

Memorandum of Understanding

on Energy Cooperation

between

the Federal Republic of Germany

and

the Federal Republic of Nigeria

I.

1. The Federal Republic of Germany and the Federal Republic of Nigeria express their shared desire to contribute towards more intensive contacts
  - between the Federal Republic of Germany and the Federal Republic of Nigeria,
  - and in particular between their citizens, as well as
  - between businesses and entrepreneurs in the two countries.
  
2. The two sides are convinced that the energy partnership provides an appropriate framework for shaping bilateral energy relations within the EU-Africa Strategic Partnership.
  
3. The two sides underline their shared objective of guaranteeing a secure and sustainable energy supply and use, and therefore declare their intention, within the scope of their legal, financial and de facto options, to promote and consolidate the energy cooperation between the Federal Republic of Germany and the Federal Republic of Nigeria on the basis of
  - the bilateral international treaties in force between the two countries, in particular the Treaty of 28 March 2000 concerning the Encouragement and Reciprocal Protection of Investments, as well as
  - the multilateral international treaties in force for the Federal Republic of Germany and/or the Federal Republic of Nigeria,in the following manner.

II.

1. The two sides consider the following to be the focuses of a deeper energy cooperation:
  - a) general energy policy,
  - b) exploration for and production of energy sources,
  - c) energy security,
  - d) energy infrastructure,
  - e) energy efficiency,
  - f) renewables,
  - g) the Kyoto Protocol's Clean Development Mechanism (CDM),
  - h) vocational training in the energy sector.

2. The two sides agree that other areas could also prove suitable for inclusion in the desired deeper energy cooperation.

### III.

1. The two sides emphasize that, among others, the following measures aimed at implementing the desired deeper energy cooperation could be particularly suitable:
  - a) work programmes between the two sides and agreements concluded by institutions and businesses in the two countries on specific cooperation projects;
  - b) visits to the other country by official representatives of the two countries, as well as by representatives of their public and private economic sectors;
  - c) promotion of and participation in events, trade fairs, conferences and seminars organized in the Federal Republic of Germany and/or the Federal Republic of Nigeria;
  - d) exchange of information on the protection and sustainable use of natural resources within the framework of the legal provisions applicable in the Federal Republic of Germany and/or the Federal Republic of Nigeria;
  - e) exchange of information on general and project-specific issues regarding the application of the CDM and timely examination of project proposals' CDM suitability.
2. The two sides declare their willingness to include the trade and investment promotion instruments used by each side in their desired deeper energy cooperation.
3. The two sides underline that it is vital for that intensified cooperation that their mutual investments be promoted and protected in line with the bilateral and multilateral treaties and agreements in force for one or the other side.
4. The two sides emphasize that it is essential for that deeper cooperation that all cooperation parties, particularly as regards transfer of technical knowledge and technical information,
  - adhere to the legal provisions in force for each side concerning the protection of intellectual property;
  - adhere to the respective national foreign trade and payments legislation in force for each side; and

- apply and comply with the international obligations pertaining to each side concerning foreign trade and payments law.

5. The two sides agree that

- a) should costs be incurred under this cooperation, they intend to bear these costs themselves, and that
- b) costs incurred in connection with projects, in particular support or advisory services, are to be borne by the side requesting the implementation of that project, unless both sides come to a different arrangement in each individual case.

#### IV.

The two sides make it clear that cooperation based on this Memorandum of Understanding shall not prejudice the rights and duties of each side arising from legally binding international-law agreements.

#### V.

Finally, the two sides agree that

1. cooperation based on this Memorandum of Understanding should begin upon its signature,
2. cooperation should be continued for a period of five years and may be extended by mutual agreement,
3. energy project activities already implemented or approved by the two sides should not be affected by the termination of cooperation based on this Memorandum of Understanding, or should be continued for as long as the two sides consider it to be useful,
4. amendments, in writing, to this Memorandum of Understanding shall be possible at any time by mutual agreement.

This Memorandum of Understanding is signed in duplicate in the German and English languages.

Abuja,

For the  
Federal Republic of Germany

For the  
Federal Republic of Nigeria