



MEMORANDUM OF UNDERSTANDING
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF VANUATU
AND THE
PACIFIC COMMUNITY (SPC)



Pacific
Community

Communauté
du Pacifique



Memorandum of Understanding
between the
Government of the Republic of Vanuatu and the Pacific Community (SPC)

WHEREAS, the Government of the Republic of Vanuatu, hereinafter referred to as GoVAN, and the Ministry of Foreign Affairs, International Cooperation and External Trade, hereinafter referred to as MFAICET, GoVAN's official focal point for the Pacific Community in Vanuatu;

1. WHEREAS, the Pacific Community, hereinafter referred to as SPC, provides technical assistance within its mandate to GoVAN;
2. WHEREAS, GoVAN and SPC share the common objective of ensuring sustainable development;
3. WHEREAS, cooperation is mutually helpful to GoVAN and SPC in achieving this common objective;

Preamble

The undersigned,

4. Conscious that SPC provides scientific and technical advice and implementation capacity to its members in a range of development sectors;
5. Acknowledging that the sustainable development priorities of GoVAN are encapsulated in the National Sustainable Development Plan 2016-2030 with emphasis on improving service delivery; developing new policies consistent with the move to sustainable development; reviewing achievements towards the Millennium Development Goals; and preparing for the implementation of the Sustainable Development Goals;
6. Acknowledging that eight priority areas of development have been identified and agreed on by the Melanesian Spearhead Group (MSG) and SPC¹ and of these, capacity building and technical support in coastal fisheries, agriculture, forestry and development statistics have been identified as priority areas in which GoVAN requires the support of SPC;

1 Memorandum of Understanding between the Pacific Community and the Melanesian Spearhead Group, signed on 11 November 2014.



7. Acknowledging that a high priority for GoVAN is to promote youth employment and engagement as a key focus of the government in its long-term engagement with SPC under its new strategic plan 2016-2020;
8. Desiring to develop integrated approaches to development programming that will help to address Vanuatu's complex development challenges in a robust and holistic way; noting that programmes designed under this MoU will be delivered via a cross-sectoral approach, which will also address important issues in other sectors; and noting that GoVAN expects SPC to mainstream issues relating to youth, gender equality and culture into its divisional work, such as promoting inclusion of youth in coastal fisheries and gender equality in programming fisheries, agriculture and forestry activities;
9. Accepting that MFAICET is designated as the official focal point in GoVAN for SPC; and
10. Accepting that the Department of Strategic, Policy, Planning and Aid Coordination (DSPPAC) is the focal point for aid coordination and development planning;
11. Agree to work closely together to coordinate SPC support to GoVAN to address new and existing development programmes and projects consistent with the priorities of the Melanesian Spearhead Group (MSG) and other priorities to be determined jointly between GoVAN and SPC over the period of this Memorandum of Understanding.

Principles of collaboration

- i. GoVAN and SPC agree that the following principles will underpin this Memorandum of Understanding:
 - a. **Genuine partnership.** The collaboration is based on a genuine spirit of partnership in which SPC and GoVAN seek to complement each other's efforts and agree to embrace the contributions of other partners to enrich the outcomes of the developments that will be pursued;
 - b. **Mutual respect.** There will be mutual and reciprocal respect for each other's roles and responsibilities;
 - c. **Support and recognition.** GoVAN and SPC will work together to provide mutual support and recognition to each other in relation to programmes and projects that are jointly implemented;
 - d. **Strategic engagement.** GoVAN and SPC agree that SPC's support will focus on selected areas of national priority in terms of the National Sustainable Development Plan 2016-2030 and MSG priorities. Existing work programmes will be reviewed on a regular basis to check and monitor their relevance to specific Policy Objectives in the National Sustainable Development Plan 2016-2030
 - e. **New emerging priorities or gaps.** For new or emerging priorities, or where gaps in collaboration are identified that require attention, GoVAN and SPC will take a collaborative approach to addressing the priority or gap to achieve a solution satisfactory to both parties;
 - f. **Resource mobilisation.** GoVAN and SPC will, subject to their respective regulations and rules, and within their capacity and resources, make joint efforts to mobilise financial and other resources, and institutional support, including from other potential partners. GoVAN and SPC will provide, as and when considered necessary, the technical assistance required for the implementation of jointly agreed programmes and projects;
 - g. **Good governance.** GoVAN and SPC commit to demonstrating transparency and accountability in the conduct of the collaboration.



