
INTERNATIONAL RENEWABLE ENERGY AGENCY

Fourth meeting of the Council

Abu Dhabi, 12 – 13 November 2012

**Report of the facilitators on the issue of
Council composition, election, and rotation*****Including a Proposal for Amendments to the
Rules of Procedure of the Assembly*****A. Background**

1. The Statute of IRENA (Article X.A.), states that the members of the Council will be elected on a rotating basis as laid down in the Rules of Procedure of the Assembly, with a view to ensuring effective participation of developing and developed countries and achieving fair and equitable geographical distribution and effectiveness of the Council's work. It further determines that the members of the Council shall be elected for a term of two years.
2. The Decision on the Appointment of Facilitators on Council Composition, Election and Rotation (A/2/DC/3), adopted during the second session of the Assembly, appointed Luxembourg and Peru as facilitators, acting under the guidance of the President of the Assembly, charged with soliciting views from all Members of IRENA, Signatories, and States in accession to the IRENA Statute, in order to generate recommendations for an appropriate mechanism for Council composition, election, and rotation in an open, inclusive, and transparent process.
3. The decision also requested that the facilitators, with the support of the Secretariat, conduct consultations with Members, Signatories, and States in accession on the various proposals on Council composition, election, and rotation, taking advantage of the opportunity to do so provided at the Assembly and the meetings of subsidiary bodies of IRENA.

4. On the basis of this decision, the representatives of the facilitators, Mr. Guy Lentz of Luxemburg and Mr. Romulo Acurio of Peru, have carried out a process of consultations in the months following the second session of the Assembly, with the assistance of the Secretariat. This process consisted of an initial solicitation of views; the dissemination of relevant examples from other organizations; a circulation of feedback from Members, Signatories, and States in accession; an informal meeting in Abu Dhabi on 11 March 2012; subsequent one-to-one consultations with several States, at their request; a meeting on 4 June 2012, on the margins of the third Council meeting; and, after that date, additional consultations and a more focused discussion with interested delegations on the emerging options on the table.
5. Decision A/2/DC/3 requested the two facilitators, under the guidance of the President of the Assembly, to “propose relevant amendments to the Rules of Procedure of the Assembly to the third meeting of the Council or as soon as possible thereafter for the Council’s consideration at its fourth meeting, or to otherwise report the outcomes of its process to both the President of the Assembly and the Chair of the Council.”

B. Elements and rationale of amendments

6. As a result of the described process of consultations, the facilitators propose amendments to the Rules of Procedure of the Assembly based on a careful balance of the following main elements:
 - i The importance of ensuring an atmosphere of equality amongst Members and of unity of purpose with a focus on the Organization’s mission and objectives, and effectiveness of the Council’s work, while avoiding divisive proposals.
 - ii The convenience of a Council composition based principally on the criteria of effective participation of developed and developing countries, as well as fair and equitable geographic distribution.
 - iii The need to take appropriately into account the high probability of near universal membership of IRENA, based on current indicators, and the expected future of the Organization’s constituency, and, consequently, the need to refer to the total number of United Nations membership, which comprises the totality of potential membership of IRENA, according to its Statute.
 - iv The practical and political convenience of referring, as a starting point, to the candidacy groups of other international organizations, notably the United Nations, updating them to adequately reflect current international political realities.
 - v The pertinence of assigning to each group, with appropriate guidelines, the main task of nominating its candidatures for Council membership.
 - vi The need to take into account, *inter alia*, the following criteria in the establishment of the number of seats assigned to each candidacy group: a) the number of countries comprised in each group; b) the level of commitment and contribution to renewable energy and to the work of IRENA; c) the cross-continental character of one of the

- groups; d) the number of Small Island Developing States (SIDS) among its members; and e) the precedent of the distribution of seats within the Council.
- vii The convenience of allowing one-time re-election, resulting in a maximum of two consecutive terms.
- viii The need for the Council's work (and that of its subsidiary organs) to be open, transparent, and inclusive to ensure the participation of as many non-Council members as possible in its proceedings. Consequently, the usefulness of providing for the possibility of alternate membership to the Council.
- ix The appropriateness of avoiding modifications of the Statute including, for example, the introduction of rules for the annual rotation of membership in the Council.

