

PARTNERSHIP AGREEMENT

By and between

The European Environment Agency, (hereinafter referred to as “EEA”) established in Denmark, Kongens Nytorv 6 – 1050 Copenhagen K and represented for the purposes of signature of this partnership agreement by Prof. **Jaqueline McGlade, Executive Director**, on the one part,

AND

The Permanent Secretariat of the Alpine Convention (hereinafter referred to as “PSAC”) based at Herzog Friedrich Straße 15 – 6020 Innsbruck and at viale Druso/Drususalee 1 – 39100 Bolzano/Bozen, and represented for the purposes of signature of this partnership agreement by **Mr Marco Onida, Secretary General**, on the other part,

Collectively “the parties” and each individually identified as “party” for purposes of this agreement,

Whereas

The EEA is an organisation of the European Union governed by Regulation (EC) 401/2009 of the European Parliament and of the Council of 23 April 2009 (OJ L 126/13, 21.5.2009), whose mission is to provide objective, reliable and comparable data on the environment. The EEA has set targets to ensure that all those involved in the creation, adoption, implementation and evaluation of environmental policies, as well as the general public, are adequately informed of the situation and the future of the environment. The EEA also provides the independent scientific and technical support necessary to protect and improve the environment, as established in the Treaty on the Functioning of the European Union and successive Community action programmes on the environment and sustainable development. The EEA cooperates with government bodies and agencies, especially through EIONET, i.e. the European Environmental Information and Observation Network, international Conventions, United Nation Agencies, the scientific Community, the private sector and civil society.

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The Alpine Convention is an international Treaty between Austria, France, Germany, Italy, Liechtenstein, Monaco, Slovenia, Switzerland and the European Union, open to signature on 7th November 1991 and in force since 6th March 1995, its goal being an Alpine region where a sustainable economy prospers and mountain cultures, landscape and wild nature are safeguarded. It therefore sets out instruments for the implementation of the only existing institutionalized and comprehensive strategy for the sustainable development of the alpine area.

The Permanent Secretariat of the Alpine Convention (PSAC) is an international organisation set up by Decision VII/2 of 19 November 2002 of the Conference of the Parties of the Alpine Convention (Alpine Conference). Its mission is to support the bodies established by the Alpine Convention, in particular through the coordination of research activities, observation and information related to the Alps, public relations, content-related, logistical and administrative support. In fulfilling its duties, the PSAC cooperates with government bodies and agencies, international Conventions, United Nation Agencies, the scientific Community, the private sector and civil society.

The Alps make up one of the largest natural spaces of Europe, yet are also the home and workplace of 14 million people and the holiday destination of some 120 million guests each year. Mountainous and distinct, the region is nevertheless of immense importance to the populations of the surrounding plains – a primary source of water, hydropower and natural products including timber, and high-quality food. Equally important, is the value of such beautiful landscape and its rich biodiversity to the well-being of Europe's citizens and its eco-system. At the same time the Alps represent a laboratory and an early warning system for the management of long term structural and climate changes in such a way as to bring about sustainable development to the benefit of not only the people of the Alpine region but also their neighbours on the plains.

The cooperation between the EEA, including its topic centers, and the Alpine Convention has been intensified in the last two years in order to exploit and create synergies in light of the similar tasks as well as similar means to fulfil the respective missions in the geographical area of the Alps. Without expecting any of the parties to go beyond its own capacities and resources, it appears that cooperation and mutual contributions (e.g. in the form of texts and other written inputs or in the framework of events of common interest) is beneficial for improving the quality of the work of both institutions. The EU being a Contracting Party to the Alpine Convention, it is understood this cooperation through the EEA will also promote the implementation of EU policies in the Alps.

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As regards the observation and information activities, the EEA collects and harmonizes national data and in doing this, it is supported by the EIONET network according to the obligations arising from the relevant EU Directives and Regulations. This includes the interpretation of data and qualitative analysis which serve for reports and policy decisions. The Alpine Convention assigned the task of environmental observation and information to its Permanent Secretariat, although the competence for data collection and validation remains with the Alpine Convention Contracting Parties and the interpretation of data is carried out by international groups of experts appointed by the Contracting Parties and including the official observers to the Alpine Convention. The manifold, growing and broad topics which are relevant for the Alpine Convention and the resulting ambitious set of indicators identified as well as the necessity to regularly update the existing datasets makes the cooperation with institutions and processes where European data flows takes already place (e.g EIONET) crucial.

