MEMORANDUM OF UNDERSTANDING

for
International Development Cooperation
between
the United States Agency for International Development
and
the Australian Department of Foreign Affairs and Trade

Background

1. Australia and the United States of America are close allies and enjoy a long-standing bilateral relationship. The two countries seek to advance an open, inclusive, prosperous, and secure Indo-Pacific—the most consequential region for our Alliance. The countries share a commitment to development cooperation in the region in support of this goal. They recognize the rapid rate of change, contemporary development needs, and economic ambitions of countries across the region, as well as the central importance of regional institutions, notably the Pacific Islands Forum, the Pacific Community, and the Association of Southeast Asian Nations (ASEAN). The COVID-19 crisis has highlighted the importance of cooperation and coordination between Australia and the United States through our development and humanitarian assistance and the need to support recovery in partner countries and build resilience to future shocks.

Purpose

- 2. This Memorandum of Understanding (MOU) articulates the commonalities between the objectives and approaches of the United States Agency for International Development (USAID) and the Australian Department of Foreign Affairs and Trade (DFAT), (hereinafter referred to individually as a "Participant" and, collectively, as the "Participants") and establishes a basis for ongoing dialogue and cooperation between them.
- 3. By working together at the strategic and operational levels, the Participants intend to increase the efficiency and extend the impact of their individual and joint activities. The Participants aim to support partner countries to deliver high-quality and sustainable development outcomes, including through effective and accountable governance; resilient and quality infrastructure; women's empowerment and gender equality, inclusive economic growth and employment opportunities; resilience to environmental challenges; and access to basic social services such as health and education. The Participants intend to support partner countries to achieve their own development objectives, through helping build the capacity and commitment of governments, civil society, and the private sector.

Participants

- 4. USAID is an independent U.S. Government Agency that receives overall foreign-policy guidance from the U.S. Secretary of State. On behalf of the American people, USAID promotes democratic values abroad and advances a free, peaceful, and prosperous world. In support of U.S. foreign policy, USAID leads the U.S. Government's international development assistance through partnerships and investments that save lives, strengthen democratic governance, help people emerge from humanitarian crises, and progress along their journeys to self-reliance, eventually ending the need for assistance around the world.
- 5. DFAT leads Australia's international diplomatic presence, international development cooperation program, and humanitarian assistance. Australia works with national governments, multilateral institutions, non-government organizations, and the private sector to deliver development assistance.
- 6. In 2010, USAID and the former Australian Agency for International Development signed an MOU that provided a framework for partnership aimed at helping developing countries achieve their development goals and move toward sustainable and private-sector-led growth, reap the benefits of technological change and innovation, and end conflict and instability.
- 7. In 2016, USAID and DFAT expanded on that collaboration by signing another MOU that committed the Participants to explore collaboration through science, technology, open innovation systems, and partnership.
- 8. In 2018, the Governments of the United States, Australia, and Japan announced the signing of a Trilateral MOU to operationalize the Trilateral Partnership for Infrastructure Investment to mobilize and support the deployment of private-sector investment capital to deliver major new infrastructure projects, enhance digital connectivity and energy infrastructure, and achieve mutual development goals in the Indo-Pacific region.

Goals and Objectives

- 9. The Participants have the following strategic goals and objectives:
 - a) Advancing an open, inclusive, prosperous, and secure Indo-Pacific region;
 - b) Engaging governments, the private sector, and non-governmental and faith-based organizations to achieve high-quality development outcomes and advance the wellbeing of the people of partner countries;
 - c) Supporting development that promotes effective and accountable governance, human rights and dignity, fiscal and environmental responsibility, transparency, and fair and open competition; upholds robust standards; and avoids unsustainable debt burdens;
 - d) Supporting governments, civil society, and the private sector in partner countries to prepare for, and recover from, the COVID-19 crisis; build capacity to prevent, detect, and respond to future outbreaks of diseases with epidemic or pandemic potential; and strengthen resilience to future shocks;
 - e) Working with the multilateral system to strengthen the rules-based order and ensure global institutions are fit for purpose to address current challenges, accountable to

- their Member States, free from undue influence and politicization, and focused appropriately on the Indo-Pacific region;
- f) Recognizing and sharing different development skills, including the planning and delivery of development-assistance and humanitarian programs, and leveraging the comparative advantage of each Participant to assist governments, civil society, faith-based organizations, and the private sector in partner countries to support national resilience, prosperity, and stability; and
- g) Evolving our partnership on innovation to include support for our work on innovative finance, recognizing the ongoing collaboration on 'gender-lens' investing, and investing in innovation through jointly supported mechanisms and social-entrepreneurship ecosystems.

