

MEMORANDUM OF COOPERATION
BETWEEN
THE MINISTRY OF THE ENVIRONMENT OF JAPAN
AND
THE MINISTRY OF ENVIRONMENT AND
FORESTRY OF THE REPUBLIC OF INDONESIA
ON
ENVIRONMENTAL COOPERATION

The Ministry of the Environment of Japan and the Ministry of Environment and Forestry of the Republic of Indonesia (hereinafter referred to collectively as "both Sides" and individually as a "Side"),

DESIRING to strengthen the existing friendly relations between both Sides;

CONSIDERING their common interest in promoting cooperation for sustainable development;

REAFFIRMING the importance of the actions towards the swift and successful implementation of the Paris Agreement, and the Sustainable Development Goals (SDGs);

NOTING the importance of conservation and improvement of the environment for present and future generations;

RECOGNIZING that the effective protection of the environment requires global cooperation, coordination and efforts, and those activities to protect the environment should be carried out at the regional, national and local levels;

TAKING INTO ACCOUNT the previous beneficial cooperation under the Memorandum of Cooperation between the Ministry of Environment of Japan and the Ministry of Environment and Forestry of the Republic of Indonesia on Environmental Cooperation, which was signed in Tokyo on 10 April 2017;

RECOGNIZING that this Memorandum of Cooperation (hereinafter referred to as “this MoC”) will not give rise to any legal rights or obligations; and

PURSUANT to the laws and regulations in their respective countries;

HAVE REACHED the following recognitions:

PARAGRAPH I OBJECTIVE

The purpose of this MoC is to strengthen, facilitate and develop mutual cooperation in the field of environment.

PARAGRAPH II AREAS OF COOPERATION

Cooperative activities may be decided from mutually confirmed areas pertaining to environmental protection and improvement as listed below:

1. pollution control (air, land and water);
2. marine pollution control;
3. climate change;
4. hazardous substances management;
5. solid waste (including environmentally sustainable cities) and hazardous waste management;
6. tourism promotion of national parks and other conservation areas;
7. sustainable lake management;
8. environmental law enforcement (forensic technology); and
9. other areas that will be mutually decided by both Sides.

PARAGRAPH III
FORMS OF COOPERATION

1. Both Sides will encourage and facilitate cooperation through appropriate forms, to the extent of resources prepared by both Sides, including:
 - a. Holding high-level policy dialogue, senior officials meetings, and other forms of meeting between both Sides;
 - b. Promoting partnership;
 - c. Exchanging information and expertise;
 - d. Conducting capacity building including through organizing symposiums, seminars, conferences, meetings, trainings, and workshops, and for development of proposals to be submitted to relevant institutions; and
 - e. Implementing projects including carrying out joint studies for such projects.
2. Each Side respect the provisions and principles of the relevant international agreements to which respective countries of each Side are parties, and its national laws and regulations.
3. In the event that a specific program or project conducted under this MoC utilizes genetic resources and traditional knowledge associated with genetic resources, both Sides and/or the related institutions engaged in the program or project will formulate specific arrangements regarding its treatment, as appropriate in accordance with relevant laws and regulations.

PARAGRAPH IV
IMPLEMENTATION OF THIS MOC

1. Both Sides will hold a high-level policy dialogue to discuss strategic directions, priority programs, international policy issues and options of new cooperation. The high-level policy dialogue will be held at least every other year and will be co-chaired by the Ministers and/or Senior Officials. Both Sides will discuss and decide the date, venue, means and modality.
2. Both Sides also will hold a Technical Dialogue with tasks:
 - a. to review, monitor and evaluate the progress of program/activities under this MoC;

- b. to resolve any arising issues;
 - c. to follow up directions from the high-level policy dialogue; and
 - d. to provide relevant report to the high-level policy dialogue.
3. The Technical Dialogue will be held at least every year. Both Sides will discuss and decide the date, venue, means and modality.
 4. For the implementation of activities conducted under this MoC, both Sides will formulate separate arrangements that will specify, inter alia, the detail of the project or program, parties involved, financial arrangement, contribution of the participants, duration, commitments as well as other related necessary matters. For one go events, such arrangement can be in the form of Terms of Reference. Longer activities require Implementation Arrangement or Record of Discussion.
 5. Implementation of the project, programme, and/or activity will not commence until such arrangement is finalized and mutually confirmed.
 6. All matters of this MoC will apply to any implementation arrangements made to carry out program/activities under this MoC.
 7. The implementation of projects and activities under this MoC will be carried out in compliance with the respective laws and regulations of the two countries and subject to the availability of appropriate funds and personnel of both Sides.
 8. The third parties involved in the activities under this MoC will respect and comply with the prevailing laws and regulations of the countries where the activity takes place.
 9. The implementation of cooperation under this MoC is elaborated further into a 4 (four) years plan of action (hereinafter referred to as "PoA") that appears as Attachment 1 and forms as integral part of this MoC. Any modification of the PoA will be proposed by either Side, and mutually confirmed by the focal point of both Sides in writing.