Taking this into account, the Parties have agreed as follows:

Article 1: Cooperation aims

This partnership agreement is to determine the cooperation conditions between the EEA and the PSAC regarding the sharing of resources and tasks related to observation and information in the Alps such as:

- Creation of expert networks and other partnerships and tools for the exchange of information,
- Data flow, gathering and assessment of data,
- Compilation of reports, production of studies and publications,
- Organisation of events,
- Set-up of electronic communication tools (such as web pages) and databases as well as sharing and diffusing data.

To this end, the Parties agree to cooperate in particular in the following areas:

1.1 Data Flow

Promotion of links with institutions and framework cooperations in processes where European data flows takes already place (e.g EIONET). The EEA shall make data which are relevant for the thematic work of the Alpine Convention available while the Alpine Convention shall contribute to the interpretation of the relevant data for the alpine area and facilitate the gathering of experts and the implementation of communication initiatives in the alpine area. The EEA

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will then compare and integrate the results of environmental observation by the Alpine Convention in larger analysis of European trends.

1.2 Institutional cooperation

The Parties agree to reinforce the mutual participation in ongoing processes as appropriate and on the basis of the available resources, as for example in:

- Establishment of the European Clearinghouse Mechanism on Adaptation (CHM)
- Development of SEIS and related activities (SENSE, Eye on Earth etc.)
- Reporting of the EEA to the EU (environmental analysis and interpretation of environmental state in Europe and possible future contributions about the state of environment of the Alps in relation to relevant policies and legislation)
- Cooperation with all relevant ETCs
- Research and observation activities by the Working Groups and Platforms of the Alpine Convention.

1.3 Coordination with the Alpine Convention as a Regional Node for mountain areas for the activities of the EEA.

Since the Alps are being used as mountain reference area in the EEA mountain-oriented reports, the consideration by the EEA of the tasks of the Permanent Secretariat of the Alpine Convention concerning environmental observation and research in the direction of a "Regional mountain node" would contribute to the European discussions, by helping interpret data for the Alpine area, collecting additional data and information at regional and local level as well as developing qualitative analysis.

The PSAC shall therefore, based on the activity of the thematic Working Groups and Platforms, which implement the Multiannual Work Program of the Alpine Convention, systematically share with the EEA the gathered validated data and analysis of cross-border trends.

Article 2: Practical arrangements for cooperation

The Parties undertake to mobilise their technical teams from 2012 on with a view to a fruitful operational implementation of this cooperation.

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A Work Plan relating to the priority thematic areas of cooperation in 2012 and 2013 is annexed. The Parties agree to jointly discuss and agree, in accordance with the provisions of Article 6, on a Work Plan every two years.

The cooperation carried out in the frame of this partnership agreement does not involve exchange of funding, either in the form of reimbursement or contributions of funds, between the parties. Any endeavour involving reimbursement or contribution of funds between the parties shall be handled in accordance with applicable laws, regulations and procedures. Such endeavours will be outlined in separate agreement that shall be made in writing and signed by the duly authorised legal representative of both parties.

Article 3: Liability and intellectual property

Each of the Parties will:

- Be responsible for the validity of the information provided by it.
- Retain ownership of its work.

Notwithstanding the above, any results or information generated or obtained within the framework of the cooperation will be jointly owned by the Parties, unless specified otherwise in separate written agreements.

Article 4: Confidentiality

The Parties undertake to treat any information or documents provided to them as confidential, including any whose disclosure might be detrimental to the other party, unless their contents:

- Are legitimately in the public domain through the intervention of third parties, or via any legal activities, without relevance to the present Partnership Agreement;
- Were provided to the disclosing Party by a third party that imposed no confidentiality restriction;
- Form part of the state of knowledge available at the time of publication and/or communication;
- Are already in the possession of the recipient at the time of publication and/or communication.

Confidentiality of information exchanged under this Partnership Agreement will be maintained for a period of two years from its completion or that of any other separate written agreement resulting from it.

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Article 5: Duration and termination

The Partnership Agreement will enter into force when signed by the last Party. It will remain in effect unless one Party informs the other in writing of its wish to terminate it. In this case the Partnership Agreement will cease its effects three months after the notification of the intention to terminate it.

Article 6: Additional annex and Work Plan

Any amendment to this Partnership Agreement including its annexes shall be subject to a supplementary agreement that shall be made in writing and signed by the duly authorised legal representative of each Party.

