

Explanatory note by the Department of State: This draft Joint Statement on Environmental Cooperation has been negotiated in the context of, but is separate from, the U.S.-Morocco Free Trade Agreement. Because the draft Joint Statement has not been signed by the governments of the United States and Morocco, it remains subject to further revision and may not be relied upon as final text. This draft text is being released in view of the specific legislative framework underlying the U.S.-Morocco Free Trade Agreement ("FTA") and the relationship between that FTA and this draft Joint Statement, and should not be construed to serve as precedent for the release of any draft text of international treaties, agreements or other arrangements.

Draft United States-Morocco Joint Statement **on Environmental Cooperation**

1. The Government of the United States of America ("United States") and the Government of the Kingdom of Morocco ("Morocco") have a long history of cooperation in support of economic and social development in Morocco, including in the area of environmental protection.
2. Recognizing the importance of protecting the environment while promoting sustainable development in concert with the expanded bilateral trade and investment ties accompanying the U.S.-Morocco Free Trade Agreement ("FTA"), the United States and Morocco affirm their intent to pursue efforts to enhance bilateral environmental cooperation.
3. The Annex to this Joint Statement highlights areas of ongoing and future environmental cooperation in which the two governments will focus their efforts. As a concrete first step, the United States and Morocco are initiating a new program of cooperative activities aimed at further development and implementation of the Moroccan environmental protection framework.
4. The two governments may cooperate on environmental matters by:
 - a) Facilitating exchanges of professionals, technicians, and specialists, including study visits, to promote the development of environmental policies and standards;
 - b) Organizing joint conferences, seminars, workshops, meetings, training sessions and outreach and education programs;
 - c) Supporting collaborative projects and demonstrations, including pilot projects, small business projects, and joint research projects, studies and reports;

- d) Facilitating linkages among representatives of academia, industry, and government to promote the exchange of best practices and environmental information and data likely to be of interest to the two governments;
- e) Sharing information on national environmental programs; and
- f) Engaging in such other activities as the two governments consider appropriate.

5. To broaden and deepen effective cooperation on environmental issues, the United States and Morocco are establishing a Working Group on Environmental Cooperation (“Working Group”) comprised of government representatives appointed by the United States and Morocco. The governments intend that the Working Group will meet at least once a year, alternately in each country, and expect that the first meeting will take place at a location to be determined three months after the Joint Statement is signed.

6. The Working Group will endeavor to:

- a) develop a Plan of Action as described more fully in Paragraph 7 below;
- b) review and assess cooperative environmental activities undertaken pursuant to the Plan of Action and recommend ways to improve such cooperation;
- c) undertake such other activities as may seem appropriate to the governments.

7. The governments expect that the Working Group will devise, at its first meeting, a Plan of Action. In this Plan of Action, the Working Group should identify priority projects for environmental cooperation guided by the subject areas set forth in the Annex. Recognizing that the two governments may identify new cooperative priorities in the light of changing circumstances, the Working Group should update the Plan of Action as appropriate.

8. The governments recognize the obligations that each has undertaken under the environment chapter of the FTA and the role of the Joint Committee, or any subcommittee on environmental affairs established thereunder, in supervising the implementation of those provisions. The two governments look forward to the ways in which the work of the Joint Committee and of the Working Group can inform one another.

9. In conducting its work, this Working Group should consider any views and recommendations of the Joint Committee, or any relevant subcommittee that might be established under the FTA. Each government should also solicit, and take fully into account as appropriate, the views of the public with respect to the Plan of Action.

10. Each government is expected to name a Principal Coordinator to serve as an overall point of contact regarding the activities of the Working Group and implementation of the Plan of Action.

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11. The governments recognize the importance of making resources available to implement the cooperative environmental activities approved by the Working Group. All cooperative activities undertaken pursuant to the Working Group's Plan of Action are conditioned upon the availability of appropriated funds and are subject to the applicable laws and regulations of the United States and Morocco.

12. Meetings of the Working Group may be discontinued upon request of either government, which should notify the other government in writing six months in advance, or in such manner as may be acceptable to both governments. In this event, the governments would consult to determine any remaining action to be taken on cooperative activities included in the Plan of Action.

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[date, location].

ANNEX

AREAS FOR ENVIRONMENTAL COOPERATION

The following subject areas reflect priorities for environmental cooperation between the United States and Morocco. The aim of cooperative efforts in these areas is to improve Morocco's ability to protect the environment by building human and institutional capacity in management and conservation of natural resources.

Environmental Laws and Infrastructure

- *Strengthening the capacity to develop, implement, and enforce environmental laws and regulations.*
- *Expanding the base of Moroccan environmental expertise and improving the infrastructure for governance in environmental matters.*
- *Improving the public and private capacity to conduct environmental impact assessments in Morocco.*

Environmental Incentives/Voluntary Programs

- *As a complement to the enforcement of environmental laws and regulations, encouraging the development of incentives and voluntary mechanisms to contribute to the achievement and maintenance of high levels of environmental protection.*

Environmental Awareness Building

- *Promoting both the development of opportunities for public participation in environmental protection efforts and improving public access to information and access to justice on environmental issues.*
- *Promoting good domestic business practices leading to sustainable management of environment.*
- *Working together to promote joint environmental interests in regional or multilateral fora.*

Coastal Protection and Preservation of Fisheries

- *Protecting coastal environmental zones and estuaries and preventing the over-exploitation of fisheries resources.*

Conservation of Natural Resources and Protected Areas

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- *Safeguarding important natural resources, such as water, and protected areas in Morocco.*

Environmental Technology and Business

- *Promoting the growth of the environmental technology business sector.*
- *Improving the awareness of small- and medium-sized businesses of opportunities to access global markets through improved environmental technologies, practices, and techniques.*