

Third meeting of the Council of IRENA
5 - 6 June 2012, Abu Dhabi, United Arab Emirates

**REPORT OF THE THIRD MEETING OF THE COUNCIL
OF THE INTERNATIONAL RENEWABLE ENERGY AGENCY**

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Report of the third meeting of the Council of the International Renewable Energy Agency

1. The third meeting of the Council of the International Renewable Energy Agency (IRENA) was held in Abu Dhabi, United Arab Emirates, on 5 and 6 June 2012. The meeting was attended by 20 Council members: Antigua and Barbuda, Australia, Denmark, Ecuador, France, Germany, India, Japan, Mali, Mexico, Nigeria, Poland, the Republic of Korea, Senegal, South Africa, Spain, Sweden, Tonga, the United Arab Emirates and the United States of America, as well as 60 other Members of IRENA and observers.

Agenda Item 1: Opening of the meeting

2. The Vice-Chair of the second meeting of the Council of IRENA, the Republic of Korea represented by Mr Heung Kyeong Park, opened the meeting on Tuesday, 05 June 2012. The outgoing Vice-Chair informed delegations that Mr Martin Hoffman, who had been representing Australia as Chair of the second meeting of the Council, would be unavailable to open the meeting, and gave the floor to a representative of Australia who greeted participants on behalf of the outgoing Chair, thanked the Republic of Korea for its support during the past Council meetings and confirmed its support for the incoming Chair and Vice-Chair.

Agenda Item 2: Organisation of work

(a) Election of officials

3. At the end of the second meeting of the Council, Council members had designated the United Arab Emirates represented by Mr Thani Al Zeyoudi, Director of Energy and Climate Change, Ministry of Foreign Affairs, as Chair, and Sweden represented by Mr Tomas Kåberger, Professor, Chalmers University of Technology, as Vice-Chair of the third meeting of the Council.

4. The Council elected by acclamation the United Arab Emirates represented by Mr Thani Al Zeyoudi, as Chair, and Sweden represented by Mr Tomas Kåberger, as Vice-Chair of the third meeting of the Council. The Chair, Mr Thani Al Zeyoudi, assumed the chairmanship of the Council.

5. The Council appointed by acclamation Tonga represented by ‘Akau’ola, Special Adviser, Ministry of Foreign Affairs, as Rapporteur of the third meeting of the Council.

(b) Adoption of the agenda (C/3/1; C/3/1/Add.1)

6. Council members considered the provisional agenda and introduced minor modifications in the order of items to allow for a better flow of discussion.

7. The Council adopted the agenda as amended.

8. The Chair emphasized his intention to start moving the Council away from discussions on institutional matters, which, he affirmed, had been of vital importance during the formative phase of the Agency, and towards creating the Council as the venue for strategic and normative debates on renewable energy in general, and the work of the Agency in particular. He stressed that the agenda had been structured accordingly. The Chair reminded delegations that the agenda was dense, and that a number of important discussions were planned, especially on programmatic matters. He thus invited all delegations to make brief and targeted interventions in order to keep a good momentum.

Agenda Item 3: Report of the second meeting of the Council (C/2/SR/1)

9. The Chair introduced the draft Report of the second meeting of the Council.

10. The Council approved the draft Report of the second meeting of the Council, as contained in document C/2/SR/1.

Agenda Item 4: Implementation of the 2012 Work Programme (C/3/CRP/1; C/3/CRP/2)**(a) Progress report of the Director-General**

11. The Director-General, Mr Adnan Z. Amin, welcomed Council members and observers. He stressed that the high level and number of participants at that Council meeting confirmed the increasing interest of the global community in IRENA as the international cooperation platform for renewable energy. He underlined that the transformation of the Agency's activities from administrative and institutional to programmatic and substantive matters had led to IRENA being increasingly called upon to contribute to global, regional and national renewable energy related processes, discussions and initiatives. He informed delegations about the recent signing of the Headquarters Agreement between the Agency and its host country, the United Arab Emirates, and acknowledged this as one of the last major steps in the establishment of the Agency.

12. The Director-General reported to the Council on progress in the implementation of the 2012 Work Programme and Budget. He noted that the Agency had started forging partnerships and implementing programme activities together with a large number of stakeholders. It had organised workshops, developed key knowledge products, worked with Member countries upon their request, and participated in debates at the national, regional and global level. He informed delegations about his contacts with Member countries and outreach activities to countries that were not yet Members. He provided an overview of IRENA's participation in, as well as support of, a number of important regional and global meetings, as well as the Agency's involvement in The International Year of Sustainable Energy for All and the Rio+20 processes. He highlighted especially the advances in the implementation of IRENA's programme of work related to its three sub-programmes, and reported on a number of management and institutional issues. He closed by referring delegations to document

C/3/CRP/1, "Update on the implementation of the 2012 Work Programme and Budget" for a more in depth and detailed review of progress made.

13. In his report from the meeting of the Policy and Strategy Committee (PSC) the previous day, the Chair of the PSC, the United Kingdom of Great Britain and Northern Ireland represented by Mr Zitouni Ould-Dada, welcomed the noticeable progress made in implementing the Work Programme and delivering concrete outcomes, particularly within such a short time period, and acknowledged that IRENA was increasingly becoming the authority on renewable energy that Members had intended for it to be. He noted that while the Committee had appreciated the Agency's efforts to keep delegations informed of progress, it had felt that these efforts should continue to ensure a more focused dissemination and communication of programmatic results of the Agency's work. The Committee had also stressed the importance of deepening Members' engagement in substantive discussions on the results of IRENA's work, as well as of addressing environmental issues to show the link between renewable energy and climate change. He reported that the PSC had recommended that IRENA capitalize on the knowledge and experience of its Members, and to seek specific support or assistance from Members related to its programmatic activities, as appropriate. He closed by underlining the importance of engaging and forging partnerships with the private sector and international financial institution. He referred delegations to the Chair's Summary of the Outcomes of the Policy and Strategy Committee meeting contained in document C/3/CRP/2.

14. In the ensuing discussions, many delegations recognized and welcomed the significant progress made in the implementation of programmatic activities. A number of participants requested that Members be informed by the Secretariat on areas where they could provide direct and practical assistance to the work of the Agency as a common endeavor. A number of delegations outlined their national plans to promote renewable energy. Delegations encouraged the Agency to look into innovative financing instruments for renewable energy. Many delegations expressed interest in the planned establishment of the Business Advisory Council. In this context, one delegation proposed that the Secretariat examine the experience of other international organisations, including the International Energy Agency's (IEA) Renewable Energy Industry Advisory Board. Delegations commended the work of the Secretariat since the adoption of the 2012 Work Programme, including on costing and employment, its engagement in The International Year of Sustainable Energy for All, its work on the Global Atlas for Solar and Wind (Global Atlas), as well as the strategic partnerships it had forged with different stakeholders, its engagement at the Clean Energy Ministerial (CEM), as well as with the Clean Energy Solutions Centre, Open Energy Info (OpenEI) and others.

15. One delegation informed the Council about a workshop it held in cooperation with IRENA on renewable energy for Pacific islands in Okinawa. Another delegation requested the Agency to look into energy storage technologies and offered to share its experience with the implementation of renewable energy projects in the Canary Islands. One delegation stressed that, while the Agency had undertaken a number of very important initiatives, it would be of equal importance to examine ways to improve messaging and the dissemination of its work. Another delegation expressed its support for the Agency's outreach to potential new Members. One delegation asked for an update on the issue of multilingualism, while another delegation noted that it would look forward to the findings of the related report and underlined that English should be the only working language of the Agency. One delegation conveyed greetings from the President-designate of the third session of the Assembly and

underlined that the President-designate would look forward to substantive discussions during the third session and had expressed his commitment to further strengthening the profile of IRENA during his tenure.

