

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE UNITED NATIONS ECONOMIC AND SOCIAL COMMISSION
FOR ASIA AND THE PACIFIC
AND
THE ASIAN DEVELOPMENT BANK

I. INTRODUCTION

1. The United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) and the Asian Development Bank (ADB) reaffirm their desire to work together in areas of mutual interest in the service of developing countries of common membership through the present Memorandum of Understanding (MoU), which supersedes the MoU signed between the two organizations on 24 April 2015 (2015 MoU).

2. ESCAP and ADB have a strong and long-standing partnership, collaborating on a wide range of issues including, the Millennium Development Goals and the Sustainable Development Goals. Under the 2015 MoU, ESCAP and ADB jointly worked on various activities including, (i) producing knowledge products in the areas of the SDGs, energy, environment, sustainable urban development; (ii) organizing training events on domestic resource mobilization and governance, infrastructure financing and public and private partnership; and (iii) organizing workshops on regional cooperation and integration, transport and ICT connectivity.

3. ESCAP is the regional development arm of the United Nations for the Asia-Pacific region. ESCAP is committed to a resilient Asia and the Pacific founded on shared prosperity, social equity, and sustainability. Its vision is to be the most comprehensive multilateral platform for promoting cooperation among member States to achieve inclusive and sustainable economic and social development in Asia and the Pacific.

4. ADB is a regional development bank that responds effectively to the changing needs of its developing member countries. Under its new strategy (Strategy 2030), ADB sustains its efforts to eradicate extreme poverty and expand its vision to achieve a prosperous, inclusive, resilient, and sustainable Asia and the Pacific region.

II. PURPOSE OF ESCAP-ADB COOPERATION

5. As both ESCAP and ADB have been established with mandates to promote the inclusive economic growth and regional cooperation, and both give a priority to poverty reduction and inclusive and sustainable development in Asia and the Pacific, ESCAP and ADB plan to work together towards:

- (a) achieving internationally agreed development goals, including the 2030 Agenda for Sustainable Development; and
- (b) supporting poverty reduction and sustainable development through improved cooperation and connectivity at the regional and sub-regional levels.

III. GENERAL PRINCIPLES FOR ESCAP-ADB COOPERATION

6. The ESCAP-ADB cooperation will be guided by the following general principles:
- (a) country and, where relevant, regional and subregional ownership of sound development policies and programmes to ensure inclusive, sustainable and resilient development;
 - (b) evidence-based development policies for inclusive, sustainable and resilient development, supported by innovative research and analysis;
 - (c) stakeholder participation in consultative processes as appropriate;
 - (d) results-oriented sustainable development policies and programmes; and
 - (e) transparent relationships between development assistance providers and beneficiary countries.

IV. AREAS OF ESCAP-ADB JOINT ACTIVITIES

7. The priority areas for joint activities include those listed in the Appendix to this MoU, which may be amended from time to time with the mutual written consent of ESCAP and ADB.
8. ESCAP and ADB jointly plan to:
- (a) focus on the shared strategic and operational priorities of the two organizations;
 - (b) use the comparative strengths and advantages of each organization;
 - (c) produce analytical work, implement capacity building initiatives, and organize conferences/policy dialogues at the regional and sub-regional levels;
 - (d) share knowledge, best practices, lessons learned and evaluations of developments in Asia and the Pacific;
 - (e) consult each other on policy dialogue at the regional and sub-regional levels and programming for regional and sub-regional activities, where feasible and appropriate; and
 - (f) explore the potential of co-financing of regional and sub-regional programs and projects.

V. EXCHANGE OF INFORMATION

9. ESCAP and ADB recognize that effective cooperation depends on open, comprehensive and regular exchange of information at the institutional level. They agree to make appropriate arrangements to:

- (a) provide each other copies of relevant publications and public documents to be maintained as reference by both organizations; and
- (b) post notices on the websites of each organization of:
 - conferences, seminars and workshops being organized or sponsored;
 - regional, country, sector and thematic policy/strategy documents;
 - programme and project approval documents; and
 - regional programme, country programme, sectoral, project and other evaluations.

VI. RECIPROCAL INVITATIONS

10. ESCAP and ADB recognize that appropriate representation is important for the purpose of joint positioning and advocacy. They agree that:

- (a) reciprocal invitations will be extended to the other organization to attend the annual meetings of ADB and the ESCAP annual sessions; and
- (b) invitations to other meetings, conferences, seminars and workshops relevant to cooperation in the priority areas set out in the Appendix to this MoU will be sent, where appropriate.

VII. PERIODIC CONSULTATIONS

11. ESCAP and ADB recognize that it is important to convene periodic consultations to review what is being planned, what is being implemented, and what is being achieved in terms of results as well as to discuss new challenges, opportunities and problems. They agree to hold such consultations periodically as required and not less than once every two years.

