

No. 14629

**UNITED STATES OF AMERICA
and
FEDERAL REPUBLIC OF GERMANY**

**Agreement on co-operation in environmental affairs. Signed
at Bonn on 9 May 1974**

Authentic texts: English and German.

Registered by the United States of America on 11 March 1976.

**ÉTATS-UNIS D'AMÉRIQUE
et
RÉPUBLIQUE FÉDÉRALE D'ALLEMAGNE**

**Accord de coopération dans le domaine de l'environnement.
Signé à Bonn le 9 mai 1974**

Textes authentiques : anglais et allemand.

Enregistré par les États-Unis d'Amérique le 11 mars 1976.

AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED STATES OF AMERICA AND THE GOVERNMENT OF THE FEDERAL REPUBLIC OF GERMANY ON COOPERATION IN ENVIRONMENTAL AFFAIRS

The Government of the United States of America and the Government of the Federal Republic of Germany;

Believing that:

- the national environment of each country as well as the global environment must be protected for the health and well-being of present and future generations;
- efficient industrialization and healthful urbanization require effective pollution abatement and control and environmental conservation policies and practices;
- cooperation between the two Governments is of mutual advantage in coping with similar problems in each country and is important in meeting each Government's responsibilities for the maintenance of the global environment;

Recognizing the importance of harmonious environmental policies and practices, particularly among industrialized states and groups of states, as well as the European Communities;

Acknowledging the significant mutual benefit being derived by both Governments from ongoing cooperation in various fields, including outer space research and technology, nuclear reactor safety research and development, biomedical and health services delivery research, and those covered by the United States-German cooperative program in natural resources, environmental pollution control and urban development (UGNR); and

Desiring to demonstrate the increase in importance attached by both Governments to cooperation in environmental affairs;

Agree as follows:

Article I. The Government of the United States of America and the Government of the Federal Republic of Germany—hereinafter referred to as Contracting Parties—through their appropriate agencies will maintain and enhance bilateral cooperation in the field of environmental affairs on the basis of equality, reciprocity and mutual benefit.

Article II. Cooperation may be undertaken in mutually agreed areas pertaining to environmental quality management, such as:

- A. pollution problems of mutual concern—their identification and study and assessment of relevant control technology and related health effects, for example:
 1. selected problems of water quality management, including such aspects as waste water treatment for industrial, municipal, and agricultural pollution, development of water standards, sludge disposal, mathematical modeling with a view toward future pollution prevention and reclamation of ground water;

¹ Came into force on 26 March 1975, i.e., one month from the date on which the Government of the Federal Republic of Germany had notified the Government of the United States of America (on 26 February 1975) that the necessary constitutional requirements had been fulfilled, in accordance with article X.

2. air pollution, including stationary and mobile sources, development of low pollution power systems, and related health effects;
 3. solid waste management and resource recovery;
 4. pesticides, toxic and other harmful substances;
 5. marine pollution;
 6. noise pollution;
 7. environmental effects of energy use, including extraction, conversion, transmission and consumption;
- B. assessment of environmental quality, including techniques of monitoring and surveillance;
- C. discussion of environmental policies, practices and organization;
- D. exchange of experience on the design and cooperation in the development of environmental information systems;
- E. training in environmental protection;
- F. environmental impact evaluations;
- G. consultations on international environmental policy issues; and
- H. other environmental protection and enhancement activities, as agreed.

Article III. The forms of cooperation to be undertaken as mutually agreed may include:

- A. meetings to discuss environmental policy issues, to identify projects which may be usefully undertaken on a cooperative basis and technical symposia and conferences;
- B. implementation of agreed cooperative projects;
- C. exchange of information and data on environmental research and development activities, policies, practices, legislation and regulations, and analysis of operating programs and evaluation of environmental impacts;
- D. visits by scientists, technicians, teachers or administrators on specific or general subjects; and
- E. coordination of specific research activities.

Article IV. The Contracting Parties will use their best efforts to harmonize to the maximum extent practicable their environmental policies and practices, and to promote broad international harmonization of effective measures to prevent and control environmental pollution. In these efforts, they will support steps to:

- A. arrive at internationally agreed scientific criteria, particularly those relating to human health;
- B. achieve agreement on levels of acceptable environmental quality;
- C. develop and disseminate information on best technology available to abate pollution and encourage widespread use of the best technology available for controlling pollution.

The Contracting Parties will use their best efforts to ensure that the cost of carrying out pollution prevention and control measures will be included in the cost of goods and services which cause pollution in production or consumption, and to prevent environmental protective measures being used as nontariff barriers to trade. Where trade distortions result from differences in the environmental practices and procedures of the two countries, the Contracting Parties will consult upon request with a view to mitigating such distortions.

Article V. Each Contracting Party will notify the other of the names of one or more Coordinators responsible for the conduct of its activities under this Agreement. Each Contracting Party may also identify such administrative arrangements as it deems desirable to permit its most effective participation in the various cooperative activities under this Agreement. By mutual agreement, specific cooperative activities may be confirmed by separate Agency-to-Agency arrangements. As mutually agreed, joint meetings of the Coordinators may be held to review current and future activities under this Agreement. Each Contracting Party will ensure for its part appropriate coordination among activities under this Agreement with other cooperative programs between the two Governments.

Article VI. Participants in the cooperative activities under this Agreement may include Government agencies, academic institutions, private economic enterprises, and citizen organizations.

Article VII. Scientific and technological information of a non-proprietary nature derived from the cooperative activities under this Agreement will be made available to the world scientific community through customary channels and in accordance with the normal procedures of the participating agencies. The disposition of patents, know-how, and other proprietary property derived from the cooperative activities under this Agreement will be provided for in detailed arrangements covering specific programs and projects.

Article VIII. Nothing in this Agreement shall be construed to prejudice other arrangements or future arrangements for cooperation between the Contracting Parties or with third parties.

Activities under this Agreement shall be subject to the availability of appropriated funds and to the applicable laws and regulations in each country. Unless otherwise agreed, each Contracting Party will bear the costs of its own participation in this Agreement.

Article IX. This Agreement shall also apply to Land Berlin unless the Government of the Federal Republic of Germany makes a contrary declaration to the Government of the United States of America within three months of the entry into force of the Agreement.

Article X. The present Agreement shall enter into force one month from the date on which the Government of the Federal Republic of Germany shall have notified the Government of the United States of America that the necessary constitutional requirements for such entry into force have been fulfilled, shall remain in force for five years, and be automatically renewed for a further five-year period unless either Party notifies the other three months prior to the expiration of the first five-year period of its desire that the Agreement be terminated. The termination of this Agreement shall not affect the validity of any arrangements made under this Agreement.

DONE at Bonn, in duplicate, in the English and German languages, both being equally authentic, this ninth day of May, 1974.

For the Government
of the United States of America:

[Signed — Signé]¹

[Signed — Signé]²

For the Government
of the Federal Republic
of Germany:

[Signed — Signé]³

[Signed — Signé]⁴

¹ Signed by Martin J. Hillenbrand—Signé par Martin J. Hillenbrand.

² Signed by Russell E. Train—Signé par Russell E. Train.

³ Signed by Karl Moersch—Signé par Karl Moersch.

⁴ Signed by Guenter Hartkopf—Signé par Guenter Hartkopf.