

MEMORANDUM OF UNDERSTANDING
between
*THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF
THE UNITED STATES OF AMERICA*
and
*THE MINISTRY OF INFRASTRUCTURE AND THE ENVIRONMENT OF
THE KINGDOM OF THE NETHERLANDS*
IN THE FIELDS OF
SUSTAINABLE URBAN DEVELOPMENT, WATER MANAGEMENT, AND
INTEGRATED PLANNING AND CROSS SECTOR COLLABORATION

The Department of Housing and Urban Development of the United States of America and the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands (the “Participants”) envisage

- promoting discussion and strategies on integrated policies and principles for sustainable urban development in the two countries;
- exchanging experience on water management strategies and climate resilience and preparedness;
- exchanging experience and best practices on integrated planning and cross-sector collaboration in the two countries.

They desire to promote international cooperation in the field of sustainable urban development, integrated planning, climate resilience and preparedness, and water management strategies through exploration of solutions to problems of mutual concern and the exchange of information on their policies, research, best practices and programs in this area;

Therefore they have reached the following understanding:

Section 1

To realize the benefits of this Joint Memorandum of Understanding (“Memorandum”), the Department of Housing and Urban Development of the United States of America and the Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands intend to develop cooperative exchange programs as specified below, or as may be subsequently decided upon.

Section 2

The bi-national work under this Memorandum is to be jointly led by the Secretary and Deputy Secretary of the Department of Housing and Urban Development of the United States of America and the Minister of Infrastructure and the Environment of the Kingdom of the Netherlands. Together, they intend to oversee the development of areas of cooperation and to seek the involvement of other experts outside the government working in these and related fields who are concerned with research and policy planning issues in urban development, water management in densely populated areas, the living with water strategy and formal and informal governance.

Section 3

The participants have decided to cooperate on sustainable urban development and water management strategies. The topic area of bilateral cooperation may include the following subjects:

1. Sustainable urban development:
 - a. Strengthening national, regional and local economies and international competitiveness of urban areas;
 - b. Integrating infrastructure planning and urban planning issues and accessibility of urban areas;
 - c. Livability;
 - d. Coherence of urban development with water management and ecological dynamics;
 - e. The value of urban design and integrated planning in sustainable urban development and water management.
2. Water management strategies and climate resilience and preparedness:
 - a. In dense urban areas with more extreme weather patterns;
 - b. Climate mitigation actions (green building, urban water management and sustainable urban design);
 - c. New innovative flood protection systems and building with nature;
 - d. Emergency planning and preparation methods.
3. Integration and Cross-Sector Collaboration
 - a. Integrated, cross sector and regional approach in policy making, rules and regulations and investment strategies and methods;
 - b. Sustainable urbanization procedures and administrative measures;
 - c. Combining informal governance and formal policy to develop adaptive planning strategies;

- d. Urban economic development and public–private sector investment partnerships;
 - e. Private corporate and philanthropic investment with public partners at all levels of government within sustainability themes;
 - f. Innovative procedures and investments in the coherence between urban development, ecological dynamics and water management;
 - g. Integrated or programmatic governance models for developing, executing and monitoring water management measures, for instance the Delta Program;
 - h. To be prepared for urgent matters and to arrange financial security on water strategies;
 - i. In general and in specific situations as for instance in collaboration with the ‘Hurricane Sandy Rebuilding Task Force’.
4. Other national policy and research issues in urban development, water management strategies and related issues as may be determined by the two governments.

Section 4

Cooperative activities initiated under this Memorandum are to be conducted on the basis of equality, reciprocity, and mutual benefit. Such cooperation may be implemented by the following means, centered on the dual framework and topic areas of interest listed previously:

- (a) Organization of the exchange of delegations, including, where appropriate and feasible, professionals and specialists in the subject areas;
- (b) Exchange of information, including policy research studies, program evaluation reports, and monitoring;
- (c) Organization of bilateral conferences, seminars, forums, workshops, prizes, competitions and planning meetings, if possible at least twice a year, once in each country;
- (d) Joint research studies on particular topics; and
- (e) Other means of cooperation as may be jointly approved, for example, an exchange of employees from each organization.

