

24 December 2009

Dear Mr. Lipman,

**Subject: Forwarding Two Original Copies of the Fully-Signed Contribution Agreement for the Cambodia Climate Change Alliance (CCCA)**

We are pleased to forward to you two original copies of the fully-signed contribution agreement for the Cambodia Climate Change Alliance (CCCA). Please also find enclosed original signed copy of the first pre-financing request (Annex V).

We would like to thank the European Union for the contribution to this initiative in Cambodia and look forward to our continuing cooperation to implement it successfully.

Yours sincerely,



Ismael Toorawa  
Country Director a.i.

Mr. David Lipman  
Head of Delegation  
Delegation of the European Union to Thailand  
Finance, Contracts and Audits Section  
Kian Gwan House II – 19<sup>th</sup> Floor  
140/1 Wireless Road, Bangkok 10330, Thailand

Cc. Ms. Fabienne Chevremont  
The Delegation of the European Union to Thailand

Koen Everaert  
Attaché, EU Delegation Cambodia

Encl. - Two original copies of the fully-signed contribution agreement  
- Annexes I - V

# EUROPEAN UNION CONTRIBUTION AGREEMENT WITH AN INTERNATIONAL ORGANISATION

DCI-ENV/2009/229-141

The European Union, represented by the Commission of the European Communities, ("the Contracting Authority")

of the one part,

and

the United Nations Development Programme (UNDP) with its Head Office at One UN plaza, New York, N.Y. 10017, ("the Organisation")

of the other part,

have agreed as follows:

## Special Conditions

### Article 1 - Purpose

- 1(1) The purpose of this Agreement is a contribution by the Contracting Authority for the implementation of the action entitled: **Cambodia Climate Change Alliance (CCCA)** ("the Action") as described in Annex 1.
- 1(2) The Organisation will be awarded the contribution on the terms and conditions set out in this Agreement, which complies with the provisions of *Financial and Administrative Framework Agreement* between the European Community and the United Nations which entered into force on 29 April 2003 and consists of these special conditions ("Special Conditions") and their annexes.
- 1(3) The Organisation accepts the contribution and undertakes to do everything in its power to implement the Action under its own responsibility.
- 1(4) The Action is a Joint Management Action for all purposes of this Agreement.
- 1(5) The Action is a Multi-donor Action for all purposes of this Agreement.

### Article 2 – Entry into force and Implementation Period

- 2(1) This Agreement shall enter into force on the date when the last of the two Parties signs.
- 2(2) The implementation of this Agreement will begin the day following that on which the last of the two parties signs.
- 2(3) The implementation period of this Agreement, as laid down in Annex I, is **36 months**.



### Article 3 - Financing the Action

- 3(1) The total cost of the Action eligible for financing by the Contracting Authority is estimated at **EUR 6 070 782.06** as set out in Annex III.
- 3(2) The Contracting Authority undertakes to finance a maximum of **EUR 2 205 816.06**; the final amount will be established in accordance with Articles 14 and 17 of Annex II.
- 3(3) Pursuant to Article 14(4) of Annex II, 7 % of the final amount of direct eligible costs of the Action to be reimbursed by the Contracting Authority to the Organisation in accordance with Articles 14 and 17 of Annex II, may be claimed by the Organisation as indirect costs.

### Article 4 - Narrative and financial reporting and payment arrangements

- 4(1) Narrative and financial reports shall be produced in support of payment requests, in compliance with Articles 2 and 15(1) of Annex II.
- 4(2) Payment will be made in accordance with Article 15 of Annex II; of the options referred to in Article 15(1), the following will apply:

First pre-financing	<b>EUR 480 595</b>
Forecast further instalments of pre-financing year 2 (subject to the provisions of Annex II)	<b>EUR 792 076</b>
Forecast further instalments of pre-financing year 3 (subject to the provisions of Annex II)	<b>EUR 779 822</b>
Forecast final payment (subject to the provisions of Annex II)	<b>EUR 153 323.06</b>

- 4(3) The exchange rate referred to in article 2.7 of Annex II is the UN operational rate of exchange on the date of the transaction, as set by UNDP regulations and rules.

In the event of a final surplus balance (of total financing over expenditures) at the financial closure of the project, the surplus balance in USD in the Organisation's accounts will be converted into Euro using the rate of exchange at the time when the refund is made and the resulting Euro equivalent will be refunded to the Contracting Authority.

