



Capacity Building International, Germany

Seit dem 1. Januar 2011:



IMPLEMENTATION AGREEMENT

Between
the Secretariat of the Association of Southeast Asian Nations (ASEAN)
and
InWent - Capacity Building International, Germany
for the Project
"Capacity-Building for the ASEAN Secretariat"

Preamble

The **Association of Southeast Asian Nations (ASEAN)** was established on August 8, 1967. The Member States of the Association are Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam. The ASEAN Secretariat is based in Jakarta, Indonesia. The ASEAN Declaration states that the aims and purposes of the Association are to accelerate economic growth, social progress and cultural development in the region, and to promote regional peace and stability through abiding respect for justice and the rule of law in the relationship among countries in the region and adherence to the principles of the United Nations Charter. The ratification of the ASEAN Charter on 15 December, 2008 led to the institutionalization of ASEAN, organizational structuring and strengthening of the ASEAN Secretariat. One of the key challenges facing ASEAN Secretariat is the effective coordination of the new ASEAN bodies, including the ASEAN Community Councils, the ASEAN Sectoral Ministerial Bodies, the Committee of Permanent Representatives to ASEAN, and the ASEAN National Secretariats. The ASEAN Secretariat is also tasked with realizing the vision of an ASEAN Community, comprising of ASEAN Political-Security Community, ASEAN Economic Community, and ASEAN Socio-Cultural Community, by the year 2015.

InWent – Capacity Building International, Germany, operates worldwide and dedicates its activities to capacity building, human resource development, advanced training and dialogue. Our programmes are directed at executives and experts from administrations, the business community, politics, and civil society. InWent is commissioned by the Government of the Federal Republic of Germany to assist with the implementation of the Millennium Development Goals of the United Nations.

Therefore, the

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(hereinafter referred to as "ASEAN Secretariat")

and

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Germany
(hereinafter referred to as "InWent")



intend to conclude the following agreement (in the following referred to as the "Agreement") regarding the joint implementation of the project "Capacity Building for the ASEAN Secretariat" (hereafter the "Project") - Phase III commissioned by the Government of the Federal Republic of Germany as referred to in the Note Ref.: Pol-3-323.42/5 from the Charge d'Affaires a.i. of the Federal Republic of Germany dated April 28, 2009, confirmed by Note **APSC/ER.I/446/Germany/CapacityBuilding/(001)** from the ASEAN Secretariat, dated 14 January 2011.

1. Objectives of the Project

The objective of the project is ***to strengthen the ASEAN Secretariat in promoting and facilitating the implementation of the ASEAN Charter and regional cooperation and integration among ASEAN Member States.*** To achieve this objective, capacity building activities, including technical assistance, training courses and advisory services, will be implemented in partnership with the ASEAN Secretariat in a number of different areas.

2. Project Areas

The following areas will be given particular attention by the ASEAN Secretariat and InWent in the joint implementation of the above mentioned capacity building project, Phase III (2011-2013):

- Administration and management
- Economic cooperation and integration
- Media and communication
- Legal matters; and
- Other mutually agreed areas

With regard to strengthening administration and management, the project will include the implementation of capacity building activities for the Legal Services and Agreements Division (LSAD) and the Macroeconomic Finance and Surveillance Office (MFSO). In this context, consideration will be given to issues related to human resources development and management, legal advisory, in particular on Dispute Settlement Mechanisms, as well as networking and dialogue with relevant stakeholders in ASEAN Member States.

As regards economic cooperation and integration, project activities will continue to focus on areas related to competition policies and laws issues and to support public-private sector engagement. To strengthen the awareness of ASEAN in Member States and beyond, capacity building activities will be implemented focusing on the media as multipliers. The Public Outreach & Civil Society Division (POCS) of the ASEAN Secretariat will be supported in strengthening their capacities on Public Relations and in developing an ASEAN Corporate Design.

