

GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE

LOK SABHA
STARRED QUESTION NO. *580
TO BE ANSWERED ON 06.04.2018

Cooperation with France

*580. SHRIMATI KAVITHA KALVAKUNTLA:

Will the Minister of ENVIRONMENT, FOREST AND CLIMATE CHANGE be pleased to state:

- (a) whether the Government has signed a Memorandum of Understanding (MoU) with France for cooperation in the field of environment;
- (b) if so, the details thereof;
- (c) whether the said MoU will help in bringing or transferring green technology to the country; and
- (d) if so, the details thereof?

ANSWER

MINISTER FOR ENVIRONMENT, FOREST AND CLIMATE CHANGE

(DR. HARSH VARDHAN)

- (a) to (d) The statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) OF THE LOK SABHA STARRED QUESTION NO. 580 DUE FOR ANSWER ON 06.04.2018 REGARDING COOPERATION WITH FRANCE ASKED BY SHRIMATI KAVITHA KALVAKUNTLA

- (a) Yes, Madam. The Government has signed a Memorandum of Cooperation with France in the field of environment.
- (b) A Memorandum of Cooperation (MoC) in the field of Environment was signed between India and France. From Indian side, Dr. Mahesh Sharma, Hon'ble Minister of State for Environment, Forest & Climate Change and from French side Ms. Brune Poirson, Hon'ble Minister of State attached to the Minister for the Ecological and Inclusive Transition signed the MoC. The MoC was exchanged between both the countries on 10.03.2018. A copy of the MoC is annexed herewith as **Annexure – I**.

The areas of cooperation under this Memorandum of Cooperation include:-

- Climate change including technologies related to climate change;
- Air quality;
- Integrated water resources management including water quality and river management;
- Chemical and waste management and circular economy;
- Forests and biodiversity protection;
- Resource and energy efficiency;
- Conservation of marine and coastal Resources;
- Control of illegal trade in wildlife and products made therefrom;
- Wildlife forensics; and
- any other area of cooperation that may be mutually decided upon by the Parties.

The MoC will enable establishment and promotion of closer and long-term cooperation between the two countries in the field of environment protection and management of natural resources on the basis of equity, reciprocity and mutual benefits, taking into account the applicable laws and legal provisions in each country.

- (c)&(d) As per Article (1), the first objective of the Memorandum of Cooperation is to establish a basis for exchange of information between the Government officers and technical experts of the respective parties in the field of environment and climate change. Article 4 of the Memorandum of Cooperation gives emphasis on capacity building and technical assistance.

So far as bringing or transferring green technology to the country is concerned, the Joint Working Group on Environment and other bilateral cooperation on environment of both the countries have been mandated to address the same within the meaning of technical assistance (Article 4) read with Intellectual Property Rights (Article 5).

MEMORANDUM OF COOPERATION

BETWEEN

**THE MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE OF
THE REPUBLIC OF INDIA**

AND

**THE MINISTRY FOR THE ECOLOGICAL AND INCLUSIVE TRANSITION
OF THE FRENCH REPUBLIC**

IN THE FIELD OF

ENVIRONMENT

The Ministry of Environment, Forest and Climate Change of the Republic of India hereinafter referred to as "Indian Party", and Ministry for the Ecological and Inclusive Transition of the French Republic hereinafter referred to as the "French Party", and hereinafter individually referred to as "Party", and collectively referred to as "Parties",

Taking into consideration the deep concern for environment and shared interest of Parties in its protection for present and future generations;

Considering that climate change is a major global issue, and that India and France share a concern on this topic, within the framework of the Paris Agreement on Climate Change adopted on 12 of December 2015 in Paris,

Being convinced of the mutual interest to institutionalize a technical cooperation to combat climate change and to promote the protection of the environment in India and France,

Have agreed as follows:

ARTICLE 1: OBJECTIVE

This Memorandum of Cooperation has a two-fold objective:

1. To establish a basis for exchange of information between the Government officials and the technical experts of the respective Parties in the field of environment and climate change.
2. To promote and develop the relations among various stakeholders including public bodies, states, local and regional authorities, local self-governing bodies and private companies, in the field of environment and climate change with the purpose of improvement for these sectors and promoting public-private participation.

