



MEMORANDUM OF UNDERSTANDING (MOU)

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Between

The Government of Cook Islands, herein represented by the National Environment Service (NES)

and

The Secretariat of the Pacific Regional Environment Programme (SPREP)

(Together, "the Parties")

The Government of Cook Islands through its National Environment Service (NES) have joined 7 other Pacific Island Countries in participating in the Minamata Initial Assessment (MIA) project as part of its preparation on becoming a party to the Minamata Convention on Mercury. The Project is implemented by the UN Environment Programme (UNEP), and executed regionally in the Pacific by the Secretariat of the Pacific Regional Environment Programme (SPREP).

UNEP is an agency of United Nations and coordinates its environmental activities, assisting developing countries in implementing environmentally sound policies and practices. As Implementing Agency, and in accordance with the GEF Instrument, UNEP is accountable to the GEF Council for GEF-financed activities and in ensuring these activities are carried out in accordance with GEF policies, criteria, and procedures. The MIA project is a GEF-financed project.

The **NES** is mandated to protect and manage the natural environment of **Cook Islands** to support sustainable development while simultaneously, contributing to enhancing human health. This is an important basis for achieving a sustainable balance between the country's economy and its natural environment. Improved and enhanced coordination of all international and regional environmental programs and activities on these, is critical.

SPREP is a regional, intergovernmental organisation comprising 26 members consisting of 21 Pacific Island Countries and Territories and five developed countries with direct interests in the Pacific region. The purposes of SPREP are to promote co-operation in the Pacific region and to provide assistance to protect and improve its environment and to ensure sustainable development for present and future generations.

This Memorandum of Understanding ("MOU") between SPREP and the NES is to reaffirm all parties' commitment to continue the work agreed to and covered under the MIA project. Included in this work is facilitation of monitoring, facilitating and usage of funds allocated by GEF through UNEP to NES.

SPREP and NES have mutual interests in relation to the protection and management of the environment and developing and strengthening systems, institutions, organizations, and individuals concerned with environmental protection and management in the Pacific region.

The Parties have reached the following understandings:

1. Objectives

1. The main objective of this Memorandum of Understanding (MOU) is to provide a framework of co-operation between SPREP and NES in relation to the Pacific Minamata Initial Assessment Project
2. The MOU also sets out the roles and responsibilities of each party linked to ensuring the successful execution of the project activities detailed in the work plan as attached in Annex 1 to this MOU

2. Collaborative Activities

The Parties agree, to the extent possible, but without limitation, to:

1. Nominate Focal Points to coordinate the cooperation called for in this MOU.
2. Consult each other on a monthly basis on the execution of this MOU and the record of monthly meetings to be circulated by SPREP.
3. Finalize and submit authorized and verified quarterly expenditure and narrative reports to UNEP.
4. Collaborate and support awareness-raising efforts in relation to the management of mercury.
5. Collaborate and support capacity-building initiatives in relation to the management of mercury.
6. Collaborate and support data collection.
7. Keep all stakeholders informed on co-operative activities undertaken pursuant to this MOU.

3. Roles and responsibilities

Now, therefore, it is hereby agreed by and between both parties that:

1. NES will undertake the following:
 - NES will be the national operational focal point for planning, coordinating, and implementing activities of the project in the Cook Islands.
 - NES will nominate a suitable point of contact for the purpose of coordinating the responsibilities of NES under this MOU

- NES will convene and chair a Steering Committee for the purpose of guiding the implementation of the national elements of the project in Cook Islands.
- NES will recruit a National Project Coordinator, a Legal Consultant and Data Expert to execute activities specified in their terms of references.
- NES will provide on the ground support and to facilitate the work of the international consultant during its visits to Cook Islands.
- NES will implement other relevant activities that are specified in the Annual Work Plan jointly developed by both Parties. Such activities include workshops and meetings.
- NES will send signed progress and expenditures to SPREP on a quarterly basis.

2. SPREP will undertake the following:

- SPREP will recruit an International Consultant to undertake activities specified in the work plan.
- SPREP will draft Terms of References for a National Project Coordinator, National Legal Consultant and a Data Collector.
- SPREP will provide funds to enable NES to recruit a National Project Coordinator, National Legal Consultant and a Data Expert and cover the additional costs related to their work as specified in the budget attached.
- SPREP acknowledges the total budget allocation for Cook Islands at USD 39,500 and had since already transferred USD 22,500.
- SPREP will facilitate transferring of remaining balance of USD 17,000 to NES for carrying out activities detailed in the Budget.
- SPREP will review CVs and credentials of applicants applying to national consultants' roles before recruitment by NES. SPREP will also validate the recruitment of consultants.
- SPREP will provide technical support to NES to implement the project through the engagement of an international consultant.
- SPREP will review the training provided by the international consultant to ensure it meets the requirements of the project.
- SPREP will validate the agenda of each visit by the international consultant before the commencement of visits.

