

EXECUTIVE PROTOCOL

on

SCIENTIFIC COOPERATION AND TECHNOLOGICAL
INNOVATION FOR GREEN INDUSTRY

between

THE MINISTRY FOR THE ENVIRONMENT, LAND AND SEA OF
THE ITALIAN REPUBLIC (IMELS)

and

THE MINISTRY OF SCIENCE AND TECHNOLOGY OF THE
PEOPLE'S REPUBLIC OF CHINA (MOST)

The Ministry for the Environment, Land and Sea
of the Italian Republic (IMELS)

and

The Ministry of Science and Technology
of the People's Republic of China (MOST)

(hereafter referred to as "the Parties")

Considering the Agreement on Scientific and Technological Cooperation between the People's Republic of China and the Republic of Italy signed in October 1978, the Sino-Italian Action Plan on Strengthening Economic, Trade, Cultural, Scientific and Technological Cooperation (2017-2020), and the Sino-Italian Strategic Plan for Cooperation in Scientific and Technological Innovation toward 2020.

Taking into account the Sino-Italian Cooperation Agreement on Environmental Science and Technology signed by IMELS and MOST in 2002 and the Agreement on the Establishment of Sino-Italian Energy and Environment Cooperation Fund signed in 2003.

Recognizing that scientific and technological innovation plays a key role in promoting the economic and social development of the two countries.

Based on the consensus on the potential of cooperation in scientific and technological innovation and the principle of mutual benefit, and with the purpose of strengthening knowledge sharing and application.

Recalling the Memorandum of Understanding on promoting Science technology and Innovation Cooperation for Sustainable Development, IMELS and MOST signed on 27 April 2015, and the launch of a new initiative for the empowerment of the objectives of the MoU during the Steering Committee of 21 March 2019;

Acknowledging the on-going selection of bilateral projects in the framework of the "Executive Program of Scientific and Technological Cooperation between Italy and China 2019-2021" supported by the Parties as part of the Agreement for Scientific and Technological Cooperation signed in Rome the 9th June 1998 between the Government of Italian Republic and the Government of the People's Republic of China;

Have entered into the following Executive Protocol:

Article 1

Objectives

The objectives of this Executive Protocol are as follows:

- to foster scientific cooperation and technological innovation, encouraging and carrying out joint projects in a wide range of areas, including renewable energy, energy efficiency, environmental protection, sustainable development and other areas of common interest for the development of green industry;
- to strengthen the role of enterprises in the innovation chain, encourage knowledge exchange, promote exchanges between research and industry and deepen bilateral relationships.

Article 2

Ways of Cooperation

The cooperation under this Executive Protocol will be conducted in the following forms:

1. Support the development of joint research projects between academy and industry. Encourage universities, scientific research institutions and enterprises of the two Countries to conduct joint research and development, technical cooperation and innovation in areas of common interest, such as renewable energy, energy efficiency, environmental protection and sustainable development. Encourage universities, scientific research institutions and enterprises of the two countries to carry out technology transfer projects with respect to intellectual property rights and their respective domestic laws and internationally-accepted laws.
2. Support the development of joint laboratory activities. Promote inter-agency cooperation between universities, scientific research institutions and enterprises of the two countries and build a platform for long-term and stable cooperation.
3. Promote exchanges among researchers. Promote and support exchanges and visits between high-level scientific researchers of the two countries based on the principle of equality and mutual benefit.
4. Promote the joint organization of seminars and matchmaking meetings to enhance bilateral cooperation in scientific research and innovation.

Article 3

Priorities for Cooperation

The Parties will jointly choose yearly priorities for cooperation, within the scope and limits of this Executive Protocol, in the fields of renewable energy, energy efficiency, environmental protection and sustainable development.

Article 4

Coordination

The Parties agree to publish every year, on their respective national web portal, a call for the collection of joint research proposals within the fields mentioned in article 3.

In order to ensure the efficient implementation of the provisions of this Executive Protocol, a Committee of Experts will be established with the purpose of defining the mechanism and criteria for evaluation and selection of the research projects at national and bilateral level, to be presented to the Steering Committee for approval.

Article 5

Financial Support and Implementation

1. The Parties agree to allocate each one every year 100.000 € (at the most ¥ 800.000 RMB equivalent) as the fund dedicated to support activities under Article 2.
2. Financing will be granted within the limits of the available annual resources of each Party. The contribution can be intended as a co-funding.
3. The Parties will hold regular meetings or video meetings in turn to guide and evaluate the implementation of the activities under this Executive Protocol.
4. The number and type of funded projects will be determined according to the annual budget appropriation of both Parties and the principle of reciprocity.

Article 6

Law in force

This Executive Protocol will be implemented in conformity with international law principles, international Conventions and Protocols signed by the Parties, national legislation of China and Italy, as well as, as for Italy, with any other obligations arising from the membership of the Italian Republic in the European Union.

Article 7

Intellectual Property Rights

1. The Parties agree that the specific projects signed to carry out the cooperation activities will reflect the terms and conditions to be agreed regarding the authorization of use and respect for pre-existing intellectual property, as well as those concerning protection of the results jointly obtained, by means of some form of intellectual property protection, in accordance with the Parties' national legislations.
2. Any proprietary information (properly identified as such by the disclosing Party) to be contained in reports or disclosed by one Party to the other Party, shall be kept strictly confidential by the receiving Party, and shall not be disclosed to any third Party without the prior written consent of the original disclosing Party.
3. The Parties shall ensure that participants in cooperation activities, without prejudice to what is established in the specific projects, shall maintain due confidentiality of the joint results including the interdiction to publish the results before a writing agreement has been reached, the text of the publication has been agreed upon taking into consideration the right of the authors to be mentioned, and the appropriate protection modality of the results has been decided together.

Article 8

Final Provisions

1. The Executive Protocol takes effect on the date of signature and will remain valid for five (5) years, unless one of the Parties notifies the other in writing, at least six (6) months in advance, of its intention to terminate it.
2. A Party may request for supplement or amendment to this Executive Protocol through the documents exchanged between the Parties.

3. Any dispute arising from the interpretation or implementation of this Executive Protocol will be settled by the Parties through friendly negotiation.
4. Termination of the present Executive Protocol will have no effect on ongoing cooperation projects and / or on initiatives already agreed upon by the Parties.

Signed for acknowledgement and acceptance, in two (2) original copies in English , on 1st of April, 2019 in Rome and Beijing by exchange of texts.

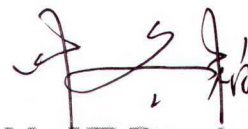
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