Mechanisms of collaboration

- ii. The following are the agreed mechanisms of collaboration:
- a. **Oversight.** The Director-General of SPC and the Director General of the Ministry of Foreign Affairs, International Cooperation and External Trade, MFAICET, will provide oversight of the implementation of this Memorandum of Understanding. Each will designate a focal point to manage operational arrangements and the implementation of initiatives resulting from this Memorandum of Understanding. Meetings will be held between SPC, MFAICET and DSPPAC to ensure effective coordination and monitoring of programmes and projects, with the frequency and type of these meetings to be determined by GoVAN and SPC;
 - b. **Technical/Programme collaboration.** Regular and open consultation and communication between relevant staff of GoVAN and SPC will be encouraged in the interests of effective and efficient management of jointly agreed programmes and projects.
- iii. The following are the agreed mechanisms for implementing operational arrangements:
- a. **Specific activities.** Specific collaborative activities between SPC and agencies within GoVAN will be described in Letters of Agreement between the relevant organisations. These must be consistent with the provisions of this Memorandum of Understanding. The Letters of Agreement will set out (i) the terms, conditions and responsibilities of parties concerning specific activities; (ii) disbursement of funds; and (iii) reporting requirements.
 - b. **Financial arrangements.** GoVAN and SPC recognise that each has different financial regulations and will ensure, wherever possible, that financial arrangements made to support jointly agreed programmes and projects, are responsive to the requirements of implementation and at the same time do not compromise their respective regulations and rules. SPC funding support will be provided in accordance with all applicable SPC rules, and any grant funding provided by SPC to GoVAN must comply with the SPC grants policy.

Confidentiality and intellectual property

- iv. Any exchange of information or intellectual property between GoVAN and SPC under this Memorandum of Understanding will be confidential and will not be disclosed to a third party or otherwise used without the prior authorisation of the party that owns or originates the information or intellectual property.
- v. In the absence of any specific agreement to the contrary, GoVAN and SPC hereby acknowledge that this Memorandum of Understanding will not act as a license for one party to exercise the other's intellectual property rights in relation to know-how, materials or technology.

Duration, review and settlement of disputes

- vi. This Memorandum of Understanding will have a duration of five years from the date of its entry into force.
- vii. Both GoVAN and SPC agree to jointly and systematically review the implementation of this Memorandum of Understanding at intervals to be jointly agreed between the parties.



- viii. Modifications to the Memorandum of Understanding may be made at any time with the written consent of both parties.
- ix. GoVAN and SPC will make their best efforts to amicably settle any dispute, controversy or claim arising out of this Memorandum of Understanding, in accordance with the rules and procedures of both parties.

Miscellaneous

- x. Nothing in relation to this Memorandum of Understanding shall be deemed as a waiver, express or implied, of any of the privileges and immunities of SPC.

Entry into force

- xi. This Memorandum of Understanding will enter into force upon signature by the Minister for Foreign Affairs, International Co-operation and External Trade of GoVAN and the Director-General of SPC.

IN WITNESS WHEREOF, the undersigned, duly authorised representatives of GoVAN and SPC, have signed this Memorandum of Understanding in the English language, in duplicate, in the place and on the date indicated below.

On behalf of the Government of the Republic of Vanuatu

On behalf of the Pacific Community

Hon. Bruno LEINGKONE TAU, MP

Minister for Foreign Affairs, International
Cooperation and External Trade

Dr Colin TUKUITONGA

Director-General

Date:

Date: