



Kind Attention  
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## Memorandum of Understanding

Between

The Ministry of Petroleum and Natural Gas of the Republic of India

AND

The Ministry of Mines of the

Government of Islamic Republic of Afghanistan

On Cooperation in the

Field of Development of Hydrocarbons

The Ministry of Petroleum and Natural Gas of the Republic of India and the Ministry of Mines of the Government of Islamic Republic of Afghanistan (hereinafter referred to as "the Parties");

ACKNOWLEDGING The desire on part of both countries to raise bilateral relationship to a higher level and establish a New Strategic Partnership between them.

NOTING The opportunities for enhanced economic and commercial cooperation between both countries, particularly in the oil and gas sector;

RECOGNIZING the importance and benefits from long-term cooperative relationship and joint economic projects for mutual benefit of the people of the two countries; and

DESIRING to broaden and deepen further the friendly relations and mutually beneficial links between the two countries;

PURSUANT to the prevailing laws and regulations of their respective countries;

Have reached the following understandings.

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## Article 1

### Objective

The objective of this Memorandum of Understanding is to establish a cooperative institutional framework to facilitate and to enhance bilateral cooperation in the hydrocarbon sector, including oil and gas on the basis of equality and mutual benefit.

## Article 2

### Area of Cooperation

The parties shall cooperate with an objective to enhance and build enduring ties in the oil and gas sector, in conformity with their domestic laws and regulations. The areas of cooperation between the Parties may include but are not limited to the following areas:

- a. Cooperation in the areas of Exploration, Production, Infrastructure and implementation of the specific area shall be discussed further by the parties;
- b. Promotion of private and public sector investment in the area of development of hydrocarbons including oil and natural gas;
- c. Encourage and promote investment and cooperation directly between the parties and through their affiliated companies;
- d. Training courses on hydrocarbons exploration and production, Geographic information system (GIS) and Remote Sensing applied for hydrocarbon exploration and production, social and environmental impact assessment and strategies to mitigate these impacts and mine safety;
- e. Strengthening the integration and relationship between research and training institutions dealing in hydrocarbons sector;
- f. Promotion and encouragement of contracts between the relevant private and public enterprises and organizations and the parties;
- g. Government of India shall promote investment of Indian companies in the hydrocarbons sector in Afghanistan. Government of Afghanistan shall provide necessary investment climate, security and other facilities required for the Indian companies to invest in this sector in Afghanistan.

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- h. Promote cooperation in short and medium term within the framework of joint activities mentioned above,
- i. Biennial work plans will be drawn by mutual agreement between the parties to give effect to the objective of this Memorandum;
- j. Other areas as may agreed upon by the Parties.

### Article 3

#### Executive Agency

Executive Agency for this cooperation shall be:

1. For the Government of Republic of India: Ministry of Petroleum and Natural Gas.
2. For the Government of Islamic Republic of Afghanistan: Ministry of Mines.

### Article 4

#### Intellectual Property Rights

1. Contracting parties shall protect, within its territory, intellectual property rights of the other party in accordance with domestic law in force in their respective country,
2. In case specific arrangement programmes, or projects may result in intellectual property, the parties shall conclude separate arrangements in accordance with their respective regulations.

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## Article 5

### Joint Working Group

For the purpose of discussions and implementation of various issues pertaining to this Memorandum of Understanding the parties may set up a Joint Working Group.

The Joint Working Group, consisting of the representatives of the parties, may meet once every six months alternatively in India and in Afghanistan on mutually determined dates by the parties. Each party shall cover its expenses relating to its participation in the meetings of Joint Working Group.

## Article 6

### Amendment

This Memorandum of Understanding may be amended by mutual written consent of the parties, specifying the date of entry into force of such amendments.

## Article 7

### Settlement of Differences

Any differences arising in relation to the interpretation or implementation of this MoU shall be settled amicably through consultation or negotiation on the basis of mutual understanding and goodwill between the parties.

## Article 8

### Entry into Force, Duration and Termination

This Memorandum of Understanding shall enter into force on the day of its signing and shall remain in force for 5 (five) years and shall be automatically extended for a further period of 5 (five) years, unless either party gives notice, in writing at least 6 (six) months prior to the date of the expiry of its validity, of its intention to terminate of this memorandum




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The termination of this Memorandum of Understanding shall not affect the completion of cooperation activities initiated, while this Memorandum of Understanding is in effect, unless otherwise mutually determined in writing by the Parties.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto by their respective governments, have signed this Memorandum of Understanding.

DONE at New Delhi on this 4<sup>th</sup> day of October 2011 in Hindi, English, Pashto and Dari languages. All texts being equally authentic. In case of any divergence in interpretation, the English text shall prevail.



Hon'ble Minister

For the Ministry of Petroleum  
and Natural Gas of the Republic  
of India



H.E. Mr. Wahidullah Shahzad

Hon'ble Minister

For the Ministry of Mines  
of the Government of the Islamic  
Republic of Afghanistan.