

Joint Declaration

on

Cooperation in the Field of Research on Offshore Wind Energy Deployment

I.

The participating Governments (hereinafter referred to as “the Governments”)

1. recall the Joint Declaration signed between the Kingdom of Denmark and the Federal Republic of Germany on 10 September 2005 as the origin of the hereafter declared cooperation in the field of research on offshore wind energy deployment,
2. refer
 - a) in general to the conclusions and recommendations of the “Berlin Declaration” from the European Policy Workshop on Offshore Wind Power Deployment held under the German Presidency of the European Council in February 2007 in Berlin,
 - b) in particular to conclusion N°37 in the section on “Environmental Impacts” of the “Berlin Declaration” where the idea of expanding the Danish-German cooperation on research to other interested states was expressed,
3. emphasise
 - a) that the deployment of wind energy in the European Seas is considered as an important renewable energy resource with high potential in the future especially in the context of climate protection,
 - b) the necessity of a sustainable, nature- and environment friendly extension of Offshore Wind Energy Deployment to assure its enduring technical, economical and social development,
4. underline their cooperativeness
 - a) to exchange ideas, information, data and experiences on the atmospheric and marine environment in the European Seas relevant for Offshore Wind Energy Deployment, on the marine ecosystems and their interaction with technical systems for Offshore Wind Energy Deployment and on measures to detect, reduce and mitigate such possible influences on ecosystems,
 - b) to collaborate on integration of large amounts of offshore wind energy into the electrical system and to study the concerted development of offshore grids in the adjacent seas as for example the Baltic Sea and the North Sea, as well as

collaboration in technical related aspects of Offshore Wind Energy Deployment as far as the competition on the markets is not affected,

5. express therefore their wish and will to strengthen the cooperation in these areas, the transfer of knowledge and the exchange of information and to support joint projects proposed by interested bodies in the states.

II.

The Governments share the view,

1. that a joint committee should be established
 - a) dealing with topics of joint interest in the fields of basic technical related research for Offshore Wind Energy Deployment and with environmental aspects concerning a sustainable expansion of Offshore Wind Energy Deployment and
 - b) supporting the cooperation in these fields and the exchange of information,
2. that each Government could nominate two members of the joint committee overlooking the areas of technological research, environmental aspects and general development of Offshore Wind Energy Deployment in their states,
3. that the chair of the joint committee alternates biannually between the Governments according to their date of accession to this cooperation and that the chair should hold the following responsibilities
 - a) exercise the coordinating functions for the Cooperation in the Field of Research on Offshore Wind Energy Deployment on the basis of this Joint Declaration
 - b) keep the original copy of this Joint Declaration with the original signatures of the Governments and provide for the first period or for new participants every Government with a certified true copy of the original bearing all the signatures,
 - c) organise meetings of the joint committee in general once a year, and
 - d) send invitations for the meetings, draft agendas, collect all written materials from the participants and distribute it two weeks prior to the meetings,
4. that information about the cooperation, the declaration document and the national contacts should be published by each Government,
5. that working groups could be established, topical expert meetings and workshops held if it is agreed as essential by the joint committee,
6. that the joint committee could give recommendations to the Governments to support activities in research between at least two parties if identified as essential for the Offshore Wind Energy Deployment,

