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ADMINISTRATIVE DOCUMENT ON ESTABLISHING A STRATEGIC PARTNERSHIP FRAMEWORK

**MINISTRY OF FOREIGN AFFAIRS AND COOPERATION, SPANISH
AGENCY FOR INTERNATIONAL DEVELOPMENT COOPERATION,
AND UNITED NATIONS DEVELOPMENT PROGRAMME**

**ADMINISTRATIVE DOCUMENT BETWEEN THE SPANISH
MINISTRY OF FOREIGN AFFAIRS AND COOPERATION, THE
SPANISH AGENCY FOR INTERNATIONAL DEVELOPMENT
COOPERATION, AND THE UNITED NATIONS DEVELOPMENT
PROGRAMME, ON ESTABLISHING A STRATEGIC PARTNERSHIP
FRAMEWORK**

WHEREAS this Administrative Document falls under the Framework Agreement between the United Nations Development Programme (hereafter 'UNDP') and the Government of Spain dated 13 April 2005, establishing the legal framework for fostering relations between Spain and UNDP in all areas, including the implementation of UNDP cooperation activities, projects and programmes;

WHEREAS this Administrative Document is being signed by the Spanish Ministry of Foreign Affairs and Cooperation (hereafter the 'MAEC'), the Spanish Agency for International Development Cooperation (hereafter the 'AECID') and UNDP, a body under the aegis of the United Nations, an intergovernmental organization created by its Member States. Hereafter, the MAEC, AECID and UNDP will be collectively referred to as the 'signatories';

WHEREAS the AECID is (i) a public law entity attached to the MAEC via the State Secretariat for International Cooperation and for Ibero-America (SECIPI), as established by Law 23/1998 of 7 July, an International Development Cooperation entity, and by Royal Decree 1403/2007 of 26 October, in which the AECID's statutes were approved, (ii) the Spanish international development cooperation policy management body, amended for the last time by Royal Decree 1424/2012 of 11 October, and therefore AECID is a part of this Administrative Document;

WHEREAS, for the purposes of this Administrative Document, UNDP may receive funding from the MAEC and the AECID (Spanish Cooperation) in accordance with their available budgets, as set out below in clauses 2.1 and 2.2;

WHEREAS UNDP is the United Nations global network for development that promotes change and connects countries with the knowledge, experience and resources needed to help countries to achieve more dignified lives. UNDP works in over 170 countries and territories with governments and people in order to help them to find their own solutions to global and national development challenges. While they build their local capacity, the countries benefit from the knowledge of UNDP staff and its wide circle of partners in order to achieve concrete results;

WHEREAS UNDP, as laid down in its '2014-2017 Strategic Plan: Changing with the World', is developing three work areas in order to achieve human development and meet the

Millennium Development Goals (hereafter the 'MDGs') and the Sustainable Development Goals (hereafter the 'SDGs'): a) Adopt sustainable development pathways b) Effective and inclusive democratic governance and c) Build resilience;

WHEREAS the Spanish Cooperation's Fourth Master Plan: 2013-2016 primarily endeavours to improve the quality and efficiency of Spanish cooperation, with the core end goal being to be truly effective in its development work. In this respect, the Fourth Master Plan seeks to continue with a comprehensive development policy that will direct action and is a means of coordinating the stakeholders in the quest to achieve positive poverty reduction outcomes;

WHEREAS the signatories reaffirm their commitment to the SDGs, the Paris Declaration on Aid Effectiveness, the Accra Agenda for Action, the Busan Partnership and the Monterrey Consensus, reviewed in Doha in 2008;

WHEREAS the Government of Spain supports human development goals and the achievement of the objectives listed in the UNDP Strategic Plan and wishes to help UNDP to achieve these goals.