PARAGRAPH V
FOCAL POINT AND CONTACT POINT

1. To assure effective operation of activities under this MoC, both Sides will appoint a focal point, which will act as representative of each Side in all matters concerning this MoC. For the Ministry of the Environment of Japan, the focal point

will be the Director General for Global Environment Bureau. For the Ministry of Environment and Forestry of the Republic of Indonesia, the focal point will be the Secretary General.

2. For the day to day communication, both Sides will appoint a contact point. For the Ministry of the Environment of Japan the contact point will be the Director for International Cooperation for Transition to Decarbonization and Sustainable Infrastructure Office. For the Ministry of Environment and Forestry of the Republic of Indonesia, the contact point will be the Director for International Cooperation.

PARAGRAPH VI INTELLECTUAL PROPERTY RIGHTS

1. Any intellectual property rights (hereinafter referred to as "IPR") owned by one Side as of the date of the signature of this MoC will remain the property and responsibility of such Side.
2. Both Sides will provide effective protection of ownership, distribution and legal use of IPR which are being distributed or created through the implementation of this MoC. Such IPR will be jointly owned in principle and arranged as mutually decided by both Sides in a separate arrangement, taking into full consideration the equitable portion of ownership based on the contribution of the respective Sides, as well as the nature of the activities and the IPR, engaging any third parties if deemed necessary by both Sides.

PARAGRAPH VII CONFIDENTIALITY

1. Each Side will observe the confidentiality and secrecy of documents, information and other data received from or supplied to the other Side during the period of the operation of activities under this MoC.
2. This paragraph will not prejudice the prevailing laws and regulations of the respective countries.

3. Neither Side will disclose confidential information received from the other Side under this MoC, without the prior written consent of the other Side.

**PARAGRAPH VIII
SETTLEMENT OF DIFFERENCES**

Any problem arising from the operation of activities under this MoC will be resolved amicably through consultation or negotiation between both Sides.

**PARAGRAPH IX
LIMITATION OF PERSONNEL ACTIVITIES**

Both Sides will endeavor to assure that its personnel involved in the activities related to this MoC will respect political independence, sovereignty, and territorial integrity of the host country, will not interfere in the internal affairs of the host country and will avoid any activities inconsistent with the aims of this MoC.

**PARAGRAPH X
MODIFICATION**

This MoC may be reviewed or modified through mutual written consent by both Sides.

**PARAGRAPH XI
COMMENCEMENT, DURATION AND TERMINATION**

1. This MoC will commence on the date of its signature by both Sides.
2. This MoC will continue for a period of 4 (four) years and may be extended by mutual written consent of both Sides.

3. This MoC may be terminated at any time by either Side by giving a written notification to the other Side through diplomatic channel at least 6 (six) months prior to the date of the intended termination.
4. The termination of this MoC will not affect the duration of any on-going project or activity until the completion of such project or activity, unless both Sides decide otherwise.
5. The matters in Paragraphs VI and VII will continue after the termination of this MoC.

The foregoing represents the recognition reached between both Sides on the matters referred to in this MoC.

SIGNED in Bali on _____ 2022, in duplicate, in the Indonesian, Japanese, and English languages, all texts having equal value. In the case of any divergence in interpretation, the English text will prevail.