16. In its intervention, the host country referred to the Headquarters Agreement which had been signed on 3 May 2012 and reaffirmed its strong commitment to IRENA. It expressed special appreciation for the assistance of the Technical Committee (comprising Tonga, United Arab Emirates, the United States of America, and the Secretariat) during the process.

17. In his response to interventions, the Director-General specifically invited delegations to contribute with their expertise to the Agency's study on financial support mechanisms, including tariff structures as well as subsidies. With regards to the establishment of the Business Advisory Council he noted that the Secretariat had been looking at a number of different examples, and that it was currently developing the Terms of Reference for the Steering Committee, which would provide recommendations in time for consideration at the next meeting of the Council. He underlined that the Agency needed a strong communication and outreach framework and that delegations could provide important support in the dissemination of IRENA's outputs at the national level. He underscored the significance of the Abu Dhabi Sustainability Week in January 2013, and informed the Council that he intended to build a platform for high-impact, substantive debates around the third session of the Assembly. On the issue of multilingualism, he informed delegations that the Secretariat was currently undertaking a detailed study on the matter with a view to providing a comprehensive report, including different options, to the Council at its fourth meeting.

18. The Council took note of the Update on the Implementation of the 2012 Work Programme and Budget, as contained in document C/3/CRP/1.

(b) Presentation of IRENA programmatic initiatives

19. The three Division Directors of IRENA each gave a presentation on one selected programmatic activity. The Director of the IRENA Innovation and Technology Centre presented an overview of IRENA's input into the Sustainable Energy for All process. He presented to the Council the work that the Agency will continue to undertake in support of the goal of doubling the global share of renewables by 2030. The Director for Knowledge Management and Technology Cooperation presented the Renewables Readiness Assessment methodology for a comprehensive analysis of enabling conditions for the deployment of renewables in countries or regions. The Director of Policy Advisory Services and Capacity Building presented IRENA's work and recent outputs on the potential socio-economic impacts of deploying renewable energy, with a special focus on employment effects.

20. The Director-General shared his preliminary thoughts on the preparation of an annual institutional publication as a vehicle to project the messages of the Agency and display its important outputs and products. Based on the positive responses from delegations and the general support for the proposal, he said that the Secretariat would further develop the idea of a reference publication and communication platform for the Agency's work, in consultations with Members. He noted that he would present a substantiated concept on the possible format of an institutional publication to the third session of the Assembly.

21. The Chair concluded that the Secretariat took good note of the deliberations and the comments received from delegations with a view to taking them into consideration during the on-going programme development and implementation of the 2012 Work Programme and Budget, as well as during its preparation of a concept for an institutional publication which had been welcomed by the Council.

22. The Council welcomed the presentations and encouraged the Director-General to continue the good work that was underway.

Agenda Item 5: Framework of the Work Programme and Budget for 2013 (C/3/3; C/3/CRP/2; C/3/CRP/3)

23. The DG began by informing delegations that, further to the establishment of the IRENA/ADFD Advisory Committee for the cooperation between the Abu Dhabi Fund for Development (ADFD) and IRENA at the second session of the Assembly, the nomination of Poland represented by Ms Ilona Antoniszyn-Klik, Undersecretary of State, Ministry of Economy, to chair the Advisory Committee had been received. In her intervention, Ms Ilona Antoniszyn-Klik underscored the significance of the cooperation between IRENA and the ADFD especially for developing countries. She underlined her willingness to facilitate a smooth and efficient work of the Committee.

24. In introducing the 2013 Framework, the Director-General recalled that the Agency had evolved considerably since the first session of the Assembly, while noting that its current programmatic structure had been inherited from the preparatory process. He explained that while a programmatic approach had been developed around the existing structural framework for 2011 and 2012, it had become apparent over time that the structure of the Agency and its programmatic framework might require reassessment and possible adjustments. He noted that the current clustering of different types of activities was probably not the optimal structural arrangement, and explained that the perceived overlaps and duplications between divisions could be avoided in future through a restructured institutional layout. He noted that inter-divisional coordination had been used as the means of ensuring coherence in programme delivery.

25. The Director-General explained that the 2013 Framework had benefited largely from discussions around IRENA's Medium-term Strategy, drawing particularly on the concept of the three roles highlighted in the strategy document: IRENA's role as a global voice, as an advisory resource and a network hub. He noted that these three strategic pillars would begin encapsulating the totality of what the Agency could be doing in the medium- to long-term, and would potentially help pointing the way towards a revised programmatic structure of the Agency.

26. The Director-General introduced the activities of the three programmatic areas planned for 2013 and concluded that the Secretariat stood ready to begin a parallel reflection on possible refinements and adjustments to the current structure of the Agency with a view to, among others, identifying missing elements and eliminating perceived duplications. He noted that he would present a related paper with considerations on a possible approach on this matter to the Council at its fourth meeting. He also noted that the matter of a biennial programming and budget cycle could be presented to the Council.

27. In his report to the Council, the Chair of the PSC emphasized that Committee members had very much welcomed the submission of the 2013 Framework and had acknowledged the efforts made by the Secretariat in implementing the 2012 Work Programme, while at the same time preparing a preliminary outline for 2013. The PSC had felt that the strategic direction provided in the proposal was well defined, with a link to the Medium-term Strategy, and with clear objectives, but that there was a perception of a potential overlap between the programmes. The PSC Chair thus welcomed and encouraged the coordination between the three divisions mentioned by the Director-General in his presentation. He noted further that the PSC had equally welcomed the proposed reassessment of the structure of the three substantive divisions and continued that it was felt that the 2013 Work Programme could be used as an opportunity to re-assess the thematic and institutional structures of the Agency in order to make the necessary proposals for refinement. He underlined that it was important to bear in mind that most programmatic activities were of a multi-year nature. He informed the Council about the PSC's strong support for the preparation of an 'annual flagship publication', and for fleshing out this concept in time for the next Assembly. He noted that the Committee considered the creation of a Business Advisory Council as essential for the future work of the Agency. He noted further that the Business Advisory Council should also include the private sector from developing countries. He closed by stating that the PSC had stressed the usefulness of receiving an indicative budget for 2013 which would enable better budget planning, as well as the importance of maintaining flexibility in the programme, and the need for developing a communications strategy to disseminate the Agency's results, and to adequately showcase it as the global voice for renewable energy. He referred delegations to the Chair's Summary of the Outcomes of the Policy and Strategy Committee meeting contained in document C/3/CRP/2 for further details.

28. In the ensuing deliberations, delegations expressed their appreciation for the framework document. One delegation commended the Secretariat for the inclusive and consultative process that led to the proposal submitted to the Council. Others supported the reassessment and possible revision of the programmatic structure of the Agency and expressed the hope that this would result in a more logical institutional setup and efficient use of resources. One delegation suggested the submission of a related proposal by the Director-General for consideration at the fourth meeting of the Council.

29. A number of delegations endorsed the idea of an annual institutional publication. One delegation further underlined that the publication needed to be creative and to add value to the field of renewable energy, over and above existing publications by other organizations. Another delegation requested that it reflect the programmatic output of the Agency. A number of delegations called for a more detailed discussion of the issue of financing renewable energy. One delegation, seconded by another, emphasized the importance of a strategic discussion of the role of partnerships and alliances in fulfilling the mission and goal of the Agency. Delegations further requested the Agency to work on assessing the environmental impact of renewable energy, to strengthen its statistics and data collection function, and to continue its work on costs and the Global Atlas. One delegation expressed its appreciation for the cooperation between IRENA and the ADFD and said that it looked forward to becoming a member of the IRENA/ADFD Advisory Committee in the following year. Another delegation offered to support the Agency's work in Latin America and the Caribbean region, while another delegation stressed the importance of IRENA scholarship programme especially for Members from developing countries.