NOW, THEREFORE, the MAEC, AECID and UNDP agree the following:

1. Strategic Partnership

- 1.1. The signatories will establish a Strategic Partnership Framework to facilitate cooperation and collaboration between the signatories on a non-exclusive basis in areas of collaboration between the signatories and in areas of common interest. This Strategic Partnership Framework comprises two documents 1) the Programmatic Document of the Strategic Partnership establishing the programme cooperation areas and 2) this Administrative Document establishing the legal and administrative aspects of the agreement between the Spanish Cooperation and UNDP. Both documents structure the relationship between the signatories and provide a framework for both institutions' collaborative work towards meeting the SDGs.
- 1.2. The Strategic Partnership Framework likewise seeks to step up the strategic policy dialogue between the Spanish Cooperation and UNDP.
- 1.3. This Strategic Partnership Framework is established on the basis of a development results oriented partnership and the improvement of development aid efficiency in accordance with the international consensus laid down in the Paris Declaration, the Accra Agenda for Action and the Busan Document.
- 1.4. Finally, the Strategic Partnership Framework seeks to promote a stable and predictable UNDP funding framework, subject to available funding, based on its multiannual strategic planning.

2. Contributions to Regular Resources and to Other Resources

- 2.1. The Spanish Cooperation undertakes to annually contribute to the regular resources of UNDP subject to the availability of budgetary resources. Likewise, the Spanish Cooperation may contribute to the programmes, projects and trust funds managed by UNDP via financing and contribution agreements.
- 2.2. The Spanish Cooperation may contribute financially to UNDP programmes and projects via financing and contribution agreements, subject to the availability of budgetary resources, and in line with the shared priorities identified in the Programmatic Document.

3. Formalization of contributions to Other Resources

3.1 Contributions may be formalized by means of:

- a) resources from the Development Promotion Fund (FONPRODE) and approved by a Cabinet agreement will be formalized via a Contribution Agreement.
- b) funding to international organizations (IOs) for developing the government's foreign policy, in accordance with Article 8.1.a of Royal Decree 794/2010 of 16 June will be formalized via Resolution of Grant Concession.
- c) other contributions approved by the Cabinet or other contributions, will be formalized by the appropriate administrative acts envisaged in Spanish legislation.

4. Coordination and Governance

- 4.1. Spain and UNDP shall maintain fluid communication between UNDP Headquarters in New York, Spain's Permanent Mission to the UN and the central offices of the MAEC and the AECID in Madrid, and on the ground between UNDP national offices and the AECID Technical Cooperation Offices. This communication will facilitate strategic dialogue and the exchange of ideas, policies and lessons learned.
- 4.2. The governance and management of this Strategic Partnership Framework is coordinated first, by the active and informed participation of Spain in UNDP's Executive Board meetings, and Spain's participation in other meetings that are relevant to the aims of this Strategic Partnership Framework, where possible joining forces and stances with other donors that take part in the Executive Board meetings.
- 4.3. At the same time, the signatories will hold at least one annual monitoring meeting of the Strategic Partnership Framework, in New York or Madrid, with the aim to discuss framework-related activities and exchange opinions on UNDP's policies and activities, especially those funded by the Spanish Cooperation. Specifically and in accordance

with the provisions of the Framework Agreement between UNDP and Spain, the monitoring meeting will focus on:

- Information and reviewing the state of the partnership between the parties and monitoring the agreement. Analysing the monitoring report presented by UNDP.
- Generally reviewing the financial contributions made by Spain and potentially reallocating funds. Analysing the updated statement of financial contributions presented by UNDP.

5. Monitoring and evaluation

5.1. Spain and UNDP will jointly monitor this Strategic Partnership Framework and this will involve UNDP annually producing a **monitoring report** which will include analysis of the degree of progress in implementing the Strategic Partnership Framework, as well as the updated statement of the Spanish Cooperation's financial contributions to UNDP. This report will be presented at least one month before the monitoring meeting which will be held in the last quarter of each year.