7. that the joint committee could concentrate its meetings on the following topics:
 - a) exchange of basic information on Offshore Wind Energy Deployment in the Governments' countries,
 - b) information on research needs, ongoing research projects and their results,
 - c) identification of research topics of common interest and proposal of joint activities,
 - d) evaluation of proposals for common research,
 - e) evaluation of results of joint projects,
8. that research areas of common interest could be:
 - a) measuring of basic parameters as wind velocities, wave characteristics and mechanical loads at offshore locations,
 - b) models for the prediction of offshore wind energy production in the North Sea and the Baltic Sea on the basis of wind data available in the states,
 - c) methods for the optimisation of offshore foundations,
 - d) test of new technologies for the detection and observation of bird collisions,
 - e) sound pressure measurements during construction activities of offshore wind farms and practical tests of new mitigation technologies,
 - f) environmental investigations, for example concerning marine mammals and birds,
 - g) assessing of cumulative impacts and best practice approaches
 - h) ship traffic analyses in the relevant sea areas,
 - i) safety concepts for the operation of offshore wind farms for instance in case of disasters as ship collision or emission of poisons (oil),
 - j) data exchange in the field of external conditions and environmental aspects so far no private interests of companies or institutes involved are affected,
9. that joint projects can be initiated under this declaration if at least two of the Governments agree to collaborate on such an activity,
10. that considering the different situations in the states priorities could be defined by the joint committee.

III.

Each Government is ready to secure,

1. that information exchanged in the frame of this declaration will be treated as confidential if it is considered as especially sensitive by one of the Governments,
2. that intellectual property rights, appearing as a result of the cooperation, will be legally protected according to its national legislation.

IV.

The Governments share the view,

1. that joint projects under this declaration should be executed mainly by research institutes or industrial research facilities from the states represented by the Governments,
2. that, as far as no other joint decision is made, each of the Governments under this declaration should bear for the costs of their national research partners involved in a cooperation,
3. that results of common projects should be made available to the full extent and under equal conditions to each of the Governments that participated in a joint project.

V.

1. The Governments express the hope that other states might wish to participate in this Cooperation in the Field of Research on Offshore Wind Energy Deployment by signing this Joint Declaration.
2. The Governments share the view that other governments could join this declaration by the following procedure:
 - a) An interested government willing to join this declaration should express its intention in a letter to the Government that has the chair. The letters must refer to this declaration and express that the content of this declaration is fully acknowledged.
 - b) The Government that has the chair in the coordinating capacity pursuant to section II should put the request to the joint committee for decision. The members of the joint committee have twelve weeks to perform the necessary coordination within the Governmental bodies to come to a decision and send an answer in writing to the Government that has the chair.
 - c) The Government that has the chair in the coordinating capacity pursuant to section II then replies in letters either with a letter containing an acceptance or a refusal. The accepting letter should include a copy of this joint declaration containing an appendix for signature by the interested Government. In case of refusal, there is no necessity to give a reason.

- d) If all Governments have agreed that the interested government joins the cooperation it becomes a member under this Joint Declaration after it has signed the appendix of the copy of this joint declaration and sent it to the Government that has the chair. The latter will send in the coordinating capacity pursuant to section II certified true copies of the appendix to all Governments concerned.

VI.

The Governments share the understanding

1. that this Joint Declaration is not intended to give rise to any rights or duties under international law among the Governments,
2. that this Joint Declaration may be amended or supplemented by mutual consent of all Governments in writing at any time,
3. that any disagreement regarding the implementation of this cooperation on the basis of this Joint Declaration should be resolved by mutual consent of all the Governments.

VII.

Finally, the Governments share the understanding

1. that cooperation on the basis of this Joint Declaration should commence for each Government on the date of signature thereof,
2. that the cooperation on the basis of this Joint Declaration should continue as long as at least two governments are a member under this Joint Declaration,
3. that any Government may terminate cooperation under this Joint Declaration by informing the Government that has the chair in writing, at least one month in advance, of its intention to terminate cooperation under this Joint Declaration,
4. that the Government that has the chair in the coordinating capacity pursuant to section II should provide all other Governments with a certified true copy of this letter voicing the Partner's intention to terminate cooperation under this Joint Declaration.

This Joint Declaration is signed in one single copy in the English language.

Appendix 1

Berlin, 4th December 2007

For the government of the Kingdom of Denmark,

Appendix 2

Berlin, 4th December 2007

For the government of the Federal Republic of Germany

Appendix 3

Berlin, 4th December 2007

For the government of the Kingdom of Sweden,