In such event, the Organisation shall also:

- specify in the final report to be sent to the Contracting Authority the amount of surplus balance USD together with the amount in EUR ;
- inform the focal point for recoveries at the Commission of the exact amount to be transferred by the Organisation and of the date when such amount will be actually refunded to the Contracting Authority.

### Article 5 - Contact addresses

Any communication relating to this Agreement shall be in writing, shall state the number and title of the Action, and shall use the following addresses



For the Contracting Authority:

Payment requests and attached reports, including requests for changes to bank account arrangements shall be sent to:

The Delegation of the European Union to Thailand  
Kian Gwan House II, 19th Floor  
140/1 Wireless Road.,  
Bangkok, Thailand  
Tel +66 (0) 2305 2600/2700  
Fax +66 (0) 2255 9113  
For the attention of Ms Fabienne Chevremont

Copies of the documents referred to above, and correspondence of any other nature, shall be sent to:

The Delegation of the European Union to Cambodia  
No. 1, Street 21 Chamcarmon  
Phnom Penh, Cambodia  
Tel: 855-23-220 611  
**Fax: 885-23-216 997**  
For the attention of Mr. Rafael Dochao Moreno

For the Organisation:

**UNDP Cambodia**  
P.O.Box 877, Phnom Penh,  
Cambodia  
Tel. +855 23 216167/ 211240  
**Fax. +855 23 216257**  
For the attention of Mr. Jo Scheuer

**Article 6 - Annexes**

6(1) The following documents are annexed to these Special Conditions and form an integral part of the Agreement:

- Annex I: Description of the Action
- Annex II: General Conditions applicable to European Community contribution agreements with international organisations
- Annex III: Budget for the Action
- Annex IV: Financial identification form
- Annex V: Standard request for payment

6(2) In the event of a conflict between the provisions of the Annexes and those of the Special Conditions, the provisions of the Special Conditions shall take precedence. In the event of a conflict between the provisions of Annex II and those of the other annexes, the provisions of Annex II shall take precedence.

**Article 7 - Other specific conditions applying to the Action**

7(1) The following shall supplement the General Conditions:

7(2) Where appropriate, all references to the "(European) Community/(European) Communities" in the annexes to the present contract should be read as referring to the "European Union".

Done in Cambodia in three originals in the English language, two for the Contracting Authority and one for the Organisation.

**For the Organisation**

Name ISMAEL TOORAWA  
Position COUNTRY DIRECTOR a.i.  
Signature   
Date 24.12.09

**For the Contracting Authority**

Name David Lipman  
Position Head of Delegation  
Signature   
Date 23 DEC 2009





## ANNEX V

### Request for payment for contribution agreement with an international organisation

Date of the request for payment: 24/12/2009

For the attention of  
**Ms Fabienne Chevremont**  
The Delegation of the European Union to  
Thailand  
Kian Gwan House II, 19th Floor  
140/1 Wireless Road.,  
Bangkok, Thailand  
Tel +66 (0) 23052600/2700

Reference number of the Agreement: DCI-ENV/2009/229-141

Title of the Agreement: **Cambodia Climate Change Alliance**

Name and address of the Organisation: UNDP, 1 UN Plaza, 10017 NY, USA,

Request for payment number: First prefinancing

Dear Ms. Chevremont,

I hereby request payment of the first prefinancing under the Agreement mentioned above.

The amount requested is EUR 480,595 as indicated in Article 4.2 of the Special Conditions of the Agreement

Please find attached the following supporting documents:

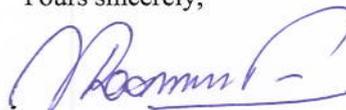
- signed Agreement

The payment should be made to the following bank account:

ING Belgium SA/NV  
60 COURS ST MICHEL  
BRUSSELS, Post Code 1040, BELGIUM  
Account Number 301-0186139-77  
IBAN BE 80301018613977

I hereby certify on honour that the information contained in this request for payment is full, reliable and true, that the costs incurred can be considered eligible in accordance with the Agreement and that this request for payment is substantiated by adequate supporting documents that can be checked.

Yours sincerely,



Ismael Toorawa  
Country Director a.i.  
UNDP Cambodia

