

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE FEDERAL MINISTER OF AGRICULTURE, FORESTRY, ENVIRONMENT
AND WATER MANAGEMENT OF THE REPUBLIC OF AUSTRIA**

AND

**THE MINISTER OF NATIONAL DEVELOPMENT AND REFORM
COMMISSION OF THE PEOPLE'S REPUBLIC OF CHINA**

**REGARDING CO-OPERATION FOR THE REALISATION OF
PROJECTS UNDER THE CLEAN DEVELOPMENT MECHANISM**

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CLEAN DEVELOPMENT MECHANISM**

The Federal Minister of Agriculture, Forestry, Environment and Water Management of the Republic of Austria and the Minister of National Development and Reform Commission of the People's Republic of China, hereinafter referred to as Partners,

- Recalling that the People's Republic of China has approved the Kyoto Protocol in August 2002 and that the Republic of Austria has ratified the Kyoto Protocol in May 2002;
- In view of the recognition of the Kyoto Protocol's fundamental objective by the People's Republic of China and the Republic of Austria and their intention to implement it;
- Taking into account in particular Article 12 of the Kyoto Protocol including Decision 15/CP.7 and 17/CP.7 adopted at the Marrakesh Conference as well as future decisions of the Conference of the Parties of the UNFCCC concerning the implementation of this Article;
- Affirming their intention to undertake all efforts to promote sustainable development;
- Recalling existing co-operation and stressing the importance of enhanced co-operation in the field of environment;

have reached the following understanding:

1. Scope and Objective

1.1 The co-operation in the framework of this Memorandum will include support for realising projects under the Clean Development Mechanism in accordance with Article 12 of the Kyoto Protocol in the People's Republic of China through joint activities.

1.2 The Partners will facilitate the exchange of information on their climate change programmes and strategies, including programmes for the use of the Clean Development mechanism of the Kyoto Protocol.

1.3 The Partners will facilitate the development and implementation of CDM projects and assist interested project developers, e.g. through providing relevant information on project opportunities, on the relevant national provisions for such projects, including procedures for permitting and licensing, and on procedures for obtaining Letters of No Objection and formal approval for project activities in accordance with Art. 12.5 of the Kyoto Protocol.

2. Project Cycle

2.1 The project cycle will be based on the provisions of the Kyoto Protocol and all relevant COP and COP/MOP decisions and will follow requirements of the respective national programmes and guidelines of both Partners.

2.2 Baselines and monitoring plans will be established in accordance with the relevant COP and COP/MOP decisions and with guidelines of the CDM Executive Board.

2.3 The Partners will support international efforts for the elaboration and further development of methodologies for baseline setting and monitoring plans and for simplified modalities and procedures for small-scale projects.

3. Approval of the Projects by the People's Republic of China and the Republic of Austria

The Republic of Austria will acquire certified emission reductions from project activities provided that such project activities are in conformity with all relevant international rules and guidelines as well as with the criteria of the Austrian national programme for the CDM. The formal approval of the project by the People's Republic of China will be a necessary precondition for acquisitions of CERs under the Austrian CDM programme.

4. Project Types and Categories

4.1 This Memorandum concerns the following priority project categories in so far as the technical implementation of the projects corresponds to the current state of technical development:

- Construction (or retrofitting) of CHP installations;
- Fuel switch in energy conversion installations to renewable or from fuels with high carbon content to fuels with lower carbon content, in particular in existing distance-heating systems;
- Construction (or retrofitting) of power generation installations operated with renewables (in particular hydropower, wind power, biogas or biomass CHP);
- Projects leading to avoidance or (energetic) recovery of landfill gas;
- Waste management measures contributing to avoidance of greenhouse gas emissions in particular through energy recovery and use;
- Projects leading to reduction of final energy consumption in residential buildings, public and private services buildings as well as in industrial applications and processes (including waste heat potentials).

4.2 Projects not listed under paragraph 1 above will be eligible if the Partners decide jointly that this Memorandum also covers their realisation.

4.3 Projects will have overall positive impacts on the environment, economic and social development of the Republic of China.

4.4 Projects aiming at the construction or retrofitting of nuclear power plants are excluded under this Memorandum.

5. Co-ordination between the Partners

Concerning the management of projects, both Partners will authorise representatives to be responsible for the operative representation of the respective Partners and to function as direct contact points in all matters concerning the implementation of this Memorandum.

6. Final Provisions

This Memorandum will take effect on the day of signature. Amendments and supplements require written form.

This Memorandum is executed in two originals in the English and Chinese language signed at New York on 28 April 2004.

Josef PRÖLL

Liu Jiang

Federal Minister of Agriculture,
Forestry, Environment and Water
Management of the Republic of Austria

Minister and Vice Chairman of National
Development and Reform Commission,
People's Republic of China