VIII. FOCAL POINTS FOR MANAGEMENT OF THE MOU

12. ESCAP and ADB agree to designate as focal points for the activities under this MoU:
- (a) for ESCAP: Director, Strategy and Programme Management Division (SPMD)
 - (b) for ADB: Director-General, Strategy, Policy, and Partnerships Department (SPD)

IX. MONITORING AND EVALUATION OF JOINT ACTIVITIES

13. ESCAP and ADB agree to jointly prepare on an annual basis:
- (a) a list of all planned, ongoing, and current cooperation activities, including a brief description of the activities, implementation status, and assessment of the results achieved; and
 - (b) a review of the ongoing and completed cooperation activities to assess their progress and results.

X. ACKNOWLEDGMENTS AND USE OF INSTITUTIONAL EMBLEMS

14. ESCAP and ADB recognize that the involvement of both organizations in joint cooperation activities benefit from being publicized. They agree that:
- (a) there will be public acknowledgment of the role and contribution of each organization to cooperation projects in all public information documentation related to such cooperation;
 - (b) the use of emblems of each organization in documentation related to cooperation will be in accord with the current policies of each organization concerning such usage; and
 - (c) neither Party will use the name, emblem or trademark of the other Party, its subsidiaries and/or affiliates, or any abbreviation thereof, in connection with its business or for public dissemination without the prior express written approval of the other Party.

XI. MISCELLANEOUS

15. **Legal Status:** This MoU is not intended to and does not create any legally binding obligation on either Party.

16. **Effective Date and Termination:** The term of this MoU will be from the date on which it is signed by both ESCAP and ADB until 31 December 2025, unless terminated earlier by either Party providing six months prior written termination notice to the other Party.

17. **Amendments:** This MoU may be amended by mutual written consent of ESCAP and ADB.

18. **Financial Obligations:** Nothing in this MoU obligates either party to expend funds or to enter into any contract, assistance agreement, or other financial obligation. Any activity involving reimbursement or contribution of funds between ESCAP and ADB will be handled in accordance with each Party's policies and procedures, applicable laws, regulations and procedures.

19. **Privileges and Immunities:** Nothing in this MoU will be construed as an express or implied waiver, renunciation or other modification of any immunities, privileges or exemptions of ADB accorded under the Agreement Establishing the Asian Development Bank or of the United Nations.

20. **Independent decision-making autonomy:** No provisions herein are intended to interfere in any way with ADB's and ESCAP's independent decision-making autonomy with regard to their own respective affairs and operations.

21. **Future collaboration and funds:** Any activities conducted under this MoU are subject to (a) their inclusion in the organisations' respective programmes of work and budgets and to the availability of funds, and (b) an administrative arrangement in relation to principles of implementation that may be agreed between ESCAP and ADB, from time to time. In the case any transfer of funds or any payment is required by any Party, the *Administrative Arrangements for ADB-ESCAP Project Cooperation*, signed on 12 October 2016 (as may be amended, supplemented, or restated from time to time), will be made applicable to specific cooperation between ESCAP and ADB arising from this MoU.

22. **Confidentiality:** The terms of this MoU and any information, however recorded or preserved, provided by one Party to the other Party under it, are not confidential and may be made public, subject to any exceptions to disclosure under ADB's Access to Information Policy (2018) or ESCAP's disclosure policy, each as amended from time to time. For the avoidance of doubt, any information that is intended to be confidential must be clearly marked as "Confidential".

23. **Intellectual Property:** ESCAP and ADB acknowledge that the activities under this MoU may result in a product subject to intellectual property rights. In this regard:

- ESCAP and ADB agree to negotiate and agree upon appropriate intellectual property provisions in each case, based on the nature of the activity and the financial and/or intellectual contribution made by each Party, and to set out the intellectual property provisions in a separate written agreement; and

- each Party will retain ownership of the intellectual property rights in any of its respective existing materials or work product that is shared with the other Party in connection with activities under this MoU.

**For the United Nations Economic and
Social Commission for Asia and the Pacific**



Armida Salsiah Alisjahbana
Under-Secretary-General of the United
Nations and Executive Secretary of ESCAP

Place: Bangkok, Thailand

Date: 18 March 2021

For the Asian Development Bank



Masatsugu Asakawa
President of ADB

Place: Manila, Philippines

Date: 18 March 2021

APPENDIX**PRIORITY AREAS FOR ESCAP-ADB COOPERATION**

1. The 2030 Agenda for Sustainable Development, with a focus on:
 - a. Reducing gender inequality
 - b. Addressing climate change
 - c. Healthy oceans and sustainable marine economies
 - d. Energy
2. Regional economic cooperation and integration, with a focus on:
 - a. Trade facilitation and value chains
 - b. Transport and logistics
 - c. E-commerce
 - d. Quality infrastructure
3. Mitigation of pandemics and socio-economic recovery and resilience of developing countries.
4. ESCAP and ADB will collaborate in assisting countries of North and Central Asia, including through the Central Asia Regional Economic Cooperation Program (CAREC) and the UN Special Programme for the Economies of Central Asia (SPECA).
5. Other areas like social protection, including health systems, and domestic resource mobilization.
