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**United States of America
and
Ukraine**

Agreement between the United States of America and Ukraine concerning a regional environmental center in Ukraine. Washington, 8 December 1999

Entry into force: *8 December 1999 by signature, in accordance with article 11*

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**États-Unis d'Amérique
et
Ukraine**

Accord entre les États-Unis d'Amérique et l'Ukraine relatif à un centre régional pour l'environnement en Ukraine. Washington, 8 décembre 1999

Entrée en vigueur : *8 décembre 1999 par signature, conformément à l'article 11*

Textes authentiques : *anglais et ukrainien*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 18 juin 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

**AGREEMENT BETWEEN
THE UNITED STATES OF AMERICA AND UKRAINE
CONCERNING A REGIONAL ENVIRONMENTAL CENTER IN UKRAINE**

The United States of America and Ukraine (hereafter, “the Parties”),

Recognizing that Ukraine and other New Independent States have serious environmental problems;

Acknowledging that solutions to these problems require the co-operative efforts of governments, non-governmental public interest organizations (hereafter, NGOs) and citizens from throughout Ukraine and the region of the New Independent States;

Appreciating the role of international cooperation in solving global and regional environmental problems;

Taking into consideration the Agreement between the Government of the United States of America and the Government of Ukraine on Humanitarian and Technical Economic Cooperation which was signed on May 7, 1992 and the Agreement between the Government of the United States of America and the Government of Ukraine on Science and Technology Cooperation which was signed on March 4, 1994;

Recalling also that the Declaration of the Sofia Environment for Europe Ministerial Conference in October 1995, as well as that of the parallel NGO Conference, called upon interested countries and international organizations to support a network of independent Regional Environmental Centers in the New Independent States;

Noting that the Declaration endorsed the establishment of such centers in Georgia, the Republic of Moldova, the Russian Federation and Ukraine, and that such centers are to operate democratically and with transparency and openness;

Welcoming other states and international organizations to accede as Parties to this Agreement;

Supporting the establishment of the Regional Environmental Center in Kyiv, Ukraine (hereafter, REC-Kyiv) and pledging their support to the activities of the REC-Kyiv;

Have agreed as follows:

Article 1

Establishment and Purpose

- 1. Ukraine shall establish the REC-Kyiv as an independent, non-governmental, non-profit and non-political entity operating internationally.**
- 2. The REC-Kyiv shall be a Ukrainian legal entity which shall possess all powers of a non-profit organization under Ukrainian law, including the authority to acquire and dispose of property, make contracts, and otherwise manage its affairs.**
- 3. The purpose of the REC-Kyiv is to assist in solving environmental problems in Ukraine and in neighboring countries through the promotion of co-operation at national, regional and local levels among governments, NGOs, businesses, scientific institutions, communities and all other environmental stakeholders, in order: to develop a free exchange of experience and information; to increase public participation in the making of environmental policies and decisions that affect the environment; and to offer assistance to environmental NGOs and other stakeholders, thereby assisting Ukraine and other New Independent States in the further development of a democratic civil society and the achievement of a safe environment.**

Article 2

Basic Obligations of the Parties

- 1. The United States of America, as well as other Parties that may accede to this Agreement pursuant to Article 12, shall:**
 - (a) provide support to the REC-Kyiv, with support being subject to the availability of resources and appropriated funds;**
 - (b) assist the REC-Kyiv in broadening its international contacts, in obtaining necessary information, and in disseminating the results of the REC-Kyiv's activities outside Ukraine;**
 - (c) assist, when necessary and appropriate, in selecting foreign experts and involving them in the REC-Kyiv's activities; and**

2. Ukraine shall:

(a) ensure that the Regional Environmental Center in Kyiv (REC-Kyiv) is established as a legal entity under the laws of Ukraine;

(b) create the appropriate organizational conditions for the effective functioning of the REC-Kyiv, including providing the REC-Kyiv with office premises and communication channels; ownership of REC-Kyiv's office premises and all of REC-Kyiv's assets shall be vested in the REC-Kyiv;

(c) take all necessary measures to ensure the exemption from taxes, customs duties, and other fees of the funds, goods, and services that are provided to REC-Kyiv;

(d) provide the REC-Kyiv with relevant information necessary for its activity; in accordance with the legislation of Ukraine;

(e) assist in the implementation of the proposals of the REC-Kyiv; and

(f) ensure that REC-Kyiv staff members who are not nationals or permanent residents of Ukraine are provided with any necessary work permits or similar documents.

3. Each Party shall assign an executive agency responsible for fulfilling the terms of this Agreement.

Article 3

Activities of the REC-Kyiv

Each Party shall provide support for REC-Kyiv activities, which may include:

- 1) supporting initiatives aimed at solving concrete environmental problems;**
- 2) organizing, funding, and conducting studies, with the exception of basic research, of the current environmental problems in Ukraine and other New Independent States;**
- 3) providing venues for discussion of environmental issues and policy;**

- 4) promoting public participation in the decision-making process related to environmental issues;
- 5) supporting education, training and capacity building of environmental institutions, organizations and individuals and increasing environmental awareness;
- 6) providing grants, and participation with other RECs in developing a grants program for regional and transboundary projects;
- 7) disseminating information on issues of the environment, sustainable development, and the results of scientific research; facilitating access to existing national and international databases and developing new data bases; producing newsletters and other publications;
- 8) strengthening regional government and non-government co-operation; and
- 9) assisting Ukrainian participation in international environmental co-operation.

Article 4

Organization of the REC-Kyiv

1. The REC-Kyiv shall have a governing Board, an Executive Director, an advisory Forum, and shall have other officers and staff to perform such duties as may be necessary.
2. Each Party may only participate in the selection of the initial members of the governing Board in accordance with the applicable laws of that Party.

Article 5

Financial Supervision of the REC-Kyiv

1. A Party may make its provision of funds and other assets or property to the REC-Kyiv conditional upon the REC-Kyiv's supplying to that Party, upon request, information about the use of funds, assets and property to that Party's satisfaction.