30. Invited by the Council Chair to speak on the matter, the Chair of the Finance Committee (FC), Antigua and Barbuda represented by Mr Conrod Hunte, reported on the Committee's deliberations regarding the introduction of a biennial Work Programme and Budget. He highlighted that a longer programming and budgeting cycle would be conducive to improved strategic planning and would allow for a more reasonable timeframe for monitoring programme implementation. It would further provide for an adequate timeframe for budget preparation by the Secretariat, and for review by Members. He noted that the most realistic approach would be to target 2014 - 2015 for the first biennial cycle and stressed the importance that the FC attached to working jointly on this proposal with the PSC. The FC Chair reported that the Committee had endorsed the introduction of a biennial programming and budgeting cycle and that it had recommended to the Council that it requests the Director-General to make a proposal on a biennial Work Programme and Budget for the Council's consideration at its fourth meeting, towards consideration by the Assembly at its third session, with the aim of introducing a biennial Work Programme and Budget for 2014 – 2015. He referred delegations to the Chair's Summary of the Outcomes of the Finance Committee meeting contained in document C/3/CRP/3 for further details.

31. In their responses to the report of the FC Chair, many delegations supported the proposal and confirmed the appropriateness of the recommended date for initiating the biennial cycle. One delegation noted that annual reporting on activities and financial performance by the Secretariat would still be required in order to allow the Council to fulfil its advisory and oversight function.

32. When commenting on the possible budget level for 2013, one delegation underlined that the institutional structure of the Secretariat needed to be simple and efficient. That delegation, supported by another delegation, noted that while its government applied a zero nominal growth policy in respect of budgets of international organisations in general, it recognised, however, that IRENA was an organisation in its formative phase, and therefore requested that any budget increase be accompanied by a related explanation. Another delegation stressed that since the Agency had not yet attained its envisaged size, it supported a moderate increase of the budget.

33. In his response to the Council, the Director-General confirmed that the various comments made by delegations had been noted with great care. He announced that the proposal for 2013 would be refined and sharpened in light of the comments received with a view to developing it into a full-fledged work programme and budget to be submitted in time for the fourth Council meeting. He stated that, in response to the request of a number of delegations, he would propose to the Council a refined institutional and programmatic structure of the Agency that would enable the Secretariat to function more efficiently. He noted that the matter of introducing a biennial programming and budget cycle would also be addressed and presented for Members' consideration.

34. The Council requested the Director-General to reflect the outcome of the Council's deliberations in the proposed Work Programme and Budget for 2013 to be presented to the fourth meeting of the Council, and to make a proposal on a biennial Work Programme and Budget for the Council's consideration at its fourth meeting, towards consideration by the Assembly at its third session, with the aim of introducing a biennial Work Programme and Budget for 2014 – 2015.

Agenda Item 6: Medium-term Strategy (C/3/2; C/3/CRP/2)

35. The Vice-Chair, Mr Tomas Kåberger, assumed chairmanship of the Council. In his introduction to the proposed Medium-term Strategy (MTS), the Director-General underlined the importance of a medium-term perspective for the Agency and acknowledged the valuable insights and guidance gained during extensive consultations which delegations would find reflected in the proposal before them. He underlined that the objective of the Strategy was to describe what IRENA's vision, objectives, role and commitments would be as it continued to become a results-driven and effective organization. He introduced the proposed three-pillar structure which could aptly capture IRENA's mandate: to serve as a global voice, advisory resource, and a network hub for the promotion and accelerated deployment of renewables. The vision would be for the Agency to become the principal platform for international cooperation, a center of excellence on renewable energy and a repository of policy, technology, resource and financial knowledge, and to support countries in their transition to a renewable energy future. He emphasized that the global search for sustainable solutions would be IRENA's chance to make a business case for renewables, the development of which would be one of the central aspects of the MTS.

36. Referring to the objective of becoming the authoritative global voice for renewable energy and technology, a center of excellence for existing information, and a driving force for proactive communication around renewable energy and technologies, the Director-General highlighted some of the work already initiated. Regarding IRENA's role as the renewable energy and technology advisory resource for countries, he explained that the Agency's role would be one of support: to help countries highlight the economic and societal opportunities and benefits of renewables, and to minimize risks for investment. He stressed that this support needed to be tailor-made and focused. He further explained that IRENA's role as a platform and a hub had been embraced from the outset in all aspects of its work: formal and informal cooperation agreements had been put in place with different stakeholders. Over the next couple of years, IRENA would become a magnet and global platform for debates on renewables, for Members and other stakeholders. He closed by emphasizing that the involvement of the private sector was critical in this context, not only through the envisaged Business Advisory Council, but also in many other aspects of IRENA's programmatic work.

37. In his report, the PSC Chair highlighted key conclusions from the Committee's meeting. He stressed that the PSC had found the proposed MTS to be a much improved document, providing a clear strategic direction and objectives for the Agency, and the proposed three pillar structure to be in line with IRENA's mandate. He noted that the document had taken into consideration comments previously made by Members. He noted that Committee members had supported the idea of having the proposed MTS cover a period of five years, with the start of a possible review at the end of the third year in preparation for the following MTS, and that they had welcomed the introduction of a process to measure progress. The PSC had stressed the importance of addressing the means of implementing the MTS, including resource needs, partnerships, and indicative milestones, and to define potential challenges to realizing the Strategy, as well as priorities. He underlined the importance Committee members had given to engaging the private sector in addressing the barriers to investment in renewables and in developing appropriate financing models. He concluded that, while the PSC had identified a few areas where further attention could be given, reactions in general had been very positive and referred delegations to the Chair's Summary of the Outcomes of the Policy and Strategy Committee meeting contained in document C/3/CRP/2 for further details.

38. In the ensuing discussion, many delegations welcomed the revised document and the adjustments made, and expressed their support for the three main pillars presented in the proposal. One delegation noted that the proposed MTS was consonant with the need for a large scale deployment of renewable energy globally. Another delegation provided recommendations for additional structural fine-tuning of the proposed Strategy and asked for a revised representation of the barriers and challenges presented in the document. It further recommended focusing on the engagement with the business sector with a view to addressing the challenge of a lack of financing and the need to create a business case for renewables in addition to IRENA's role as an advisory resource and a network hub. By assuming these roles, IRENA would continue establishing itself as a 'global voice' for renewable energy. Another delegation suggested that the document could be made available to an audience beyond IRENA's Members for communication and outreach purposes, and that this should be borne in mind during the reformulation of the current text.

39. Delegations endorsed the idea of a close involvement of the private sector in different aspects of IRENA's work and strongly supported the creation of a Business Advisory Council. One delegation, seconded by another, asked that the potential of regional cooperation be highlighted in a clearer manner in the document. Another delegation recommended strengthening the regional perspective in the document. One delegation emphasized that large scale mass-level adoption and use of renewable energy technologies could only be achieved through market mode, which is achieved through policy interventions that support the entry and operation of the private sector and entrepreneurs, that IRENA should incorporate this element in its programmes from the outset. The delegation emphasized further that IRENA should work towards creating an experts resource database on policy, as well as on technological matters, with representation from different countries and groups. The delegation further proposed that IRENA partnered with eminent individuals in order to promote the benefits of renewables and help increase public awareness and acceptance of renewable energy. This was seconded by one delegation which also underscored the importance of a communication strategy for the Agency and further reminded delegations that the recruitment of qualified personnel was of paramount importance for the continued success of the Agency. One delegation asked for IRENA to become more active in Asia and invited the Agency to benefit from its work and research on technical development in rural areas. Another delegation emphasized the importance of technology transfer, the provision of resources and technologies to developing countries, and the importance for multilateral cooperation in financing energy projects.

40. In his response, the Director-General affirmed that all comments received had been duly noted and would be taken into account during the final review of the document. He welcomed the idea of making the MTS relevant to an audience beyond IRENA's membership.

41. The Council requested the Director-General to prepare a final draft of the Medium-term Strategy for consideration at the fourth meeting of the Council, based on comments received from delegations.

Special address of H.E. Guido Westerwelle, Federal Foreign Minister, Germany, and of H.E. Sultan Al Jaber, Assistant Minister of Foreign Affairs and Special Envoy for Energy and Climate Change, United Arab Emirates.