Section 5

Cooperative activities undertaken pursuant to this Memorandum are subject to the applicable laws and regulations of the United States of America and the Kingdom of the Netherlands and to the concurrence of both Governments before the initiation of any activities. Exchange of confidential or personally identifiable information is not contemplated by this Memorandum. Should the Participants decide to undertake such exchanges, they intend to memorialize the terms of such exchanges in writing, subject to the applicable laws and regulations of the United States of America and the Kingdom of the Netherlands.

Section 6

The nature and extent of activities undertaken pursuant to this Memorandum are subject to the availability of personnel and appropriated funds of each government. It is understood that each government bears the cost for its participation in such activities. This Memorandum is an expression of intent only, and it does not obligate funds, personnel, services, or other resources of either Participant, nor does it create any binding obligations under international or domestic law. Each Participant acts independently with respect to the performance of activities under the Memorandum and does not represent that it is an employee or agent of the other Participant. The Memorandum does not give a third party any benefit, legal or equitable right, remedy, or claim under the Memorandum.

Section 7

The governing legal authority, which permits HUD to enter into this Memorandum, is Section 501 of the Housing and Urban Development Act of 1970 (12 U.S.C. § 1701z-1) and Section 604 of the Housing Act of 1957 (12 U.S.C. §1701d-4).

Section 8

Both Participants intend to coordinate public statements and other disclosures with regard to the Memorandum, and no Participant may enter into any publicity regarding the Memorandum unless the Participants consult in advance on the timing and content of any such publicity, announcement, or disclosure.

Section 9

Overall coordination of this bilateral cooperative program rests with the Office of Policy Development and Research of the Department of Housing and Urban Development of the United States of America and with the Directorate-General of Spatial Development and Water Affairs of Ministry of Infrastructure and the Environment of the Kingdom of the Netherlands. Representatives of these offices or their designees should consult with each other and develop plans for specific cooperative activities which should cover the subject, procedures, terms of cooperation to be undertaken, the entities involved, other appropriate matters related to the conditions of such cooperation, and should review implementation of any mutually determined activities. Representatives of these offices should be responsible for appropriate coordination and cooperation within their respective governments.

Section 10

This Memorandum does not create any rights or obligations under international law.

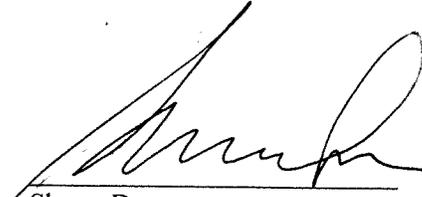
Section 11

This Memorandum is to come into operation upon signature by both Participants. Activities under this Memorandum may commence from the day of signature and continue for a period of five years. This Memorandum may be altered with approval in writing of both Participants. A Participant should endeavor to provide thirty days advance written notice of its intent to discontinue this arrangement. The Participants are to appoint American and Dutch designees to convene and agree to an annual working program. The Participants are to evaluate the outcome and progress on actions every two years. The designated lead should be shared alternatively between the two Participants. If decided by Participants other parties may be invited to participate.

Signed at Washington, DC on this 4th day of March, 2013, in duplicate, in the English and Dutch languages (both texts having equal validity).

FOR THE DEPARTMENT OF
HOUSING AND URBAN
DEVELOPMENT OF THE
UNITED STATES OF AMERICA:

FOR THE MINISTRY OF INFRASTRUCTURE,
AND THE ENVIRONMENT
THE KINGDOM OF THE NETHERLANDS
NETHERLANDS:



Shaun Donovan
Secretary
Department of Housing
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Melanie H. Schultz van Haegen
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Ministry of Infrastructure
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