Article 7: General provisions

7.1: A Party may not transfer the rights and obligations arising from this Partnership Agreement in whole or in part without the prior written permission of the other Party.

7.2: If any provision in this Partnership Agreement is invalid, or becomes so in the future, its invalidity will not affect the rest of the provisions in the Partnership Agreement in whole or in part. The Parties undertake to replace the invalid provision with a valid one, whose object is as close as possible to that of the invalid provision it replaces.

7.3: The Parties will endeavour to amicably resolve any dispute that may arise as a result of the interpretation or execution of this Partnership Agreement. Any attempt at an amicable resolution will be deemed as unsuccessful if one of the Parties informs the other party as such in writing.

Article 8: Annexes

The following annex forms an integral part of this partnership agreement:

- Work plan for the years 2012-2013

The terms set out in the partnership agreement shall take precedence over those in the annex.


Subject to the above, the terms of the partnership agreement and those of the annex are to be taken as mutually explanatory. Ambiguities or discrepancies within or between such parts of the agreement shall be explained or rectified in accordance with the provisions of Article 6.

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Signature

For the European Environment Agency
Prof. Jacqueline McGlade,
Executive Director

For the Permanent Secretariat of the
Alpine Convention,
Mr Marco Onida
Secretary General

Signature: 

Done at Copenhagen, on
7th March 2012

Signature: 

Done at Innsbruck, on
12th March 2012

Issued in English language only, in two copies.

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Work Plan for the years 2012-2013

For the present Work Plan of common interest, the following general objectives have been identified:

1. Regular sharing of information and experiences
2. Enhance interoperability of environmental observation in the Alps with the European level, such as coordination with SES/GMES and GISC. This implies that the PSAC would strive to adapt to EEA's standards on data.
3. Cooperation for input to the different activities of both partners, according to the relevance of the topics addressed.

To reach the mentioned objectives, the following activities are planned:

I. Joint efforts to:

- Streamline data gathering:
 - o identification of data needs of the Alpine Convention from European level for the forth Report on the State of the Alps on sustainable tourism,
 - o filling gaps of data and formulation of metadata as well of strategies on how to adapt statistics and data collection at alpine level accordingly,
 - o follow-up to the recommendations of the third Report on the States of the Alps on sustainable rural development and innovation.
- Develop appropriate assessment methods
- Disseminate results

II. Networking, partnership building and support activities: exchange between the relevant European Topic Centres (ETC) of the EEA and the PSAC. A first phase of ad hoc cooperation could evolve into an institutionalised cooperation if the role of the PSAC as a regional mountain node is developed.

Priorities of the joint Work Plan 2012 and 2013

The setting of priorities serves primarily the purpose of avoiding as much as possible unplanned ad-hoc requests, which are difficult to fulfil. In this context, the following priorities are jointly agreed for the period 2012-2013.

1. Drafting of the forth Report on the States of the Alps (RSA4). In particular, development of relevant indicators on tourism in the Alps.
2. Climate Change: Monitoring of Climate Action Plan (mapping vulnerabilities: adaptation options, generic view, regional strategies, good practices and case studies; reflections towards carbon neutrality, climate change indicators and indicators for climate mitigation in the Alps etc.) and contributions to the European Clearinghouse Mechanism on Adaptation (CHM) through, for instance, climate portal and relevant Working Groups.
This in particular relevant for the update of the 2008 EEA Climate report "Impacts of Europe's changing climate – 2008 indicator-based assessment" (involvement PLANALP - Alpine Convention Platform on Natural Risks).
3. River basins and catchments: develop catchments as reference system, management plans of alpine relevance, monitoring (Climate Change effects, management of reservoirs, application of the Water Framework Directive, Guidelines for Small Hydropower). This is in particular relevant for the 2012 EEA Report on Freshwater:

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- input by the Alpine Convention on small hydropower and review of river basin management plans; impact assessment of SHP on environment, economy and society
4. Cooperation in the framework of an international Conference on soil protection organised by DG ENV, the Alpine Convention and the Austrian UBA in Spring 2012. This is particularly relevant in the context of:
 - the EU Soil strategy and 2006 proposal for a framework directive on soil;
 - the implementation of the recommendations of the Xth Alpine Conference based on the Report of the Alpine Convention Compliance Committee of the Alpine Convention
 5. Depending on the topic which will be chosen by the September 2012 Alpine Conference, cooperation in the drafting of the Fifth Report on the State of the Alps.