42. The Chair, Mr Thani Al-Zeyoudi, assumed chairmanship of the Council. In his special address, the Federal Foreign Minister of Germany, H.E. Guido Westerwelle, welcomed the efforts of the United Arab Emirates to develop Abu Dhabi into a centre for the international dialogue on sustainable energy policy and acknowledged that the country had gained international recognition with its vision.

43. He underlined the need to fundamentally transform the global energy system and emphasized that this challenge required national answers by each and every country but, this being a global challenge, also global approaches. He highlighted that Germany saw renewable energy as the key to a sustainable solution and that it was convinced that a global transformation of the energy system could be achieved. The run-up to the Rio+20 conference would provide a unique opportunity to increase global cooperation.

44. As a highly industrialized country, Germany had decided after the Fukushima disaster to accelerate the phase-out of nuclear power and to shut down its last nuclear power plant by 2022. He underscored that the German “energy shift” represented one of the greatest projects of the German government. It was built on two pillars: a significant increase in energy efficiency, and a cost-effective and more rapid expansion of renewable energy. He showed confidence that going along this path would make Germany one of the most competitive economies in the world and underlined that his country’s commitment towards renewables had already led to enormous economic dynamics. He explained that in 2010, investments in the renewables sector had reached a new all-time record with almost 30 billion euros. This had, he stressed, also led to an all-time high in employment in this field. He noted that economic advantages were not limited to industrialized economies: over 100 countries in the world had renewable energy policy targets or support policies.

45. He underlined that renewables were closely related to climate protection, which was a matter of high political priority in Germany and referred to his country’s bid to host the Green Climate Fund in Bonn. He affirmed that Germany had always advocated the creation of a framework for international cooperation in the field of renewable energy. That was why Germany had been one of the driving forces behind the founding of IRENA. He assured delegations that his country would continue its support in the future. In closing, he emphasized the responsibility of IRENA and its Members towards creating an effective international framework for cooperation and welcomed the concrete results IRENA had produced shortly after its founding.

46. In his address, Assistant Minister of Foreign Affairs and Special Envoy for Energy and Climate Change of the United Arab Emirates, H.E. Sultan Al Jaber, acknowledged that the Agency had been successfully established with internal policies and processes, and that the human capacity was now in place. He recalled the recent signing of the Headquarters Agreement between the United Arab Emirates and IRENA and underlined that it gave IRENA the full legal authority to carry out its mission from Abu Dhabi.

47. He welcomed IRENA’s transition from planning and aspiration to action, and highlighted some of IRENA’s products and activities, such as the Renewables Readiness Assessment methodology, its data on the cost and competitiveness of renewable energy outside the

OECD, the launch of a partnership with the Abu Dhabi Fund for Development at Rio+20 to support renewable energy projects in developing countries, and the Global Atlas for Solar and Wind which not only provided Members with reliable information on the location and quality of renewable energy resources, but also served as a successful example of international cooperation.

48. He encouraged Members to provide the Agency with data and technical input and to facilitate partnerships, and called upon the Secretariat to keep Members updated about its needs and to seek their assistance in building its knowledge base as well as raising its visibility – both over the long run and in the very near-term with platforms like Rio+20, an event in which the United Arab Emirates would also be participating actively.

49. He invited delegations to the Abu Dhabi Sustainability Week in January 2013 which would be opened by the third session of the IRENA Assembly, and would feature the sixth World Future Energy Summit, the inaugural International Water Summit, REN21's International Renewable Energy Conference, and the award ceremony for the Zayed Future Energy Prize. In concluding, he acknowledged that the future work of the Agency would be guided by a comprehensive and solid Medium-term Strategy, and supported by a Secretariat as well as 158 dedicated countries.

50. The Council took note of the special addresses.

Agenda Item 7: Audited Financial Statements of the Preparatory Commission and of the Agency for 2011 (C/3/5; C/3/6; C/3/CRP/3)

51. In its presentation to the Council, the Secretariat introduced the financial statements submitted to the Council. It informed delegations that the auditors had submitted a positive, unqualified audit opinion attesting that the financial statements fairly presented the financial performance for both the Preparatory Commission and the Agency for 2011 for the given periods, that information and explanations given in the accounts and accompanying notes were consistent with the submitted financial statements, and that for the given period, IRENA funds had been spent for the purposes intended. The Secretariat further informed the Council about the budget surplus for both periods and announced that the auditors had also reviewed the internal controls in place and, while making a few recommendations for certain improvements, had confirmed that appropriate internal controls were in place, and that they would be submitting management letters shortly to the Secretariat on these issues, and that a summary of these would be shared with the committee dealing with financial matters.

52. In his report from the meeting of the Finance Committee (FC), the Chair of the FC informed the Council that the Committee had found that the documents submitted fairly represented in all respects the financial position of the Preparatory Commission and the Agency, and that they provided valuable insights on resources available and the management of the Agency at the given time. He reported that issues discussed at the meeting of the FC included the recovery of outstanding assessments from Members, exchange rates risk management, the current financial position of the Agency, and the financial impact of new Members joining IRENA. He informed the Council that an investment policy was currently being drafted by the Secretariat for approval by the Assembly at its third session. He referred

delegations to the Chair's Summary of the Outcome of the Finance Committee meeting, contained in C/3/CRP/3, for a more in-depth overview of Committee deliberations.

53. In the ensuing discussion, one delegation commended the Secretariat for the results of the external audits which demonstrated the sound financial health of the Agency and a responsible management of resources. The delegation noted with appreciation that IRENA had adopted International Public Sector Accounting Standards (IPSAS).

54. The Council took note with appreciation of the Audited Financial Statements of the Preparatory Commission and of the Audited Financial Statements of the Agency for 2011, as contained in documents C/3/5 and C/3/6 respectively.

Agenda Item 8: Working Capital Fund (C/3/4; C/3/DC/1; C/3/CRP/3)

55. In its introduction to the matter, the Secretariat referred delegations to decision A/2/DC/2 through which the Assembly had requested the Council to review the proposed level of the Working Capital Fund (WCF) and its financing mechanism, and to make its recommendation thereon to the third session of the Assembly. The Secretariat further made reference to a related proposal contained in document C/3/4, the Report of the Director-General on the Working Capital Fund.

56. In his report from the meeting of the Finance Committee (FC), the Chair of the FC informed the Council that the Committee had discussed the necessity of a WCF for the Agency, the proposed funding level of the WCF, as well as its funding mechanism. He noted that the Committee had endorsed the recommended level of USD 1.6m for the WCF. The proposal to utilise cash surplus of 2011 for advances to the Fund had been supported in general while some participants had asked for flexibility in the use of credits. The Chair of the FC referred delegations to the Chair's Summary on the Outcome of the Finance Committee meeting contained in C/3/CRP/3 for a more detailed representation of Committee discussions, as well as the draft decision on the matter.

57. During the Council's consideration of the matter, delegations supported the proposed level of the Working Capital Fund as well as its financing mechanism. One delegation expressed its satisfaction with the debate on the matter held in the FC and at the Council.

58. The Council adopted decision C/3/DC/1 on the establishment of the Working Capital Fund of IRENA.

Agenda Item 9: Agreement on Privileges and Immunities (C/3/DC/2)

59. The Chair of the Governance and Legal Committee (GLC), Tonga represented by 'Akau'ola, recalled that the Assembly at its second session had requested the GLC to continue consultations with Members in order to reach an agreement on section 41 of the draft Agreement on Privileges and Immunities and to submit a finalized text to the third meeting of the Council. The GLC Chair reported that, mandated accordingly by the GLC, he had succeeded in finding an agreement on the matter together with interested parties. He

referred delegations to the draft decision on a draft Agreement on Privileges and Immunities for IRENA, as well as the draft Agreement itself as set out in Annex 1, and a timeline as set out in Annex 2 of the draft document.

