

MEMORANDUM OF UNDERSTANDING
ON TECHNICAL COOPERATION
BETWEEN
THE GOVERNMENT OF PAPUA NEW GUINEA
AND THE
PACIFIC COMMUNITY



SPC
Secretariat
of the Pacific
Community



August 20, 2015

Memorandum of Understanding on Technical Cooperation between the Government of Papua New Guinea and the Pacific Community (SPC)

1. WHEREAS, the Government of Papua New Guinea hereinafter referred to as PNG and the Department of Foreign Affairs as DFA, the official focal point for the Pacific Community in Papua New Guinea;
2. WHEREAS, the Pacific Community hereinafter referred to as SPC provides technical assistance within its mandate to PNG;
3. WHEREAS, PNG and SPC share the common objective of ensuring sustainable development;
4. WHEREAS, cooperation is mutually helpful to PNG and SPC in achieving this common objective;

Preamble

The Participants

5. CONSCIOUS that SPC provides scientific and technical advice and implementation capacity to its members in a range of development sectors;
6. ACKNOWLEDGING that the sustainable development priorities of PNG are encapsulated in the National Strategy for Responsible Sustainable Development and the Medium Term Development Plan 2 2016-2017 with emphasis on improving service delivery; developing new policies consistent with the move to sustainable development; reviewing Millennium Development Goals achievement, and; preparing for the implementation of the Sustainable Development Goals;
7. ACKNOWLEDGING that eight priority areas of development have been identified and decided upon by the Melanesian Spearhead Group (MSG) and SPC¹ and of these, capacity building support in coastal fisheries, agriculture and development statistics have been identified as areas in which PNG requires the support of SPC;
8. DESIRING to develop integrated approaches to development programming that will help to address Papua New Guinea's complex development challenges in a robust and holistic way;
9. ACCEPTING that the DFA is designated as the official focal point for SPC in PNG;
10. ACCEPTING that the Department of National Planning & Monitoring (DNPM) is the focal point for aid coordination and development planning;
11. DECIDE to work closely together to coordinate SPC support to PNG to address new and existing development programmes and projects consistent with the MSG priorities and other priorities to be determined jointly between PNG and SPC over the period of this Memorandum of Understanding.



Principles of collaboration

12. PNG and SPC decide 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 PNG seek to complement each other's efforts and decide 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 of each other's roles and responsibilities;
- c. **Support and recognition.** PNG and SPC will work together to provide mutual support and recognition to each other on programmes and projects that are jointly implemented;
- d. **Strategic engagement:** PNG and SPC decide to concentrate the focus of SPC's support on selected areas of national priority in terms of the National Strategy for Responsible Sustainable Development and the Medium Term Development Plan 2 2016-2017 and the MSG priorities. Existing work programmes will be reviewed on a regular basis to check and monitor relevance to the National Strategy for Responsible Sustainable Development and the Medium Term Development Plan 2 2016-2017;
- e. **New emerging priorities or gaps.** For new or emerging priorities or where gaps in collaboration are identified that require attention PNG and SPC will undertake a collaborative approach to address the priority or gap to derive a resolution satisfactory to both Participants;
- f. **Resource mobilization.** PNG and SPC will, subject to their respective regulations and rules, and within their capacity and resources, make joint efforts for the mobilization of financial and other resources, institutional support including those from other potential partners. PNG and SPC will provide, as and when considered necessary, the technical assistance required for the implementation of jointly approved programs and projects;
- g. **Good governance.** There is a commitment to the demonstration of transparency and accountability in the conduct of the collaboration.

Mechanisms of collaboration

13. The following are the accepted mechanisms of collaboration

- a. **Oversight.** The Director-General of SPC and the Secretary of the Department of Foreign Affairs, will provide oversight of the implementation of the 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 at intervals to be determined by PNG and SPC



will be held between SPC, DFA and DNPM to ensure the effective coordination and monitoring of programmes and projects is undertaken;

- b. Technical/Programme collaboration.** Regular and open consultation and communication between the relevant staff of PNG and SPC will be encouraged in the interests of the effective and efficient management of jointly approved programs and projects

14. The following are the approved mechanisms to implement operational arrangements

- a. Specific activities.** Specific collaborative activities between SPC and agencies within PNG will be described in Letters of Agreement between the relevant organisations, and 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 Participants concerning specific activities, disbursement of funds, and; reporting requirements;
- b. Financial arrangements.** The PNG and SPC recognize that each has different financial regulations and will ensure, wherever possible, that financial arrangements made to support jointly approved programmes and projects, are responsive to the requirements of implementation while at the same time not compromising respective regulations and rules. The provision of SPC funding support will be implemented in accordance with all applicable SPC rules and any grant funding provided by SPC to PNG must comply with the SPC grants policy.

Confidentiality and intellectual property

15. Any exchange of information or intellectual property between PNG 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 authorization of the party who owns or originates said information or intellectual property.
16. In the absence of any specific arrangement to the contrary, PNG and SPC hereby acknowledge that this Memorandum of Understanding will not act as a license for a party to exercise the other's intellectual property rights in relation to know-how, materials or technology.

Duration, review and settlement of disputes

17. This Memorandum of Understanding will have duration of five years from the date of entry into operation.
18. Both PNG and SPC decide to jointly and systematically review the implementation of this Memorandum of Understanding at intervals to be jointly approved between the Participants.
19. Modifications to the Memorandum of Understanding may be made at any time with the written consent of both Participants.



20. The PNG 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 Participants.

Miscellaneous

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

Entry into Operation

22. This Memorandum of Understanding will enter into operation upon signature. The foregoing represents the understanding reached between the Participants on matters referred to in this Memorandum.

PNG and SPC have signed this Memorandum of Understanding in the English language, in duplicate,

in _____ and on the _____

On behalf of the Government of Papua New Guinea

On behalf of the Pacific Community

The Honorable Rimbink Pato
Minister of Foreign Affairs

Dr Colin Tukuitonga
Director-General

Date:

Date: