

**STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE
ATTORNEY-GENERAL'S DEPARTMENT AND THE AUSTRALIAN AGENCY
FOR INTERNATIONAL DEVELOPMENT (AusAID)**

Introduction

1. The Australian Government has sought a more intensive approach to enhancing good governance and security in the Asia-Pacific region as an integral part of meeting development challenges, reducing poverty, and protecting Australia's national interests. AusAID and the Attorney-General's Department are natural partners in this endeavour, sharing a common interest in assisting developing country partners to improve their law and justice systems.
2. The purpose of this agreement is to recognise shared strategic goals, acknowledge agency strengths, establish the partnership principles and establish cooperation arrangements to enhance the Strategic Partnership between the Attorney-General's Department and AusAID. This partnership is designed to advance the Government's policies of promoting good governance, law and justice, and security in the region.

Strategic Partnership Principles

3. The Strategic Partnership will be governed by the following principles:
 - a) The agencies recognise that investment in identifying shared strategic goals is important for policy coherence and program effectiveness.
 - b) The relationship of the agencies will be one of equal partnership, valuing the contribution each agency can make to reaching common goals and recognising that each agency has different skills, attributes and strengths.
 - c) The partnership will be underpinned by mutual respect, professionalism, honesty, cooperation, the sharing of ideas and open, two-way communication at all levels.
 - d) Each agency recognises that its roles and functions in relation to improving law and justice in the region are guided by its respective responsibilities within the Australian Government.
 - e) The agencies will liaise closely regarding law and justice programs to ensure these activities are managed and coordinated to maximise the impact of Australian assistance.
 - f) The agencies will consult with each other on appropriate issues of shared interest in providing advice to Ministers and in dealing with other government agencies, recognising the responsibility of each to provide independent advice.
 - g) Each agency will engage on issues of performance, accountability and risk by drawing the other's attention to matters likely to impact on joint policy or delivery of programs.
 - h) Each agency will assist the other with building their capacity in particular areas of interest.

Shared Strategic Partnership Goals

4. The agencies will work together to improve law and justice in regional developing countries, including through promoting law reform, strengthening counter-terrorism initiatives, promoting good governance, enhancing security, strengthening collaboration within the region, and promoting long-term, sustainable capacity building and reforms of legal institutions.
5. More specifically, the Attorney-General's Department and AusAID will work together to:
 - a) Identify emerging strategic goals and identify consequences for policy development and program delivery.
 - b) Strengthen legal institutions in the region, particularly through policy advice and priority setting in Australia's elevated commitment to improving governance, particularly in PNG and the Solomon Islands (in conjunction with other departments);
 - c) Build capacity in the region to meet international obligations including in respect of anti-corruption, anti-money laundering, counter-terrorism and transnational crime, international trade, and human rights;
 - d) Strengthen legal policy capacity, legal and administrative skills and management arrangements within law and justice agencies; and
 - e) Support appropriate constitutional and legal reform in developing countries in the region.

Agency Skills, Attributes and Strengths

6. Each agency brings different skills, attributes and strengths to the Strategic Partnership.

AusAID's strengths include:

- a) the provision of development policy advice drawing on a deep knowledge and understanding of developing countries in our region and the long-term aspects of development;
- b) management of Australian development cooperation programs focussed on achieving growth, stability and effective governance;
- c) knowledge of the social, economic and political context in developing countries, including machinery of government, at the national and sub-national level;
- d) experience in developing countries with strengthening and building the capacity of legal institutions to improve the delivery of government legal services, community safety and security and access to justice;
- e) analysis and understanding of the poverty impact of assistance in legal and judicial reform and the delivery of legal services;
- f) understanding of informal justice systems in developing countries;

- g) building capacity of legal institutions in developing countries and an understanding of traditional justice systems at the local level; and
 - h) well-established networks and relationships with partner governments and other key partners and extensive overseas infrastructure and delivery systems.
7. The Attorney-General's Department's strengths include:
- a) expertise in legal policy, the regulation of legal services including traded legal services, human rights issues, administrative law, justice system issues, constitutional law, legislative drafting, law reform and international law;
 - b) experience in advising on legislative frameworks in developing countries;
 - c) expertise in international law and the obligations of Australia and developing countries under international law;
 - d) established and developing relationships with legal agencies and institutions within the region; and
 - e) experience in responding to transnational organised crime issues within the region;
 - f) expertise and experience concerning legal institutional development, legislative development, and legal capacity building in certain developing countries and access to specialist advice through advisory and other bodies.
8. To achieve the Strategic Partnership goals, the Attorney-General's Department looks to AusAID to provide assistance in its areas of strength including through:
- a) expert advice on development policy, program development and contract management for developing countries in the region;
 - b) cooperation in joint governance and management of programs delivered in collaboration to build the capacity of legal institutions in developing countries in the region;
 - c) expertise on program design, monitoring and evaluation and sustainable capacity-building; and
 - d) expertise on law and justice issues confronting developing countries in the region.
9. AusAID looks to the Attorney-General's Department to provide assistance in its areas of strength including through:
- a) legal expertise in particular in technical areas including legal policy, human rights, administrative law, justice system, constitutional law, legislative drafting, law reform, and international law;
 - b) expert advice on appropriate reforms and initiatives to improve law and justice both in individual developing countries and the region more broadly;

- c) expert advice on legal issues surrounding Australia's development cooperation initiatives;
- d) collaboration with regional organisations and countries in the region to combat transnational organised crime; and
- e) appropriate personnel to provide legal policy, constitutional and law reform, legislative drafting assistance and capacity-building.

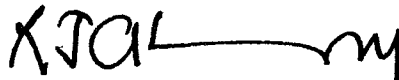
Coordination Arrangements

- 10. On a day-to-day basis, dialogue will continue at an operational level between officers of both agencies who are responsible for the design, delivery and implementation of the programs.
- 11. Each agency will assign responsibility for maintaining the Strategic Partnership to an appropriate senior executive officer.
- 12. The Attorney-General's Department and AusAID will meet at least annually at a senior executive level to review the Strategic Partnership and set priorities for cooperation and joint work. These formal cooperation arrangements will support enhanced engagement at all levels in areas of shared strategic interest.
- 13. Senior engagement on work priorities will provide opportunities for more strategic and efficient programming approaches. Subsidiary agreements will govern the actual operation of specific assistance programs being delivered by the Attorney-General's Department and AusAID.
- 14. Dialogue at a senior and operational level will identify opportunities for broader cooperation, including joint analysis in areas of shared interest and deepening staff links through exchanges or collaborative work processes.



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Robert Cornall
Secretary
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