5.2. The signatories will analyse and evaluate progress towards meeting the Strategic Partnership Framework commitments at the aforementioned annual meetings. In these annual meetings, the signatories will also agree on the allocation of the available resources in accordance with the criteria established in the attached Programmatic Document.

5.3. UNDP will keep appropriate accounting records in accordance with its own financial regulations. Based on these records, UNDP will produce a **financial report** indicating expenditure for all the sources of funding and this report will accompany the aforementioned consolidated annual report. This financial report will include the annual accounts with income and expenditure in which the consolidated amount received from the MAEC and / or the AECID and total expenditure for UNDP budget allocations will be included.

5.4. With regard to evaluation, UNDP funds, programmes and projects will be evaluated in accordance with UNDP Evaluation Policy and in accordance with the norms and standards of the United Nations Evaluation Group (UNEG).

5.5. UNDP and the government of the country in which work is being done, in consultation with the MAEC and / or the AECID and other interested parties, may jointly agree upon the terms of reference of evaluations, funding mechanisms and dissemination and use of evaluation products. UNDP will inform the MAEC and AECID of the evaluations planned in which there could be a mutual interest, so that the Spanish Cooperation could participate in the design, management, development and dissemination of the evaluations, in accordance with UNDP rules. The cost of MAEC / AECID's participation in these activities will be borne by MAEC and AECID respectively. Final evaluation

reports produced in accordance with internal UNDP rules will be made available to the MAEC/AECID for their own information and for circulation to other Spanish Cooperation stakeholders.

5.6. The AECID Technical Cooperation Offices will be regularly informed about the progress of project related work, maintaining a suitable partnership in order to ensure adequate coordination. The Technical Offices will be invited to take part in the evaluation meetings of projects and programmes funded under the framework of this document, in accordance with UNDP rules, regulations, policies and procedures, and in accordance with UNDP Evaluation Policy.

6. Consultation and exchange of information

6.1. The signatories must periodically keep themselves informed and must consult each other about issues of mutual interest that, in their view, could result in a mutual partnership.

6.2. Consultation and the exchange of information and documentation in application of this section must be conducted without prejudice to the agreements that are needed to protect the confidential and restricted nature of certain information and documentation. These agreements will remain in force when this Administrative Document and any other agreement signed by the signatories within the framework of this partnership expire.

6.3. The signatories may invite each other to send observers to the meetings or conferences that they arrange or are held under their auspices and which, in the opinion of a signatory, may interest the other party. These invitations are subject to the procedure applicable to these meetings or conferences.

7. Recognition and contribution

7.1. The signatories recognise that their collaboration could be publicized and therefore agree to acknowledge the role and contribution of each organization in all public information documentation about this cooperation and to use the name and logo of the signatories in the documentation about the cooperation in accordance with the current policy of each organization and subject to the prior written agreement of each signatory. The signatories undertake that the aforementioned promotional work will be carried out without prejudice to the privileges and immunities of the UN contained in the Convention on the Privileges and Immunities of the UN and the security and safety of UN officials.

8. Budgetary framework

8.1. The Government of Spain will advocate an increasingly forward-looking approach to its financial contributions to UNDP, based on the availability of budgetary resources. Other Spanish public authorities, particularly the Autonomous Communities and the Local Entities, may make dedicated contributions, joining in this Strategic Partnership Framework through their own mechanisms. In the event of other public authorities joining in this Strategic Partnership Framework an addendum will be appended to it, acknowledging the involvement, contribution made and the mechanisms used to reflect, acknowledge and publicise this involvement.

8.2. Likewise, the Spanish Cooperation and UNDP will take advantage of the tools listed in the Administrative Agreement for the SDGs Fund Spain –, with the funding mechanisms listed in that document, particularly focusing on programmability, efficiency and effectiveness of funding implementation.