60. In the ensuing discussion, delegations expressed their appreciation for the GLC Chair's efforts and constructive consultations which had resulted in the text submitted to the Council, as well as the cooperative spirit with which interested parties had come to an agreement on the matter. A number of delegations endorsed the text of the draft Agreement on Privileges and Immunities as well as the timeline guiding the authentication process of language versions. One delegation noted, while commending concerned parties for the agreement reached, that since it would be unable to become party to the agreement, it expected that the language of the related Assembly decision would allow for flexibility in this respect. Another delegation announced that it would make an interpretative declaration at the time of approval or ratification of the Agreement. Another delegation called on Members submitting language versions of the draft Agreement to proceed in a timely manner, and urged all delegations to ensure an orderly process and to avoid delays.

61. Invited by the Chair to express their willingness to prepare draft versions of the draft Agreement on Privileges and Immunities in their respective languages, France, Spain, the United Arab Emirates, and Germany as the State of the Depositary of the Statute, informed the Council accordingly, and confirmed that they would strive to observe the proposed timeline.

62. The Council adopted decision C/3/DC/2 on a draft Agreement on Privileges and Immunities for the International Renewable Energy Agency.

Agenda Item 10: Ethics Advisory Board (C/3/7)

63. The Vice-Chair, Mr Tomas Kåberger, assumed chairmanship of the Council. In its introduction to the matter, the Secretariat noted that under paragraph 2.6 of the Policy on Ethics and Conflict of Interest as adopted by the Assembly at its second session and contained in document A/2/13, the Ethics Advisory Board is described as "a standing board, composed of three members of the Council appointed by the Council for two-year terms." The Secretariat explained that the difficulty in implementing this provision would lie in the fact that the Assembly at its third session in early 2013 would elect a new Council for a two-year term. Against this background, the Council would need to decide on how it wished to proceed with the appointment of the members of the Ethics Advisory Board. The Secretariat further stressed that it had implemented the elements of the Policy that were under its responsibility, including the revision of the Code of Conduct, the issuance of a directive on Disclosure of Interest Forms, and the appointment of an Ethics Officer.

64. The Vice-Chair proposed to the Council to appoint three of its members to the Ethics Advisory Board at the present meeting of the Council, and to recommend to the Assembly that, notwithstanding the wording of paragraph 2.6 of the Policy on Ethics and Conflict of Interest, it concurs with the appointment of the members of the Board until the first meeting of the Council following the third session of the Assembly, and the appointment of a new Ethics Advisory Board for a two-year term. He informed delegations that nominations for

Board membership had been received from France, Senegal, and the United States of America.

65. One of the delegations nominated for Board membership stressed its intention to conduct Board meetings, whenever possible, electronically or via teleconference and to draft, in cooperation with the Secretariat, preliminary Terms of Reference for the Board. The delegation further commended the Secretariat for having appointed an Ethics Officer.

66. The Council appointed France, Senegal and the United States of America as members of the Ethics Advisory Board with the understanding that, subject to the concurrence of the Assembly at its third session, the Council, at its first meeting after the third session of the Assembly, would appoint members of the Ethics Advisory Board for a two-year term.

Agenda item 11: Report of the facilitators on Council composition, election and rotation (C/3/10)

67. The two facilitators on Council composition, election and rotation, Luxembourg represented by Mr Guy Lentz and Peru represented by Mr Rómulo Acurio, introduced their report contained in document C/3/10, and highlighted the main issues that needed to be addressed in order to reach an agreement on the matter, as well as emerging areas of consensus. They informed delegations about their deliberations over the past months, up to the day prior to the Council when they held a meeting with delegations, and their intention, as requested by Assembly decision A/2/3, to propose relevant amendments to the Provisional Rules of Procedure of the Assembly thirty days prior to the fourth meeting of the Council, in order to allow for proper consideration of the matter. They confirmed that their proposal to the Council would contain a limited number of options.

68. During the ensuing discussion, delegations thanked the facilitators for their work and efforts in finding a solution to this complex matter in an open and transparent manner. A number of delegations stressed the urgency of finding an agreement and asked the facilitators to submit their proposal in due time prior to the next Council meeting and to narrow down the number of options presented to one or two.

69. Some delegations discussed the introduction of additional criteria for the composition of the Council, such as involvement in the activities of the Agency or the amount of voluntary contributions. A number of delegations re-affirmed the provisions contained in Article X of the IRENA Statute regarding effective participation of developing and developed countries and fair and equitable geographical distribution. Two delegations asked that a minimum of four seats be allocated to Latin America and the Caribbean. While supporting the possibility of re-election and the principle of continuity in general, one delegation asked to avoid any form of permanent membership in the Council and endorsed the idea of alternation. That delegation endorsed the right of each region to submit nominations. Another delegation reminded the Council that the specific importance of individual countries in the IRENA context would not depend on their Council membership and that countries would be able to continue their involvement in the work of the Agency even without being a Council member. The delegation called upon participants to recognize this debate and the institutional

establishment of IRENA as a unique opportunity to implement democratic and representative structures and processes as a response to new and emerging global challenges.

70. The Vice-Chair invited delegations to approach this matter in a spirit of compromise and with a long-term perspective in mind, and to recognise the successful development of the Agency and the effectiveness of the Council's work as the overarching and guiding principles at all times. He affirmed that the facilitators would continue to be available to engage with all interested Members, Signatories and States in accession on the matter and urged delegations to submit their observations in due time prior to the transmission of the facilitators' proposal to the Council. He concluded that the facilitators would be requested to reduce the number of options presented in order to facilitate an agreement at the Council meeting and to submit their proposal in due time prior to the fourth Council meeting.

71. The Council took note of the Report of the facilitators on the issue of Council composition, election and rotation, as contained in document C/3/10, and endorsed the conclusion of the Vice-Chair.

Agenda Item 12: Subsidiary organs (C/3/8; C/3/DC/3)

72. The Vice-Chair invited the three Chairs of the Governance and Legal Committee (GLC), the Policy and Strategy Committee (PSC), and the Finance Committee (FC) to speak on the work of the three committees.

73. The Chair of the GLC stressed the Committee's contribution to establishing the Agency's institutional framework and governance processes. He informed delegations that the GLC had successfully completed its mandated work and proposed to the Council to discontinue the work of the Committee.

74. The Chair of the PSC highlighted the Committee's role in supporting the decision-making process of the Council on substantive matters, especially on the proposed Work Programme and Budget for 2012, by providing the Council with coordinated views, comments, and recommendations from interested delegations, resulting from inclusive and informal debates prior to the Council meetings.

75. The Chair of the FC reminded delegations that committee membership would entail a certain level of engagement, commitment, and participation and that committees would only be able to effectively deliver on their mandate if their members provided input and engaged actively in discussions. Given the insights and guidance on financial matters provided by the FC to the Council, the FC Chair recommended the continuation of the work of the Committee.

76. In summing up, the Vice-Chair noted that all three committee Chairs had expressed their appreciation for the strong participation and important contribution of observers to the work of committees. He urged committee members to actively engage in the work of the committees and stressed that the appointment was not an achievement and end in itself.

77. During the ensuing discussion of the draft decision on subsidiary organs of the Council, delegations voiced their appreciation for the past work of the three committees. A number of

Council members expressed their support for the discontinuation of the GLC and for the continued existence of a committee on financial, as well as a committee on programmatic matters. Delegations discussed and agreed on a number of amendments to the draft document. One delegation supported the work undertaken by committees and expressed readiness to assume membership in any subsidiary organ of the Agency.

78. The Council adopted decision C/3/DC/3 on subsidiary organs of the Council, as orally amended.

Agenda Item 13: Arrangements for the fourth meeting of the Council

79. The Council decided to hold its fourth meeting on 12 and 13 November 2012 and designated by acclamation the United Arab Emirates Chair, and Sweden Vice-Chair of the fourth meeting of the Council.