4. Annexes

1. Annex 1 provides the detailed work plan for the parties in this MOU.
2. Annex 2 provide the detailed budget

These Annex shall form an integral part of this MOU and unless expressly provided otherwise, a reference to this MOU includes a reference on any such Annex.

5. Duration, entry into force, amendments and termination

1. This MOU shall be valid until 31st December 2021, renewable for such further period may be agreed between Parties.

2. This MOU may be amended by agreement in writing between the Parties.
3. This MOU will enter into force on the date the last Party signs.
4. Either Party may terminate this MOU by giving three months written notice to the other.



Mr. Kosi Latu
Director General
SPREP

Date: 1 / 7 / 2020



Mr Ngatokotoru Puna
Director
National Environment Service
Government of Cook Islands

Date: 1 / 7 / 2020

Pacific Minamata Initial Assessment Project #9187

BUDGET ALLOCATION

Participating country name: COOK ISLANDS

Title of the approved project: Pacific Minamata Initial Assessment Project #9187

Completion Date: 31 December 2021

Total Budget allocated: USD 39,500

Cumulative amount already transferred from SPREP to the country as of 30th April 2020: USD 22,500 Remaining Balance with SPREP : USD 17,000

Components	Activities/Outputs	Milestones	Allocate Budget Amount	Expenditures Incurred	Comments
1. Establishment of a Coordinating Mechanism	1.1. Organize a Regional and five National Inception Workshops to raise awareness and to define the scope and objective of the MIA process	Organize national inception workshops and report back to SPREP.	\$ 2,000.00	\$980.96	
	1.2. Conduct a national assessment on existing sources of information (studies), compile and make them available	Recruit national consultants in consultation with SPREP: National Project Co-ordinator (NPC), Legal Consultant (LC), Data Expert (DE)	NPC - \$20,000, 10 months LC - \$2,500, 10 days DE - \$5,000, 20 days		
2. Initiation of the MIA Process through an Inception Meeting in each of the five countries (including review of the Institutional Gap Analysis-IGA and the Legislative Gap Analysis-LGA- needs)	2.1. Assess key national stakeholders, their roles in mercury management and institutional interest and capacities	- Legal consultant will do the assessments under the guidance of the NPC. - NPC will draft the final report.	\$ 1,000.00		
	2.2. Analyse the regulatory framework, identify gaps and assess the regulatory reforms needed for the ratification and early implementation of the Minamata Convention in participating countries	- Legal consultant will do the assessments under the guidance of the NPC. - NPC will draft the final report.	\$ 2,000.00		
3. UNEP's Toolkit spreadsheet presented at Inventory Training in each country (with follow up off-site efforts to collect Bg data and development of LGA and IGA Reports)	3.1. Develop a qualitative and quantitative inventory of all mercury sources and releases	- Data collector will follow the training delivered by BRI and will do the quantitative and qualitative inventory of all mercury sources and releases under the guidance of the NPC. - NPC writes the draft mercury inventory report that will be validated by BRI.	\$ 2,000.00		
	3.2. Develop a national strategy to identify and assess mercury contaminated sites	- NPC develops the strategy with the guidance of BRI.			
4. Strategy for identification and assessment of mercury contaminated sites (as well as fish, hair and cosmetics sampling as in-kind support by BRI)- which contributes to the identification of challenges, needs and opportunities	4.1. Conduct a national and sectoral assessment on challenges and opportunities to implement the Convention in key priority sectors	- Address BRI's comments to the MIA report. - Identify the challenges, needs and opportunities to implement the Minamata Convention on Mercury.			
	4.2. Develop a report on recommendations to implement the Convention.	- NPC's write the reports.			
5. Final National Mercury Profile and Minamata Initial Assessment Report	5.1. Draft and validate MIA Report	- draft the final MIA report			
	5.2. Develop a national MIA dissemination and outreach strategy	- NPC organise a final validation and awareness raising workshop in each country.	\$ 5,000.00		
TOTAL			\$ 39,500.00		

Signature of a duly Authorized officer:

Name: Mr Ngatokotoru Puna
Position: Director National Environment Service
Date:

1 / 7 / 2020

