittee established under the FTA. Each government should also solicit, and take fully into account as appropriate, the views of the public with respect to the Plan of Action.
6. Each government is expected to name a Principal Coordinator to serve as an overall point of contact regarding the activities of the Joint Forum and implementation of the Plan of Action.
7. The governments recognize the importance of making resources available to implement the cooperative environmental activities approved by the Joint Forum. All cooperative activities undertaken pursuant to the Joint Forum's Plan of Action are conditioned upon the availability of appropriated funds and are subject to the applicable laws and regulations of the United States and Bahrain.
8. Meetings of the Joint Forum may be discontinued at the request of either government. The government wishing to discontinue meetings should inform the other government in writing six months in advance. The governments should then consult to determine any remaining action to be taken on cooperative activities included in the Plan of Action at that time.

Signed at [place], this [ordinal date, spelled] day of [month], 2004, corresponding to [date, hegira], in duplicate [in the English and Arabic languages (if in both)].

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ANNEX

SELECTED AREAS FOR ENVIRONMENTAL COOPERATION

The following subject areas reflect priorities for environmental cooperation between the United States and Bahrain.

Environmental Laws and Regulations

- *Strengthening the capacity to develop, implement, and enforce environmental laws and regulations.*

Environmental Impact Assessments

- *Improving the public and private capacity to conduct environmental impact assessments in Bahrain.*

Environmental Incentives/Voluntary Programs

- *As a complement to the enforcement of environmental laws and regulations, encouraging the development of incentives and voluntary mechanisms to contribute to the achievement and maintenance of high levels of environmental protection.*

Air Quality

- *Developing projects and programs to improve air quality and reduce the adverse health impacts of air pollution.*

Public Participation in Environmental Protection

- *Promoting both the development of opportunities for public participation in environmental protection efforts and the building of public access to information and access to justice on environmental issues.*

Protection of Water Resources

- *Improving water resources management.*

Coastal Protection and Preservation of Marine Resources

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- *Protecting coastal environmental zones and estuaries and preventing the over-exploitation of living and nonliving marine resources.*

Protection of Endangered Species

- *Strengthening the capacity to protect endangered species.*

Environmental Technology and Business

- *Promoting the growth of the environmental technology business sector.*