Agenda Item 14: Any other business

80. The Chair assumed chairmanship of the Council. One delegation emphasized that it would look forward to an update on the development of performance metrics linked to work programme implementation and towards working with the Secretariat in implementing these expeditiously.

Agenda Item 15: Closing of the meeting

81. The Chair summarized the most significant conclusions taken during this third meeting of the Council, thanked delegations for the productive discussions and closed the meeting.

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

06 June 2012

**Agenda of the third meeting of the Council
of the International Renewable Energy Agency**

1. Opening of the meeting
2. Organisation of work
 - a. Election of officials
 - b. Adoption of the agenda
3. Report of the second meeting of the Council
4. Implementation of the 2012 Work Programme
 - a. Progress report of the Director-General
 - b. Presentation of IRENA programmatic initiatives by Division Directors
5. Framework of the Work Programme and Budget for 2013
6. Medium-term Strategy
7. Audited Financial Statements of the Preparatory Commission and of the Agency for 2011
8. Working Capital Fund
9. Agreement on Privileges and Immunities
10. Ethics Advisory Board
11. Report of the Facilitators on Council composition, election and rotation
12. Subsidiary organs
13. Arrangements for the fourth meeting of the Council
14. Any other business
15. Closing of the meeting

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

16 July 2012

List of participants

Council members (20)

| No | Country | Name | Institution | Position/Title |
|----|---------------------|------------------------|--|--|
| 1 | Antigua and Barbuda | Conrod Hunte | Permanent Mission to the UN | Ambassador |
| 2 | Australia | Timothy Sill | Department of Resources, Energy and Tourism | Assistant Manager |
| 3 | Denmark | Hans Jorgen Koch | Ministry of Climate, Energy and Building | Deputy State Secretary |
| 4 | | Annette Schou | Ministry of Climate, Energy and Building | Senior Policy Advisor |
| 5 | Ecuador | Alfredo Samaniego | Ministry of Electricity and Renewable Energy | Secretary for Renewable Energy |
| 6 | | Peter Obrist | Consulate of Ecuador | Consul |
| 7 | France | Alain Azouaou | Embassy of France | Ambassador |
| 8 | | Elise Marion | Ministry of Ecology, Sustainable Development and Energy | Policy Advisor |
| 9 | | Martine Kubler Mamlouk | Embassy of France | Counsellor |
| 10 | | Philippe Geiger | Ministry of Ecology, Sustainable Development and Energy | Deputy Director European International Affairs |
| 11 | | Raymond Cointe | Ministry of Ecology, Sustainable Development and Energy | Director |
| 12 | | Remy Tirouttouvarayane | Ministry of Foreign Affairs | Official |
| 13 | Germany | Karsten Sach | Ministry for the Environment, Nature Conservation and Nuclear Safety | Deputy Director |
| 14 | | Alexander Haack | Ministry for Economic Cooperation and Development | Advisor |

| No | Country | Name | Institution | Position/Title |
|----|---------|--------------------------|--|---------------------------|
| 15 | | Ellen von Zitzewitz | Ministry for the Environment, Nature Conservation and Nuclear Safety | Desk Officer |
| 16 | | Joscha Rosenbusch | Ministry for the Environment, Nature Conservation and Nuclear Safety | Advisor |
| 17 | | Mathias von Polenz | Embassy of Germany | Counsellor |
| 18 | | Raimund Kamp | Embassy of Germany | Counsellor |
| 19 | | Sonja Roeder | Ministry for the Environment, Nature Conservation and Nuclear Safety | Advisor |
| 20 | India | Namrata Kumar | Embassy of India | Counsellor |
| 21 | | Mohan Lal | Ministry of New and Renewable Energy | Deputy Secretary |
| 22 | | Said Ahmed Sheikh | Ministry of New and Renewable Energy | Private Secretary |
| 23 | Japan | Tatsuo Watanabe | Embassy of Japan | Ambassador |
| 24 | | Daisuke Nakajima | Ministry of Foreign Affairs | Official |
| 25 | | Kaoru Ooe | Ministry of Foreign Affairs | Official |
| 26 | | Kazunari Tanaka | Ministry of Economy, Trade and Industry | Official |
| 27 | | Kenji Kato | Embassy of Japan | Head of Section |
| 28 | | Masaomi Koyama | Ministry of Economy, Trade and Industry | Deputy Director |
| 29 | | Satoshi Miura | Ministry of Economy, Trade and Industry | Director |
| 30 | | Shigeru Umetsu | Ministry of Foreign Affairs | Principal Deputy Director |
| 31 | | Yo Osumi | Ministry of Foreign Affairs | Director |
| 32 | Mali | Kamissoko Famakan | Ministry of Energy, Water and Environment | Counsellor |
| 33 | | Mohamed Mahmoud Benlabat | Embassy of Mali | Ambassador |
| 34 | | Sidimohamed Thiam | Embassy of Mali | Counsellor |
| 35 | Mexico | Jose Loyola | Secretariat of Energy | Assistant Secretary |
| 36 | | Arturo Rueda | Embassy of Mexico | Deputy Chief |
| 37 | | Francisco Alonso | Embassy of Mexico | Ambassador |
| 38 | Nigeria | Abubakar Sani Sambo | Energy Commission | Director General |
| 39 | | Abubakar Malah Umar | Energy Commission | Director |
| 40 | Poland | Ilona Antoniszyn-Klik | Ministry of Economy | Undersecretary of State |

| No | Country | Name | Institution | Position/Title |
|----|-------------------|--------------------------|---------------------------------------|-------------------------|
| 41 | | Adam Krzymowski | Embassy of Poland | Ambassador |
| 42 | | Lucjan Karpinski | Embassy of Poland | Third Secretary |
| 43 | | Lukasz Tomaszewski | Ministry of Economy | Senior Expert |
| 44 | | Marcin Scigan | Ministry of Economy | Expert |
| 45 | Republic of Korea | Heung-kyeong Park | Ministry of Foreign Affairs and Trade | Deputy Director General |
| 46 | | Jae-hyun Shim | Ministry of Foreign Affairs and Trade | Director |
| 47 | | Jong-yeon Kim | Ministry of Knowledge Economy | Deputy Director |
| 48 | | Jun-oh Kim | Korea Energy Management Corporation | Manager |
| 49 | | Kyu-nam Chae | Embassy of the Republic of Korea | Energy Attaché |
| 50 | | So-eun Hwang | Ministry of Foreign Affairs and Trade | Researcher |
| 51 | Senegal | Oumou Kalsoum Sall | Embassy of Senegal | Chargé d'Affaires |
| 52 | | Abdoulaye Barro | Ministry of Foreign Affairs | Chief of the UN Section |
| 53 | | Ismaila Lo | Ministry of Energy and Mines | Head of Solar Division |
| 54 | South Africa | Barbara Thomson | Department of Energy | Deputy Minister |
| 55 | | Harry Masenya | Department of Energy | Parliamentary Officer |
| 56 | | Kevin Oosthuizen | Embassy of South Africa | Counsellor |
| 57 | | Mokgadi Modise | Department of Energy | Director |
| 58 | | Malesela Masenya | Department of Energy | Official |
| 59 | | Maqbool Moos | Embassy of South Africa | Counsellor |
| 60 | | Nontsikelelo Tiko | Department of Energy | Personal Assistant |
| 61 | | Rose Ntlou | Department of Energy | Deputy Director |
| 62 | | Yacoob Abba Omar | Embassy of South Africa | Ambassador |
| 63 | Spain | Fidel Perez Montes | IDAE | Secretary General |
| 64 | | Angeles Moreno | Ministry of Foreign Affairs | Advisor |
| 65 | | Diana Lopez | IDAE | Official |
| 66 | | Vicente Cacho | Embassy of Spain | Deputy Head of Mission |
| 67 | Sweden | Tomas Kaberger | Ministry of Enterprise and Energy | Co-director |
| 68 | | Josephine Bahr Ljungdell | Swedish Energy Agency | Head of Division |