Areas of Cooperation

- 10. Under this MOU, the Participants intend to exchange views on, and seek opportunities to collaborate through joint or mutually-supportive actions, to advance the complementary objectives of the U.S. vision for a free and open Indo-Pacific and the Australian Foreign Policy White Paper, including the Pacific Step-up, and with an immediate focus on building health security, stability, and economic recovery in the Indo-Pacific. We propose to work with partner countries in the following priority areas:
 - a) Strengthening global and regional health security through stronger public and private health systems and epidemic and pandemic preparedness, in accordance with "One Health" principles;
 - b) Supporting human development, including by investing in education;
 - c) Supporting high-quality climate- and disaster-resilient infrastructure, energy, and digital connectivity, including by promoting cooperation with the private sector and other stakeholders;
 - d) Building stronger and more inclusive institutions, such as civil society, and promoting effective and accountable governance and free media;
 - e) Strengthening institutions to foster effective economic governance, empower women, and attract high-quality private investment;
 - f) Advancing gender equality, which is achieved when women and men, girls and boys, have equal rights, life prospects and opportunities, and the power to shape their own lives and contribute to society, including the economic empowerment of women and girls, digital-inclusion strategies to reduce the digital gender divide, and the promotion of the rights of women and girls, particularly in fragile and conflict-affected settings and through their meaningful participation and leadership in peace processes, the prevention of conflict, and humanitarian or crisis response;
 - g) Protecting the environment and oceans; advancing climate mitigation, adaptation, and resilience; reducing the risk of, and improving preparedness for, disasters; and promoting renewable energy; and
 - h) Pursuing any other areas of cooperation decided upon jointly by the Participants.

Implementation

- 11. The entities responsible for implementing this MOU are the following:
 - a) For USAID: The Bureau for Policy, Planning, and Learning; and
 - b) For DFAT: The Global Cooperation, Development, and Partnerships Group
- 12. The Participants intend to explore the following opportunities to collaborate under this MOU:
 - a) Planning annual, senior-level engagements to review the status of implementation of the MOU, discuss policy updates, and identify new opportunities for cooperation;
 - b) Facilitating technical and senior staff engagements at the headquarters and field levels to increase understanding of each other's development cooperation policies, programs, and implementation;
 - c) Identifying appropriate milestones and the means to report on progress; and,
 - d) Conducting any other activities decided upon jointly by the Participants.

Publicity and Communications

- 13. Public communications related to this MOU should appropriately attribute the efforts of the Participants, in each case subject to their approval. Each Participant intends to respond to a communication request by the other within three business days.
- 14. The Participants may use joint branding with the written approval of each. Each Participant may make its logo available for use on specific materials at its sole discretion. Each Participant should obtain written approval prior to the publication of all information and materials that contain the other's logo. The Participants expect that any such materials give equal prominence to both.
- 15. The Participants intend to respect each other's confidentiality policies, with the mutual understanding that they publicize their cooperation and its objectives. Neither Participant may disclose any confidential or proprietary information of the other unless required or authorized to do so by law, or a House or Committee of the Parliament of Australia so authorizes the disclosure by DFAT.
- 16. Each Participant may make the existence and content of this MOU publicly available by press release, public commentary, or other disclosure, in accordance with its policies or procedures regarding the public disclosure of information, subject to the prior written consent of the other.

Reporting and Collaboration

17. The Participants understand the need for the regular review of activities and results and intend to collaborate to meet any information needs or applicable reporting requirements in connection with the cooperation under this MOU. At a minimum, reporting should include telephone calls approximately every six months between the Designated Points of Contact

identified in Paragraph 21 below and a meeting once a year. The Participants expect that joint efforts in many locations could necessitate more frequent, working-level contact and intend that the Designated Points of Contact at headquarters facilitate establishing country-level Points of Contact, as needed to coordinate implementation under this MOU.

General Provisions

- 18. **Duration:** This MOU is expected to continue for five (5) years from the date of signature, and the Participants may extend it by mutual decision in writing. Either Participant may discontinue this MOU at any time, but should give thirty (30) days of prior written notice to the other.
- 19. **Modifications:** The Participants may modify this MOU only by written consent, signed by both Participants.
- 20. Effect of MOU: This MOU is not an international agreement and does not give rise to rights or obligations under international law. The Participants specifically acknowledge that this MOU is not an obligation of funds, nor does it constitute a legally binding commitment by any Participant or create any rights in any third party. The Participants intend to maintain their own separate and unique missions and mandates and their own accountabilities. Unless specifically provided otherwise, the cooperation among the Participants as outlined in this MOU is not intended to be construed as a partnership or other type of legal entity or personality. Each Participant accepts full and sole responsibility for any and all expenses incurred by itself related to this MOU. Nothing in this MOU is intended to be construed as superseding or interfering in any way with any agreements or contracts entered into among the Participants, either prior or subsequent to the signing of this MOU. Nothing in this MOU is intended to be construed as an exclusive working relationship.

Designated Points of Contact

21. The Designated Points of Contact for each Participant for administering this MOU appear below. Each Participant may, by written notice, replace or identify additional representatives.

USAID DFAT

Address:

1300 Pennsylvania Avenue, N.W. Washington, D.C. 20523 United States of America

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Contact Person:

Shereen Faraj

Director

Office of Development Cooperation

Bureau for Policy, Planning, and Learning

Contact Person:

Matthew Lapworth

Director

UN Governance and Reform Section

Multilateral Policy Division

Signed in duplicate in Washington, D.C. on the 28th day of July of 2020.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

AUSTRALIAN DEPARTMENT OF FOREIGN AFFAIRS AND TRADE

Bv:

John Barsa

Acting Administrator

Frances Adamson

Secretary