7. In light of these main elements, the facilitators have developed the following rationale for the proposed amendments to the Rules of Procedure:

a) Rule 66

8. This rule has become obsolete and hence its deletion is proposed.

b) New Rule 66

9. A new Rule 66 on Nominations is proposed to establish a requirement that all the nominations for Council membership submitted to the Assembly would have to be presented by the respective candidacy groups, which would consequently need to agree internally on those nominations previously.
10. The new rule also proposes to establish four candidacy groups to conform to the practice of other international organizations, updated to reflect adequately current international political realities, and in line with several suggestions received during consultations. The four candidacy groups proposed are:
- Group A – Europe and Others
 - Group B – Asia and the Pacific
 - Group C – Africa
 - Group D – Latin America and the Caribbean
11. An annex is attached with the list of members of each candidacy group.
12. For the process of nomination by each candidacy group, a list of criteria is proposed to enhance the involvement and participation of the members of the Council and its overall effectiveness. The list of criteria is not restrictive but seeks to highlight the most relevant factors to consider in the nomination process by each group. The criteria are also meant to foster an effort of communication by each candidate state, within its own group, to justify its nomination.

13. Furthermore, an explicit rule is established to enhance, where applicable, the inclusion, among the candidates, of states with special needs, particularly Small Island Developing States (SIDS) and Least Developed Countries (LDC).

c) **New Rule 67**

14. A new rule is proposed to establish the distribution of seats assigned to each candidacy group in order to ensure fair distribution between developed and developing countries, fair and equitable geographical distribution, as well as the effectiveness of the Council's work.
15. To ensure fair and equitable geographical distribution, the respective size of each candidacy group has been considered, with reference to the total membership within the United Nations: Group A, Europe and Others: 54 members; Group B, Asia and the Pacific: 53 members; Group C, Africa: 54 members; Group D, Latin America and the Caribbean: 33 members. The proposed amendments establish that 18 of the 21 seats in the Council would be determined by this criterion of geographical distribution.
16. To ensure the effectiveness of the Council's work, the main non-geographical criteria proposed during the consultations have been, as is known, inter alia: the level of voluntary contributions to the Agency; national commitment to renewable energy, as well as normative and technological development in renewable energy; the commitment to the work of the Agency; the affiliation to a special needs group, such as the SIDS or the LDC; and the level of ratifications of IRENA's Statute within each region.
17. No single position has emerged from the consultations carried out by the facilitators during the last months on an acceptable rationale that could attain consensus to combine the criteria of geographical distribution and any other criterion. Consequently, the proposed amendments present two options.

Option 1

18. The first option does not seek to combine the geographical and effectiveness criteria. It proposes to assign eighteen (18) seats to the four candidacy groups arithmetically, based on their respective sizes. The proposed distribution of seats would be the following:
 - Five (5) seats to Group A – Europe and Others;
 - Five (5) seats to Group B – Asia and the Pacific;
 - Five (5) seats to Group C - Africa; and
 - Three (3) seats to Group D – Latin America and the Caribbean.
19. In addition, it is proposed that the three (3) remaining seats would be attributed, on a rotating basis, among the four candidacy groups A to D, with a maximum of one seat per group at any given term. At the third session of the Assembly, a drawing of lots would determine the three candidacy groups that would receive the rotating Council seats. During the subsequent Council elections at the fifth session of the Assembly, and

thereafter, the candidacy group that did not receive a seat at the previous session would be assured one of the three rotating seats. The other two seats would go to two of the remaining three groups in the alphabetical order of the identification of the group (i.e. Groups A to D).