Specific capacity building activities (e.g., training courses (incl. e-learning modules), workshops, comparative study visits within ASEAN and to European institutions, short-term expert missions and dialogue events in the above-mentioned areas will be planned in detail, and subsequently implemented, jointly by the ASEAN Secretariat and InWent within the overall framework agreed upon between the ASEAN Secretariat and the Federal Foreign Office of the Federal Republic of Germany.

3. Management and Administration

A Project Steering Committee (PSC) shall be established to provide policy guidance and coordination between the ASEAN Secretariat and InWent in the planning and implementation of activities.

- a. Composition of the PSC:
The PSC shall be chaired by a Deputy Secretary-General of ASEAN or his/her nominee. The PSC shall comprise nominated ASEAN Secretariat representatives and officials from the German Embassy, Jakarta and from InWent.



b. Functions of the PSC:

The PSC shall meet at least twice a year (or as and when necessary) at the ASEAN Secretariat or at other appropriate venue for the following purposes, among others:

- i. Approval of proposals and/or concept papers on ASEAN Secretariat capacity building activities;
- ii. Review and/or endorsement of the annual work plans;
- iii. Review the progress of project implementation;
- iv. Approval of variations and/or additions of activities to the agreed areas of cooperation;
- v. Approval or making recommendations for the provision of technical expertise and assistance in the implementation of the projects/activities; and
- vi. Approval of further arrangement on the project's management and administration, as and when necessary.

4. Contributions of InWent

InWent will make the following contributions:

- Funding of (i) one (1) international long-term expert as 'Technical Assistance Coordinator' seconded to the ASEAN Secretariat, (ii) one (1) local expert as 'Executive Project Assistant', and (iii) the honorarium for short-term experts and trainers
- Funding of international travel expenses including accommodation and board for international experts and trainers as well as for InWent representatives in the context of training activities and advisory services (in compliance with the regulations of the German Federal Travelling Expenses Act, BRKG)
- Funding of international travel expenses for participants in training programmes
- Funding of their board and lodging plus travel costs inside Germany/Europe for participants from ASEAN Secretariat and ASEAN Member States, if comparative study trips and dialogue workshops are conducted in Europe
- Funding of conference rooms, board and accommodation for participants during workshops that will be conducted in ASEAN Member States, if these costs cannot be covered by ASEAN Secretariat

5. Contributions of the ASEAN Secretariat

- Nomination of one (1) ASEAN executive or officer as the overall contact person and coordinator for the implementation of the agreed capacity building activities
- Provision of office space and facilities for short-term experts during missions to the ASEAN Secretariat
- Provision of an office and facilities for the 'Technical Assistance Coordinator' and the 'Executive Project Assistant' in the ASEAN Secretariat
- Logistical assistance for training workshops, short-term experts, coordination meetings and dialogue events implemented in Indonesia or other ASEAN Member States
- Identification of participants for training activities and provision of lists of participants prior to planned events

6. Amendments and Duration of this Agreement

All changes and amendments to this Agreement must be agreed upon by the parties in writing. Both signatory parties may terminate this Agreement at any time with three (3) months prior written notice.

This Agreement shall become effective as on the date of signature and remain in force until December 31, 2013.



7. Funding

The Government of the Federal Republic of Germany has commissioned InWEnt with the implementation of the project, funded with an amount totalling up to EUR 4,000,000 (four million Euro) for the fiscal years of 2011, 2012 and 2013.

8. Jurisdiction

Any difference with regard to interpretation and implementation of this agreement shall be settled through negotiations and consultations between the parties.

9. Severability

Should any provision of this Agreement be or become invalid, the remaining provisions stay in effect.

10. Contacts

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InWEnt

Date 18.01.2011

Dr. Günther Taube

Mr. Gert Reinberger

ASEAN Secretariat

Date 18.01.2011

Mr. Bagas Hapsoro

Ms. Chen Chen Lee