| No | Country | Name | Institution | Position/Title |
|----|--------------------------|-----------------------|---|-------------------------|
| 69 | | Lisa Lundmark | Swedish Energy Agency | Desk Officer |
| 70 | Tonga | Inoke Vala | Ministry of Public Enterprises | CEO |
| 71 | | 'Akau'ola | TERM Implementation Unit | Interim Director |
| 72 | United Arab Emirates | Sultan Ahmed Al Jaber | Ministry of Foreign Affairs | Assistant Minister |
| 73 | | Amina Abdurahman | Ministry of Foreign Affairs | Official |
| 74 | | Amireh Horryat | Ministry of Foreign Affairs | Official |
| 75 | | Dane McQueen | Ministry of Foreign Affairs | Officer |
| 76 | | Maged Al Suwaidi | Ministry of Foreign Affairs | Official |
| 77 | | Omar Shehadeh | Ministry of Foreign Affairs | Officer |
| 78 | | Rowda Al Otaiba | Ministry of Foreign Affairs | IRENA Desk Officer |
| 79 | | Sultan Rashid Taryam | Ministry of Foreign Affairs | Officer |
| 80 | | Thani Al Zeyoudi | Ministry of Foreign Affairs | Director |
| 81 | | Waleed El Malik | Ministry of Foreign Affairs | Official |
| 82 | United States of America | Raffi Balian | U.S. Department of State | Foreign Service Officer |
| 83 | | Brandon Pierce | U.S. Department of State | Economic Officer |
| 84 | | Edward Farris | U.S. Department of State | Advisor |
| 85 | | Kimberly Ballou | U.S. Department of Energy | Advisor |
| 86 | | Michael Mills | U.S. Department of Energy | Advisor |
| 87 | | Richard Eason | Embassy of the United States of America | Counsellor |

Observers (60)**Members of IRENA**

1. Angola
2. Armenia
3. Belarus
4. Cameroon
5. Cyprus
6. Czech Republic
7. Djibouti
8. Dominican Republic
9. Ethiopia
10. Finland
11. Greece
12. Grenada
13. Iceland
14. Kenya
15. Luxembourg
16. Malaysia
17. Maldives
18. Mauritania
19. Montenegro
20. Netherlands
21. New Zealand
22. Norway
23. Oman
24. Philippines
25. Portugal
26. Romania
27. Sierra Leone
28. Sri Lanka
29. Sudan
30. Swaziland
31. Switzerland
32. Togo
33. Turkey
34. Uganda
35. United Kingdom of Great Britain and Northern Ireland
36. Uruguay
37. Yemen

Signatories/States-in-Accession

1. Algeria
2. Argentina
3. Austria
4. Azerbaijan
5. Belgium
6. Chad
7. Colombia
8. Comoros
9. Egypt
10. Honduras
11. Iran
12. Iraq
13. Italy
14. Kazakhstan
15. Kuwait
16. Morocco
17. Pakistan
18. Peru
19. Singapore
20. Tajikistan
21. Zambia

UN Member States: Non Signatories / Non States-in-accession

1. Brazil
2. Thailand
3. Ukraine

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

04 June 2012

Chair's Summary of the Outcome of the Policy and Strategy Committee Meeting

Context: Pursuant to decision A/1/DC/10/Rev.1, the Policy and Strategy Committee met to review and provide recommendations to the Council on the progress in implementation of the Work Programme and Budget 2012, preliminary Work-Programme and Budget Framework for 2013 [C/2/DC/4], and refined Medium-term Strategy [C/2/SR/1].

Objective: The main objective of this meeting was to review the progress in the implementation of the Work Programme and Budget 2012, the preliminary Work-Programme and Budget Framework for 2013 and refined Medium-term Strategy in order to report back to the Council at its meeting on 5 June 2012.

Outcome: A set of views and comments captured by the Chair in his summary below to be presented to the Council at its meeting on 5 June 2012.

The following views and comments were made on the three items discussed at the meeting:

1. Implementation of the 2012 Work Programme

- Welcome the good progress made in implementing the work programme and delivering concrete outcomes, particularly within such a short time period.
- IRENA is increasingly becoming the knowledgeable authority on renewables and forging strategic partnerships with relevant stakeholders.
- Appreciate IRENA's efforts in keeping Members informed of progress.
- Need to improve dissemination and communication. Effective means of communication between IRENA and its Members would be mutually beneficial.
- Engage Members in more technical substantive discussions on results of IRENA's work.
- IRENA to capitalize on the knowledge and experience of its Members, and seek specific support or assistance with its programmatic activities.
- Important to address environmental issues to show the link between renewable energy and climate change.
- Engagement of the private sector is critical, as well as forging partnerships with private sector and international financial institutions.

2. The framework for the Work Programme 2013

- Strategic direction of the 2013 work programme is well defined with clear link to MTS, but there is perception of overlap between the three programmes.
- 2013 work programme should be used to re-assess the thematic and institutional structures in time for refinement for 2014. Most programmatic activities are of multi-year nature.
- Strong support for the “annual flagship publications”, and flashing out this concept by the DG at the next Assembly.
- Importance of the role of strategic partnerships in developing a global voice and avoiding duplication [e.g. publication of reports by various institutions].
- Reassess the thematic structure of the programmes to ensure synergy and coordination, and to avoid duplication.
- Thematic issues in 2013 should include issues such as: introduction of other technologies in the Global Atlas, focus on grid and storage, islands/SIDS, waste to energy, and NAMAs.
- Creation of a Business Advisory Council is essential, and the membership should include private sector from developing countries.
- Expansion of regional work welcomed, and the mobilization of local capacity encouraged.
- An indicative budget for 2013 would be helpful to enable members to plan their own budgets.
- Allow for flexibility of the programme to respond to emerging issues and new developments in policies and technologies.
- Communication strategy is essential to disseminate results and develop a global voice.

3. Mid-term Strategy

- The MTS is a much improved document providing a clear strategic direction.
- The three pillar structure reflects IRENA’s mandate.
- The MTS should cover a period of 5 years with a possible review after 3 years.
- A process of measuring progress would be helpful.
- Important to address the means of implementing the MTS including resource needs, partnerships and indicative milestones.
- Define potential challenges to realising the MTS and help define priorities.
- Importance of engaging private sector in addressing barriers to investment in renewables and developing an appropriate financing model.

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

05 June 2012

Chair's Summary of the Outcome of the Finance Committee meeting

Context: Pursuant to decision A/1/DC/10/Rev.1, the Finance Committee met on 4 June 2012 to review and provide recommendations to the Council on the Liquidation Financial Statements of the Preparatory Commission for IRENA, the IRENA 2011 Financial Statements and the Director-General's report on the Working Capital Fund.

Objective: The main objective of this meeting was to review the Liquidation Financial Statements of the Preparatory Commission for IRENA, the IRENA 2011 Financial Statements and agree on the level of the Working Capital Fund, as well as any other business.

Outcome: A set of views and comments captured by the Chair in his summary below to be presented to the Council at its meeting on 6 June 2012.

The following views and comments were made on the three items discussed at the Finance Committee meeting held on 4 June 2012:

1. Liquidation Financial Statements of the Preparatory Commission for IRENA

- The Finance Committee welcomed completion of the Liquidation process with the issuance of Liquidation financial statements and positive audit opinion thereon.
- In regards to recovery/settlement of amounts pending for two former staff members, the Secretariat indicated that the amounts have been confirmed by the External Auditors. The Secretariat clarified that the former staff member had not complied with the Organisation's Staff Regulations and Financial Regulations in authorising an invalid payment to be processed.
- The Finance Committee recommended that Council recommends to the Third Assembly to take note, with appreciation, on the Liquidation of Preparatory Commission Financial Statements.

2. IRENA 2011 Financial Statements

- The Finance Committee welcomed attaining positive audit opinion and noted compliance with the International Public Sector Accounting Standards as a positive achievement for IRENA.