Option 2

20. The second option seeks to combine the geographical and effectiveness criteria in a manner to appropriately take into account the nature of each group and the future development of the Agency.
21. On that basis, the following distribution of seats is proposed:
 - Six (6) seats to Group A – Europe and Others;
 - Five (5) seats to Group B – Asia and the Pacific;
 - Five (5) seats to Group C - Africa;
 - Four (4) seats to Group D – Latin America and the Caribbean; and
 - One (1) seat would be assigned, on a rotational basis, to the two candidacy groups whose members demonstrate the highest level of commitment to the work of the Agency, including through voluntary contributions.
22. The number of seats attributed to Group A reflects its size and, additionally, the fact that it constitutes the only candidacy group of a cross-continental nature. The number of seats assigned to Groups B and C are determined by their respective sizes. Finally, the number allocated to Group D is defined by its size and, additionally, by the fact that it is the candidacy group with the highest number of Small Island Developing States (SIDS).
23. The decision to assign the remaining, rotational seat would be made by the Assembly, based on an assessment of the two prior years of demonstrated commitments by member states in each candidacy group. The order of rotation between the two countries nominated by their groups would be determined by a drawing of lots before the election of the Council at the third session of the Assembly. As is known, in the current situation and in the foreseeable future of the Agency, the states with the highest level of commitment to its work, especially through voluntary contributions, belong to Groups A and B. Consequently, the proposed rotated seat would alternate between those two candidacy groups, starting in the elections at the third and fifth session of the Assembly, and until a re-assessment is deemed necessary.
24. In a **variant to Option 2**, it is proposed that, different to the distribution of seats indicated above, Group D would have three (3) permanent seats and would rotate one (1) seat with Group B, the two being the candidacy groups with the highest number of Small Island Developing States (SIDS) among its members.
25. In order to allow each group to enhance the participation of its members in the activities of the Council, it is proposed to allow each candidacy group to designate, if it so wishes,

one Alternate Member State to the Council. The Alternate Member State would not have the right to vote and would conform to the other provisions on participation established in the Rules of Procedure of the Council. Each candidacy group would inform the President of the Assembly of the Alternate Member State it has designated for any given term.

d) Rule 68 amended

26. An amendment to Rule 68 is proposed to reflect the position expressed by a vast majority of delegations, verified during the consultations, in favour of ensuring some level of continuity in Council membership while at the same enhancing renewal of its members.
27. Consequently the amendment proposes to allow immediate re-election, but also establishing at a maximum of two the number of successive terms of office to be served by a given elected member. Moreover, the amendment includes language aiming at encouraging each candidacy group to renew at least half of its seats after each term.

C. Proposed amendments

28. On the basis of the above-mentioned elements and rationale, the following amendments are proposed for the Rules of Procedure of the Assembly, which would enter into force immediately after their adoption at the third session of the Assembly and would thus apply for Council elections at that session:

X. ELECTIONS

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B. ELECTION OF COUNCIL MEMBERS

Rule 66 Elective places to be filled (deleted)

~~The President shall communicate to the Members together with the Agenda, the anticipated number of seats on the Council to be filled by election at that session, based on the formula set out in Article X, paragraph A of the Statute. Any adjustment in that anticipated number shall be announced by the President at the opening of such session.~~

New Rule 66: Nominations

For the purpose of elections to the IRENA Council, four candidacy groups are established taking existing relevant groupings of other international/regional organisations as a reference:

Group A: Europe and Others;

Group B: Asia and the Pacific;

Group C: Africa; and

Group D: Latin America and the Caribbean.

The candidacy groups are set out in an annex to these Rules.

Each group shall agree on the nomination of its candidates on the basis of the following criteria, among others:

- 1. Level of commitment and contributions to the work of IRENA;*
- 2. National commitment and normative and technological development in the area of renewable energy;*
- 3. Potential of energy markets; and*
- 4. Special needs for technical assistance.*

The groups will seek to include, among their candidates, states with special needs, particularly Small Island Developing States (SIDS) and Least Developed Countries (LDC).

New Rule 67: Distribution of seats

OPTION 1

To ensure effective participation of developing and developed countries and fair and equitable geographical distribution and effectiveness of the Council's work, the Council will be composed in the following manner:

- Five (5) seats to members of Group A – Europe and Others;*
- Five (5) seats to members of Group B – Asia and the Pacific;*
- Five (5) seats to members of Group C – Africa;*
- Three (3) seats to members of Group D – Latin America and the Caribbean; and*
- Three (3) seats to be assigned, on a rotational basis, among the four candidacy groups, with a maximum of one seat per group at any given term of office. A drawing of lots at the third session of the Assembly will determine the rotation of the three seats among the four groups.*

OPTION 2

To ensure equitable geographical distribution and effectiveness of its work, the Council will be composed in the following manner:

