

**MEMORANDUM OF UNDERSTANDING
AMONG
CHINESE ACADEMY OF SCIENCES, CHINA,
MINISTRY OF CITY PLANNING AND WATER SUPPLY (MoCPWS), AND
UNIVERSITY OF PERADENIYA (UoP) ON ESTABLISHING A MANAGEMENT
FRAMEWORK
FOR FUNCTIONING CHINA- SRI LANKA JOINT RESEARCH AND
DEMONSTRATION CENTRE FOR WATER TECHNOLOGY**

01 BACKGROUND

The Project named ‘China-Sri Lanka Collaborative Grant Research Project on Chronic Kidney Disease (CKDu) has being originated between the Democratic Socialist Republic of Sri Lanka and the People’s Republic of China through the Memorandum of Understanding (MoU) signed by Prof. (Dr.) Chunli Bai, President, Chinese Academy of Sciences (CAS) and Mr. Rauff Hakeem, Hon. Minister, Ministry of Urban Development, Water Supply and Drainage (MUDWSD) on March 26, 2015 in presence of the two H.E Presidents of the People’s Republic of China and the Democratic Socialist Republic of Sri Lanka. The MoU was based on four (04) main objectives as following:

1. To identify the possible causative factors to the occurrence and distribution of the Chronic Kidney Disease (CKDu) of unknown etiology in Sri Lanka,
2. To develop groundwater treatment methods and technologies in CKDu affected regions in Sri Lanka,
3. To develop rainwater harvesting and use technologies in dry areas of Sri Lanka, and
4. To help the government of Sri Lanka make integrated water supply and sanitation infrastructure development plan, integrated water resource management plan and land use plan.

In order to execute the above four objectives, eight (08) forms of cooperation were identified. Accordingly, referring to the 1st and 2nd forms of cooperation stipulated in the above, a MoU was signed between the Ministry of City Planning and Water Supply (hereinafter referred to as “MoCPWS”) and the University of Peradeniya, Sri Lanka (hereinafter referred to as “UoP”) by the Secretary to the MoCPWS and the Vice Chancellor of UoP on December 09, 2016. In addition three other MOUs have been signed for supporting this China-Sri Lanka Grant Project; between Research Center for Eco-Environmental Sciences (RCEES), Chinese Academy of Sciences (CAS) and National Water Supply and Drainage Board (NWSDB), Sri Lanka on June 26, 2015, and between the Chinese Academy of Sciences (CAS) and the Ministry of Health, Nutrition and Indigenous Medicine (MoHNIM) on October 25, 2016, and between the University of Chinese Academy of Sciences (UCAS) and University of Peradeniya (UoP) on December 16, 2016.

As per the Implementation Agreement on China-Sri Lanka Joint Research and Demonstration Center for Water Technology Project under Foreign Aid of the People’s Republic of China (hereinafter referred to as “Implementation Agreement”), Chinese Academy of Sciences (CAS), the Ministry of City Planning and Water Supply of Sri Lanka (MoCPWS) and the University of Peradeniya (UoP) will set up a joint management framework to carry-out the joint scientific research, education and technical cooperation. The basis of this MoU is to set up this joint management structure.

02 STATUS AND MISSION & VISION

2.1 Status: a joint international research center for water, environment and sanitation in Sri Lanka (operationally independent)

2.2 Mission & Vision

- To be a center for research and education in water, environment and sanitation,
- To be a center for international cooperation on water, environment and sanitation,
- To be a center for demonstrating and spreading technology and products of water, environment and sanitation,
- To be an international center of excellence for research and education

03 FORMS OF COOPERATION

3.1 Introduction

This MoU has been written and reviewed based on the MoU signed between MoCPWS and UoP while referring to the MoU signed between the Ministry of Urban Development, Water Supply and Drainage (MUDWSD) and CAS. This MoU concentrates on establishing a management structure for the CSL-Joint R&D Centre that include appointing the directors and permanent staff, providing financial assistance, and facilitating the functions of the center.

The CSL-Joint R&D Centre will be established under the MoCPWS and the Ministry of Higher Education and Highways (hereinafter referred to as “MoEH”). The CSL-Joint R&D Centre will be managed by a Board of Management and the main focus of its functions will be arranged by the NWSDB, UoP and CAS ensuring the key roles of research lab towards resolving drinking water related issues in Sri Lanka.

3.2 Appointing the Board of Management and permanent staff

1) Board of Management

The CSL-Joint R&D Centre will be governed by a Board of Management, consisted of;

- Chairman, the Secretary, Ministry of City Planning and Water Supply (MoCP&WS)
- Co-Chairman, Vice Chancellor of UoP
- Co-Chairman, Vice President, Chinese Academy of Sciences and
- Ten members as;
 - Chairman, NWSDB,
 - Dean, Faculty of Engineering, UoP,
 - Director General, Department of Community Water Supply,
 - Director General, Bureau of International Cooperation, Chinese Academy of Sciences (CAS), Beijing, China
 - Director General or Deputy Director General of Research Center for Eco-Environmental Sciences, Chinese Academy of Sciences (CAS), Beijing, China

- Vice President of University of Chinese Academy of Sciences
- Deputy General Manager NWSDB, Kandy
- Director Centre for Engineering Research and Postgraduate Studies (CERPS)
- Representative of Ministry of Health, Nutrition and Indigenous Medicine (MoHNIM) nominated by the Secretary, MoHNIM.
- Representative of Ministry of High Education (MoHE)

The discussion mechanism of the Board of Management shall be developed and confirmed by these three parties through signing a functional agreement.