**FOR THE MINISTRY OF THE
ENVIRONMENT OF JAPAN**

**FOR THE MINISTRY OF
ENVIRONMENT AND FORESTRY
OF THE REPUBLIC OF INDONESIA**

NISHIMURA AKIHIRO
MINISTER

SITI NURBAYA
MINISTER

Attachment 1

**Areas of Cooperation and Action Plan
Memorandum of Cooperation (MoC) between
The Ministry of the Environment Japan and the Ministry of Environment and Forestry Indonesia**

No	Areas of Cooperation	Action Plan	Potential Cooperation Topics for Later Consideration
1	Pollution Control (Air, Land and Water)	<ol style="list-style-type: none"> 1. Air pollution control <ol style="list-style-type: none"> a. Capacity building related to QA/QC, verification tests and online monitoring from air pollution sources and ambient. b. Sharing of best practices, latest policies, knowledge and experiences regarding air pollution control from Japan and other countries. 2. Water pollution control <ol style="list-style-type: none"> a. Continuation of co-benefit program in form of water control in industry and service facility by dissemination of the achievements, especially the co-benefits guideline and the video-manual, for capacity building. b. Transfer knowledge management of water pollution control from domestic activities and non point sources. c. Management of river water quality. 	<ol style="list-style-type: none"> 1. Air pollution control <ol style="list-style-type: none"> a. The use of biomass for power plant. b. Calculation of mercury (Hg) in exploratory oil and gas industry. 2. Water pollution control <ol style="list-style-type: none"> a. Capacity building related to QA/QC, verification tests and online monitoring from water pollution sources and river water quality. b. Capacity building related to the water reuse in the industry and service facility.
2	Marine Pollution Control	<ol style="list-style-type: none"> 1. Information sharing on marine plastic debris management for capacity building and public awareness between Regional Capacity Center for Clean Seas (RC3S) and the Regional Knowledge Centre for Marine Plastic Debris (RKC-MPD) operated by the Economic Research Institute for ASEAN and East Asia (ERIA) through means such as international fora and joint workshops. 2. Knowledge sharing and capacity building on the monitoring of 	<ol style="list-style-type: none"> 1. Capacity building and information sharing on nutrient issues between Indonesia and Japan. 2. Sharing of information related to oil spillover at the sea.

No	Areas of Cooperation	Action Plan	Potential Cooperation Topics for Later Consideration
		<p>marine debris to be considered in developing a monitoring manual.</p> <p>3. Strengthening of international activities on marine pollution control including those under G20 Implementation Framework and UNEA.</p>	
3	Climate Change	<p>1. Capacity building to support the development of the GHG inventories towards the Enhanced Transparency Framework.</p> <p>2. Information exchange on respective needs and best practices for adaptation, including on the development of methodology and tools, planning, monitoring and evaluation related to climate change adaptation.</p>	
4	Hazardous Substance Management	<p>1. Support to National Action Plan on Mercury Management.</p> <p>2. Cooperation at COP-4 Minamata Convention through facilitation of 2 side events regarding: a. effective public awareness raising; b. measurement and monitoring mercury in the environment.</p>	
5	Solid Waste (including Environmentally Sustainable Cities) and Hazardous Waste Management	<p>1. Preparation of guidelines, namely:</p> <ul style="list-style-type: none"> a. Treatment of specific waste particularly on electronic waste and hazardous waste; b. Waste to energy. <p>2. Capacity building and information exchange on other issues of waste management.</p> <p>3. Support the development of feasibility study for waste treatment project development.</p>	
6	Tourism promotion of National Parks and other Conservation areas	<p>Information sharing on tourism promotion program of national parks and other conservation areas, such as:</p> <ul style="list-style-type: none"> a. Promotion to increase attractiveness of national parks and other conservation areas; 	Capacity building on ecotourism development in national parks and conservation areas:

No	Areas of Cooperation	Action Plan	Potential Cooperation Topics for Later Consideration
		<ul style="list-style-type: none"> b. Improvement of the services by collaboration with private sectors; c. Improvement of environment for attracting tourists. 	<ul style="list-style-type: none"> a. Promotion to increase attractiveness of national parks and other conservation areas; b. Community based ecotourism; c. Ecotourism management for area managers, operators, etc.
7	Sustainable Lake Management	Capacity building and sharing of best practices on sustainable lake management.	Promoting sustainable lake management in global agenda / international fora.
8	Environmental Law Enforcement (forensic technology)	Sharing of experience on environmental law enforcement: <ul style="list-style-type: none"> a. Environmental monitoring; b. Evidence sampling; c. Pollution investigation; d. Environmental dispute settlement; e. Offender profiling techniques. 	<ul style="list-style-type: none"> 1. Capacity building on environmental law enforcement. 2. Improvement of forensic analysis and technology approach implementation in environmental law enforcement: <ul style="list-style-type: none"> a. Timber and wildlife DNA forensics; b. Environmental pollutant forensics; c. Forest fire forensics; d. Digital and cyber forensics.