ARTICLE 2: AREAS OF COOPERATION

The Parties agree to strengthen cooperation in following areas:

- climate change including technologies related to climate change;
- air quality;
- integrated water resources management including water quality and river management;
- chemical and waste management and circular economy;
- forests and biodiversity protection;
- resource and energy efficiency;
- conservation of marine and coastal Resources;
- control of illegal trade in wildlife and products made therefrom;
- wildlife forensics;

and any other area of cooperation that may be mutually decided upon by the Parties.

ARTICLE 3: IMPLEMENTATION OF COOPERATION

The implementation of this Memorandum of Cooperation takes place under the aegis of an Indo-French Joint Working Group (JWG) on Environment and Climate Change.

The Indo-French JWG shall meet annually, alternatively in India and in France.

For the Indian side, the co-chairman of the JWG on Environment and Climate Change is the Joint Secretary of the Ministry of Environment, Forest and Climate Change, Government of India.

For the French side, the co-chairman of the JWG on Environment and Climate Change is the Director for European and International Affairs of the Ministry for the Ecological and Inclusive Transition.

ARTICLE 4: MODALITIES

A Programme of Action/Action Plan is drawn-up every year. It lays down the subject matter of the projects contemplated for every current year. For each selected theme the most appropriate means of achievement is determined, including but not limited to advanced training courses in France and in India, expert visits, capacity building and technical assistance

An appraisal of the work achieved is made at the time of each annual meeting of the Indo-French JWG on Environment and Climate Change. The topics retained for each year will be appended to the minutes of the plenary session of the Indo-French JWG on Environment and Climate Change.

All relevant ministries from both sides, such as the ministries in charge of urban development, energy, water or agriculture, may be involved in this process as may be necessary.

ARTICLE 5: INTELLECTUAL PROPERTY RIGHTS

Should the activities under this Memorandum of Cooperation give rise to intellectual property rights (IPRs), the Parties will enter into a separate arrangement that will specifically provide for the ownership, management and commercialization of such rights in accordance with their respective laws, rules and regulations and multilateral agreements to which France and India are party to.

The Parties will freely exchange information within the framework of this Memorandum of Cooperation, with the exception of such cases where the national legislation or the Party providing such information, has set restrictions on its use or disclosure.

In case the information shared by a Party is confidential, the other Party shall be informed about such nature of the information in writing. In the absence of any such information, Parties shall not be bound to treat the information shared under this Memorandum of Cooperation as confidential.

Under no circumstances, restricted information will be transferred by either party to a third party, without prior written consent of the other Party.

The information resulting from the activities from implementation of the Memorandum of Cooperation , will be published or divulged to third parties, only with prior written consent by the other Party.

ARTICLE 6: RESPONSIBILITIES

The Indian and the French Co-Chairman of the above Joint Working Group, each in those matters that concern them, are responsible for executing the Programme of Action/Action Plan mentioned in Article 4, in accordance with their national laws and obligations under international law.

ARTICLE 7: FINANCING

Each Party bears its own expenses incurred through the implementation of the cooperative activities under this Memorandum of Cooperation as far as their current operating expenditure allows.

ARTICLE 8: SETTLEMENT OF DISPUTES

Any dispute arising out of the interpretation or implementation of this Memorandum of Cooperation will be settled amicably by negotiation and consultation between the Parties

ARTICLE 9: ENTRY INTO FORCE, DURATION AND TERMINATION

- i. This present Memorandum of Cooperation takes effect on the date of signature and remains in force for a period of five (5) years.
- ii. It can be modified at any time through mutual consent of the Parties.
- iii. It can be terminated by either Party by giving the other Party a written six months advance notice. Such termination has no effect on the projects or works under implementation, except by a "mutually agreeable decision" by the Parties to the contrary.

Signed at New Delhi on 10th day of March, 2018 in two originals each in the Hindi, French and English languages, all texts being equally authentic.

For the Ministry of Environment,
Forest and Climate Change of the
Republic of India



Dr. Mahesh Sharma
Minister of State of
Environment, Forest and
Climate Change

For the Ministry for the Ecological and
Inclusive Transition of the French
Republic



Ms. Brune Poirson
Minister of State attached to the
Minister for the Ecological and
Inclusive Transition