2) Management Staff

The management of the CSL-Joint R&D Centre will consist of permanent staff members and researchers from NWSDB, UoP and CAS. The Management structure of the CSL-Joint R&D Centre will be developed and agreed upon by all three parties (CAS, MoCPWS and UoP) through an independent consultant appointed under the project.

The proposed organizational structure will consist of a Director Administration and Director International Affairs and five Deputy Directors. Each deputy directors shall be responsible for one of the five sub-divisions; Research & Development, Technical Affairs, Financial Affairs, Education and Training and Operation and Maintenance. Appointment of the Directors and Deputy Directors need to be approved by the Board of Management. The five Deputy Directors will functionally and administratively report to the Directors of CSL-Joint R&D Centre.

The finance and administration of the CSL-Joint R&D Centre shall follow the already established regulations of the UoP. The qualification of the Directors shall meet the qualification established for the Senior Lecturer (Grade II) equivalent or above and qualifications of the Deputy Directors shall meet the qualifications as equal to the similar positions in the UoP.

3) Joint Research Committee

Each NWSDB, UoP and CAS will nominate a chief scientist in the following research areas of priority: environmental science and technology, water supply & drainage, water resource management, ecological sciences and planning, environment and health to form the Joint Research Committee which will coordinate and manage the daily academic cooperative programs of the CSL-Joint R&D Centre. The chief scientists will be appointed for a renewable 3-year term, and the chief scientists' appointment should be no more than two terms.

3.1 Cooperation Mechanism and Responsibilities

The Parties (CAS, MoCPWS and UoP) are of the understanding that an agreeable Cooperation and Responsibility Mechanism shall be developed through the independent consultant appointed under the project. This Mechanism shall include but not limited to;

- a. Financing and facilitating the operational and maintenance activities of the Centre

The construction of CSL-Joint R&D Centre will be financed by the Ministry of Commerce, People's Republic of China, and the Chinese Side shall provide long-term technical support for a period of 3-5 years from the date of the transfer of the project to ensure the normal operation of the scientific research, office, living facilities and equipment. The costs of daily water, electricity, communications, property management and security etc. shall be borne by the Sri Lankan Side. As per the conditions stipulated in the MoU signed on 21st of December 2016 between two countries, this assistance will be extended even after the first five years with the agreement of two countries.

The instruments, equipment and facilities for the scientific research financially supported by the Ministry of Commerce, China shall be owned by the Sri Lankan side, and shall be freely accessible to Chinese researchers; and those financially supported by the CAS shall be owned by the China side, and shall be freely accessible to Sri Lanka researchers.

- b. Infrastructure development and maintenance including equipment at the Centre
- c. Research funding
- d. Administration related cost sharing

3.2 Intellectual Property Rights

The Parties agree that ownership of and use of any Intellectual Property derived from the cooperation framework set forth in the MOU shall be determined on a case-by-case basis in accordance with the relative contributions of the Parties. Each Party agrees not to disclose in any manner such Intellectual Property to any third parties without the prior written consent of the other Party.

4 SUPPLEMENTARY ARTICLES

- 4.1 The MOU shall enter into force upon signature of the Parties and shall remain in force until the management structure for functioning of the CSL-Joint R&D Centre is established.
- 4.2 The Parties may amend or revoke this MOU by mutual written agreement.
- 4.3 The implementation and/or continuation of any collaborative agreement established pursuant to this MOU and prior to the effective date of termination shall not be affected by the termination of this MOU.
- 4.4 Either Party may request, in writing through diplomatic channels, any amendment to this MOU.
- 4.5 Any differences or disputes arising out of the interpretation or application of this MOU shall be settled through mutual negotiation conducted through diplomatic channels of the Parties.

IN WITNESS WHEREOF, the Parties have executed three (3) original copies of the MOU in English on the date indicated below, with each original copy being equally valid. The Parties shall each retain one (1) original copy.

For and on behalf of CAS

Chinese Academy of
Sciences, China



Prof. Dr. Jianguo Hou
Vice President, Chinese
Academy of Sciences

Date: 28/09/2018

For and on behalf of
MoCP&WS

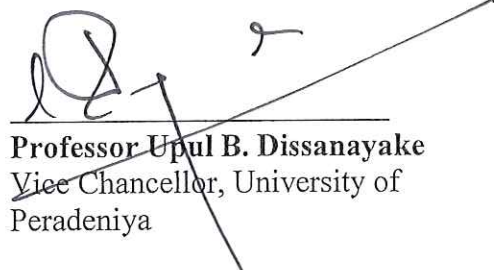
Ministry of City Planning
and Water Supply of Sri
Lanka



D.G.M.V. Hapuarachchi
Secretary, Ministry of City
Planning and Water Supply

Date: 28/09/2018

For and on behalf of UoP
University of Peradeniya



Professor Upul B. Dissanayake
Vice Chancellor, University of
Peradeniya

Date: 28/09/2018

Annex

1. MoU between the CAS and the MUDWSD
2. MoU between the MoCPWS and the UoP
3. MoU between the RCEES, CAS and the NWSDB
4. MoU between the CAS and MoHNIM
5. MoU between the UCAS and UoP