

MEMORANDUM OF UNDERSTANDING (MoU)
BETWEEN
THE MINISTER FOR ENVIRONMENT OF THE FLEMISH REGION
AND
THE FEDERAL MINISTER FOR THE NORTH SEA OF BELGIUM
AND
THE MINISTER FOR CLIMATE, ENERGY AND UTILITIES OF DENMARK
ON CROSS BORDER TRANSPORTATION OF CO₂ WITH THE PURPOSE OF
PERMANENT GEOLOGICAL STORAGE

The Minister for Environment of the Flemish Region, the Federal Minister for the North Sea of Belgium, and the Minister for Climate, Energy and Utilities of Denmark (hereinafter referred to individually as a "Participant" and collectively as the "Participants");

Bearing in mind the MoU between the Participants on cooperation on carbon capture utilisation and storage (CCUS), particularly section 2b on the intent of the Participants to consider and prepare a bilateral agreement or arrangement between the Participants enabling cross-border transportation and storage of CO₂;

Have reached the following understanding:

Section 1 – Scope

This MoU is an arrangement in the sense of Article 6 paragraph 2 of the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972, as amended by Resolution LP. 3(4). Any definitions used should be understood as they are understood in the context of the London Protocol and applicable European Union law.

This MoU applies to cross border transportation of CO₂ between the Participants with the purpose of permanent geological storage.

Section 2 – Allocation of permits

The Participants recognise that all necessary permit responsibilities will be allocated to the relevant authorities of each Participant's country in accordance with the London Protocol. A non-exhaustive list of relevant permitting authorities are as follows;

For Denmark:

- The Danish Energy Agency (Energistyrelsen) is responsible for the issuance of CO₂ storage permits as well as ETS permits:

Danish Energy Agency (Energistyrelsen)
Carsten Niebuhrs Gade 43
1577 København V

Danish Energy Agency (Energistyrelsen), Esbjerg
Niels Bohrs Vej 8D
6700 Esbjerg

Tlf: 33 92 67 00
ens@ens.dk

Tlf: 33 92 67 00
ens@ens.dk

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For Belgium:

- Provincial Executive(s) of the Provincial Council(s) are responsible for the issuance of (amongst other) ETS permits. ETS permits are issued based on an obligatory advice issued by the Flemish Energy and Climate Agency (Vlaams Energie- en Klimaatagentschap), which is also responsible for the implementation of ETS.

Flemish Energy and Climate Agency (Vlaams Energie- en Klimaatagentschap)
Koning Albert II-laan 20, box 17
1000 Brussels

Tlf 32 2 553 46 00
veka@vlaanderen.be

- The Flemish government is responsible for the issuance of CO₂ storage permits.
- The Belgian federal maritime authorities are responsible for determining the technical rules and regulations a seagoing vessel has to comply with when shipping CO₂.

Section 3 – Arrangements of the Participants

This MoU does not create any rights and obligations under international law and does not impose any financial obligations on the Participants.

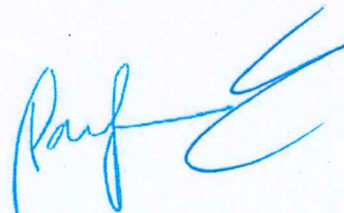
Each Participant intends to conduct the cooperation under this MoU subject to all applicable laws and regulations.

Section 4 – Amendment procedures and mutual understanding

This MoU may be amended at any time by jointly written consent of the Participants.

At any time, the Participants will consult, at the request of any of them, on any matter relating to this MoU, in the spirit of cooperation, good faith and mutual trust, to resolve quickly any difficulties or misunderstanding that may arise.

The Participants will convene to evaluate the MoU at least once a year, unless they decide not to convene by jointly written consent. The Participants will convene alternatively in Copenhagen and Brussels, or in any other place decided upon by the Participants by jointly written consent.



Section 5 – Final provisions


This MoU will come into effect upon signature and upon the date of entry into force of the declaration of provisional application of the 2009 Amendment, in accordance with the national rules of both Participants.

This MoU may be terminated by either Participant giving twelve (12) month's written notice to the other Participant. The termination of this MoU will not affect any on-going activities under this MoU, unless otherwise decided by the Participants.

Signed in duplicate in Copenhagen and Brussels on the 26th of September 2022 each in the English language.

For the Flemish Region:

*The Minister of Justice and Enforcement,
Environment, Energy and Tourism*



Zuhar Demir

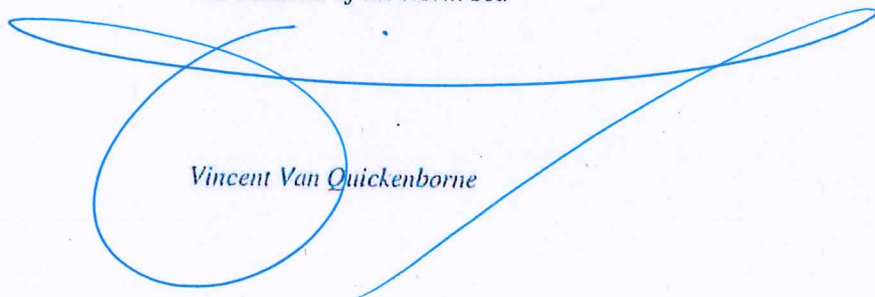
*The Minister for Climate, Energy and Utilities of
Denmark*



Dan Jørgensen

For the Federal Government:

The Minister of the North Sea



Vincent Van Quickenborne