9. Communication and visibility

9.1. The signatories shall prepare a joint communication plan for the duration of the Strategic Framework Partnership.

9.2. UNDP shall ensure that publications and communications hereunder, press releases, or other information material issued by UNDP with respect to any activity financed under the Administrative Document shall clearly indicate that the activities in question have received funding from Spain in all cases subject to security and safety considerations of UNDP Prior to the use by any of the parties of the logo or emblem of the other counterpart, Spanish Cooperation and UNDP shall specify the conditions under which the logos of the counterpart could be used in a public document or material related to the current Strategic Framework Partnership, and in accordance with their respective policies and procedures.

10. Duration, Termination, Modification

10.1. This Administrative Document shall enter into force upon signature, and shall continue in force until terminated. This Administrative Document may be modified by mutual agreement of both parties, provided notice is given in writing.

10.2. Termination of the agreement will not mean the end of any of the Contribution Agreements entered into within the framework of this Administrative Document. This Administrative Document will remain in force provided it is necessary while said Contribution Agreements remain in force.

10.3. This Administrative Document may only be amended by mutual written consent by the signatories, and provided written notice is given three (3) months in advance.

10.4. Without prejudice of other modalities included in the Contribution Agreements or other documents approving contributions, the signatories must always try amicable means to resolve any dispute, controversy or claim that may arise in relation to this Agreement, or its breach, termination or invalidity.

11. Notice and addresses

11.1. Any notice or request required or permitted to be given or made in this Administrative Document will be in writing. Such notice or request will be deemed to be duly given or made when it will have been delivered by hand, mail, or any other agreed means of communication to the party to which it is required to be given or made, at such party's address specified below or at such other address as the party will have specified in writing to the party giving such notice or making such request.

For the MAEC: Secretario General de Cooperación Internacional para el Desarrollo
Torres Ágora. Torre Norte, 1ª Planta.
Calle Serrano Galvache
28071. Madrid. Spain
Tel: +34 91 394 15 16/25
Fax: +34 91 394 89 39
E-mail: secretariageneral@maec.es

For the AECID: Vicepresidente del Consejo Rector de la Agencia Española de Cooperación Internacional al Desarrollo
Avenida Reyes Católicos, 4
28040 MADRID, Spain
Fax: +3491 583 82 34
Email: vicepresidente.aecid@aecid.es

For UNDP: UN Under-Secretary-General and UNDP Associate Administrator
1 United Nations Plaza
New York, NY 10017
Email: gina.casar@undp.org

12. Miscellaneous

12.1. This Administrative Agreement includes the full understanding of the signatories with regard to purpose of this Administrative Document, and replaces all prior agreements relating to the same purpose. Failure by either signatory to apply a provision of this Administrative Document does not mean that this provision or any other in the

Administrative Document may be waived. The invalidity or inapplicability of a provision in this Administrative Document does not render other provisions in the Administrative Document invalid or inapplicable.


12.2. This Administrative Document is signed in four original copies, two in Spanish and two in English. In the event of discrepancies of interpretation, paragraph 10.4 will apply as well as any other relevant provisions included in the Resolutions, Contribution Agreements or other documents which formalize the contributions.

12.3. Nothing in this agreement shall be understood as a waiver of the immunities and privileges of the United Nations of which UNDP is an integral part.

IN WITNESS WHEREOF, the duly authorised representatives of the signatories hereby put their signatures to this Administrative Document as below.

*For the Spanish Ministry of Foreign Affairs
and Cooperation, and for the Spanish
Development Cooperation Agenc.*

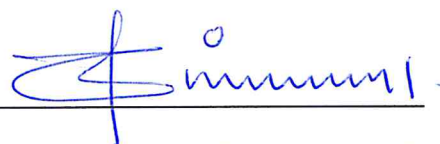
*For the United Nations
Development Programme*



Secretario General de Cooperación
Internacional para el Desarrollo y
Vicepresidente del Consejo Rector de AECID

Gonzalo Robles Orozco

Madrid, 16/5 2015.



UN Under-Secretary-General and UNDP
Associate Administrator

María Eugenia Casar

Madrid, 16 ABRIL 2015.