- Six (6) seats to members of Group A – Europe and Others;*
- Five (5) seats to members of Group B – Asia and the Pacific;*
- Five (5) seats to members of Group C – Africa;*

- *Four (4)(3)* seats to members of Group D – Latin America and the Caribbean;*
- *One (1) seat to be assigned, on a rotational basis, to the two groups whose members demonstrate the highest level of commitment to the work of the Agency, including through voluntary contributions.*
- *One (1) seat to be assigned, on a rotational basis, to candidacy Groups B and D*.*

*** Variant on Option 2**

Each candidacy group may nominate one Alternate Member State and inform the President of the Assembly accordingly. The Alternate Member State will not have voting rights and will participate in the activities of the Council in conformity to the Statute and these Rules of Procedure.

Amended Rule 68: Term of office

The term of office of each Council member shall begin at the close of the regular session at which it is elected and shall end at the close of the second regular session following that election. *Council members shall not be eligible for election for more than two consecutive terms of office. Each candidacy group shall encourage that at least half of its seats are renewed after each term.*

D. Next steps

29. In conformity with Decision A/2/CD/3, the facilitators will encourage, under the guidance of the President of the Assembly, the necessary dialogue on the amendments proposed in this report in order to reach an agreement during the fourth Council meeting and the adoption of a decision on Council composition during the next Assembly.

Candidacy groups*

GROUP A - Europe and Others (54)

Albania	Canada	Iceland	Republic of Moldova	Turkey
Andorra	Croatia	Israel	Russian Federation	Ukraine
Armenia	European Union and its Member States (27), of which 23 are IRENA Members	Lichtenstein	San Marino	United States of America
Australia		Monaco	Serbia	
Azerbaijan		Montenegro	Switzerland	
Belarus		New Zealand	The Former Yugoslav Republic of Macedonia	
Bosnia Herzegovina		Georgia	Norway	

GROUP B - Asia and the Pacific (53)

Afghanistan	Iran	Maldives	Philippines	Timor-Leste
Bahrain	Iraq	Marshall Islands	Qatar	Tonga
Bangladesh	Japan	Micronesia	Republic of Korea	Turkmenistan
Bhutan	Jordan	Mongolia	Samoa	Tuvalu
Brunei Darussalam	Kazakhstan	Myanmar	Saudi Arabia	UAE
Cambodia	Kiribati	Nauru	Singapore	Uzbekistan
China	Kuwait	Nepal	Solomon Islands	Vanuatu
DPR Korea	Kyrgyzstan	Oman	Sri Lanka	Viet Nam
Fiji	Lao PDR	Pakistan	Syrian AR	Yemen
India	Lebanon	Palau	Tajikistan	
Indonesia	Malaysia	Papua New Guinea	Thailand	

GROUP C - Africa (54)

Algeria	Congo	Guinea	Morocco	South Africa
Angola	Cote D'Ivoire	Guinea-Bissau	Mozambique	South Sudan
Benin	DR Congo	Kenya	Namibia	Sudan
Botswana	Djibouti	Lesotho	Niger	Swaziland
Burkina Faso	Egypt	Liberia	Nigeria	Togo
Burundi	Equatorial Guinea	Libya	Rwanda	Tunisia
Cameroon	Eritrea	Madagascar	Sao Tome and Principe	Uganda
Cape Verde	Ethiopia	Malawi	Senegal	UR of Tanzania
Central African Republic	Gabon	Mali	Seychelles	Zambia
Chad	Gambia	Mauritania	Sierra Leone	Zimbabwe
Comoros	Ghana	Mauritius	Somalia	

GROUP D - Latin America and the Caribbean (33)

Antigua and Barbuda	Chile	El Salvador	Mexico	Saint Vincent and the Grenadines
Argentina	Colombia	Grenada	Nicaragua	
Bahamas	Costa Rica	Guatemala	Panama	Suriname
Barbados	Cuba	Guyana	Paraguay	Trinidad and Tobago
Belize	Dominica	Haiti	Peru	
Bolivia	Dominican Republic	Honduras	Saint Kitts and Nevis	Uruguay
Brazil	Ecuador	Jamaica	Saint Lucia	Venezuela

*Country names in **bold** signify IRENA Members as of 25 October 2012.