

**MEMORANDUM OF UNDERSTANDING
ON ENVIRONMENTAL COOPERATION**

between

**THE DEPARTMENT OF THE ENVIRONMENT OF CANADA
and
THE DEPARTMENT OF INDUSTRY CANADA**

and

THE NATIONAL COMMISSION ON THE ENVIRONMENT OF CHILE

The Department of the Environment of Canada, the Department of Industry Canada and the National Commission on the Environment of Chile, hereinafter referred to as "the Participants":

Recognizing that in view of the global character of major environmental problems, the common interest of all countries is to pursue policies aimed at sustainable development;

Recalling that the Participants share a common commitment, articulated at the Summit of the Americas in December 1994, to pursue policies which promote sustainable development, and that sound environmental management is an essential element of sustainable development;

Aware that Chile, Canada, the United States and Mexico, have begun a process by which Chile will accede to the North American Free Trade Agreement and its environmental agreement;

Conscious that Chile and Canada are resource-based nations which face similar environmental challenges;

Conscious that the exchange of experience, knowledge, specialization, technologies and methodologies is mutually beneficial to meet identified environmental priorities;

Noting that exchanges and cooperative activities are being conducted between Chile and Canada in the field of the environment;

Wishing to increase and promote environmental cooperation between the two countries including cooperation related to environmental protection and conservation, sustainable resource management, and environmental equipment technologies and services; and

Recognizing that for all activities undertaken under this Understanding, the Participants wish to optimise private sector participation.

HAVE REACHED THE FOLLOWING UNDERSTANDING:

Article I

The Participants will develop and enhance bilateral cooperation in environmental matters on the basis of equality, reciprocity and mutual benefit.

Article II

The Participants will promote environmental cooperation and build capacity by sharing environmental management knowledge and experience through the establishment of a work programme which may include the following areas:

Development and implementation of environmental laws, regulations, procedures, standards and policies;

Environmental pollution prevention and control approaches with emphasis on clean processes, technology, air pollution issues, water quality and waste water treatment, solid and hazardous waste issues;

Environmental impact assessment procedures and experiences; and

Conservation and sustainable resource management policies and practices.

Article III

Cooperation between the Participants may include the following activities:

- Exchange of experts and specialists;
- Exchange of scientific, technical, environmental and economic information and materials;
- Training of personnel from both the private and public sectors;
- Planning, development and implementation of joint projects and programs;
- Elaboration of environmental diagnostic methodologies, inventories, databases and information systems; and
- Other forms of cooperation as are mutually agreed.

Article IV

Cooperation under this Memorandum of Understanding will be realized in accordance with the laws and regulations of each country.

Article V

The Participants will promote, facilitate and encourage, as appropriate, the development of direct contacts between Canadian and Chilean establishments, governmental and non-governmental organizations, scientific research and other organizations and trade associations of the two countries, including the conclusion of appropriate working arrangements or contracts on implementation of specific projects and programmes.

Article VI

Unless otherwise arranged between the Participants, international travel expenses related to such exchanges and cooperation activities will be borne by the sending Participant. In-country expenses including travel and accommodation costs will also be borne by the sending Participant.

Article VII

In proposed cooperative activities where it is foreseeable that intellectual property rights might arise, the Participants in accordance with their national laws will agree in advance as to the effective protection and allocation of those intellectual property rights.

Article VIII

To implement this Memorandum of Understanding, the Participants will establish a Joint Environment Committee (hereinafter "Committee") which will consist of equal numbers of representatives from Chile and Canada, representing the Participants.

The Committee:

- a) will oversee the development and implementation of the work programme;
- b) will serve as a forum for the exchange of information, for consultation and facilitating contact between the Participants involved;
- c) may determine the appropriate institutions and organizations for the implementation of the joint measures of cooperation;
- d) will regularly review the achievements of cooperation according to this Memorandum of Understanding, and specific projects and programs of cooperation; and
- e) the Committee will meet at least once every year, alternately in Canada and in Chile.

Article IX

This Memorandum of Understanding will take effect upon signature by the Participants. It will be in effect for three years and may be extended with the consent of the Participants. It may be terminated at any time with six months written notice. It may be altered at any time by mutual consent of the Participants. This Memorandum of Understanding is not intended to create any obligations under international law.