- Efforts will be continued to encourage Members to make payments of their outstanding assessments. The Secretariat will follow up and will remind Members that according to the IRENA Statute, Members would temporarily lose voting rights in case their debt exceeds 2 year assessment.
- The Secretariat clarified that the exchange rate risks are managed by limiting conversion of the funds from the currency of receipt of funds. No hedging instruments are currently used.
- Stable and relatively high net assets value over the reporting period demonstrated good position.
- On the clarification sought regarding impact of new Members joining IRENA: the Secretariat explained that 7 new Members have joined since the 2nd Assembly adding some USD 230,000 to miscellaneous income.
- A footnote included in the contributions statistics of the 2011 Work Programme review report had not been included in the Annex I of Financial Statements. The Secretariat will provide clarifications on this point to the Member.
- A clarification was sought on whether specific assessment of the management and internal controls were given as part of the external audit. The Secretariat clarified that the auditors had conducted relevant testing and management letter from the External Auditors is due to be received shortly. A summary of findings and recommendations including management action will be provided to the Finance Committee and the Council.
- The Finance Committee decided to include monitoring of the audit recommendations as a regular activity of the Finance Committee in the TORs.
- The Secretariat clarified that available cash is being invested in interest bearing accounts, while the investment policy is being drafted for approval by the 3rd Assembly. It has also noted that in the absence of an approved investment policy, the Secretariat is not allowed to pursue more aggressive investment approach, yet.

3. Working Capital Fund (WCF)

- The Assembly at its second session addressed Director-General's report on the Working Capital Fund of IRENA (A/2/5). Through its decision A/2/DC/2, it requested the Council to review the proposed level of the Working Capital Fund and its financing mechanism.

There were three main questions related to WCF discussed in the Finance Committee:

- Should IRENA have a WCF?
 - The need for the WCF was well understood and unanimously supported by members of the Finance Committee.
- What should be the level of WCF?
 - The level of WCF was proposed at USD 1.6 million.
 - It was noted that according to the Joint Inspection Unit report on WCF for the whole United Nations system, the usual practice is to provide for at least 1 month

- operational requirement as part of WCF.
- In the case of IRENA, considering budget approval timing, the cash shortage may arise during January to mid-February, extending this period of potential cash shortage to over one month, roughly coinciding with current operational requirement of the proposed USD 1.6 million.
- What is the mechanism for funding WCF?
 - According to Financial Regulation 9.5, WCF is funded by advances from Members made in accordance with the scale of assessment.
 - The proposal to utilise cash surplus of 2011 and where necessary the 2010 operating reserve reappropriations to fund WCF was discussed. The Finance Committee noted that the remaining unused balance of cash surplus is to be reappropriated to Members and that almost the entire proposed level of WCF can be funded from the cash surplus of 2011.
 - In general the proposal to utilise cash surplus of 2011 was supported by the Finance Committee.
 - A draft decision on the WCF to be considered for the third session of the Assembly has been finalised.

4. Any other business

Biennial Work Programme and Budget Cycle

- The Finance Committee discussed an earlier proposal of the Director-General (C/2/9) on the introduction of the biennial work programme and budget cycle, which was initially reviewed at the second Council meeting. There was unanimous support for the proposal of biennial work programme budget to be implemented in IRENA as soon as possible.
- Some of advantages of biennial work programme and budget:
 - Longer programming/budgeting cycle, which is more consistent with strategic planning, and which would give a more reasonable timeframe for monitoring programme implementation outcomes and impacts;
 - Better review of results based budget indicators;
 - Efficiencies for budget preparation by the Secretariat and review by the Members once every two years instead of annually.
- For the timeline, FC recommends 2014-2015 as the first biennial budget cycle which will allow preparation of the first biennial work programme and budget during 2013.
- Recommendation: The Finance Committee recommended that the Council request the Secretariat to make a proposal on biennial Work Programme and Budget for its consideration at the fourth Council meeting, towards consideration by the Assembly at its third session, with the aim of having a biennial Work Programme and Budget of IRENA for 2014 – 2015 with a moderate increase taking into consideration that IRENA is a new agency.

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

06 June 2012

Decision on the establishment of the Working Capital Fund of IRENA

The Council,

Recalling Financial Regulation 9.5 on the Working Capital Fund, as well as Financial Regulation 4.5 on cash surplus, and Assembly decision A/1/DC/8 on the Work Programme and Budget for 2011;

Aware that more than 60% of contributions to the 2011 core budget were received in the third quarter of 2011, and *mindful* of the resulting cash flow challenges in 2011 as well as possible challenges in the coming years, especially at the beginning of the year;

Noting the cash surplus of USD 2.8 million at the end of 2011, as reflected in the Audited Financial Statements of the Agency for 2011, the 2009 operating reserve balance of USD 0.3 million, and the 2010 operating reserve balance of USD 0.8 million;

Desiring to ensure the continuity of the momentum in programme implementation, through predictable funding, and a reliable and stable cash flow at the early stages of the Agency's activities, after approval of the annual budget;

Decides to recommend to the Assembly:

1. that it establishes the Working Capital Fund of IRENA at a level of USD 1.6 million at its third session;
2. that advances to the Working Capital Fund from Members are made in accordance with Financial Regulation 9.5 and 6.6 (b);
3. that the 2011 core budget cash surplus and, where appropriate, the Preparatory Commission's 2010 operating reserves apportionment, are to be first credited as advances from Members to the Working Capital Fund, where advances may remain unpaid, and the then remaining balance is applied to outstanding 2013 contributions in accordance with Financial Regulation 4.5.

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

06 June 2012

Decision on a draft Agreement on Privileges and Immunities for the International Renewable Energy Agency

The Council,

Recalling that Article XIII, paragraph B, of the Statute of IRENA provides that Members shall decide upon a separate agreement on privileges and immunities;

Emphasizing the need to ensure that IRENA enjoys privileges and immunities similar to those granted to other international organisations, in order to assist IRENA in promoting the widespread and increased adoption and the sustainable use of renewable energy;

Noting that, to this end, it is desirable that an agreement on privileges and immunities be approved as early as possible by the Assembly, so that the process of ratification, acceptance, approval or accession by Members can be conducted and the agreement can enter into force;

Recalling that the Assembly, at its second session, requested the Governance and Legal Committee to continue its consultations with Members in order to reach an agreement on section 41, and to submit a finalized text to the third meeting of the Council, for transmission to the Assembly for its consideration;

Recalling further that the Assembly also recommended that, after consideration by the Council, action could be taken by Members, in cooperating actively with the Secretariat, for the preparation of as many texts as possible in the official languages of the United Nations and in the language of the Depositary of the Statute, as this would facilitate subsequent ratification, approval, acceptance or accession by Members;

Noting with appreciation the effort of all interested parties to come to an agreement on section 41 prior to the third meeting of the Council;

Noting further that France, Spain, the United Arab Emirates, and the State of the Depositary of the Statute have informed the Council of their willingness to prepare the text of the draft Agreement on Privileges and Immunities in their respective languages, as well as their commitment to consult with countries that have raised issues with the language versions, starting as soon as the drafts are circulated and until documents are ready for Assembly consideration;

Emphasizing that, as a result, the preparation of additional language versions of the draft Agreement will be at no cost to the Secretariat;

Having considered the draft Agreement on Privileges and Immunities transmitted to the Council, as set out in Annex 1 to the present decision;

1. *Decides* to recommend that the text of the draft Agreement on Privileges and Immunities, as set out in Annex 1 to the present decision, be approved by the Assembly at its third session, subject to paragraph 2 below;

2. *Decides* that the Council, at its fourth meeting, further considers the matter to determine the versions that are ready to be submitted to the Assembly at its third session and, if necessary, to adjust accordingly the list of languages contained in the first sentence of section 41 of the draft Agreement;

3. *Urges* Members having undertaken to prepare the necessary language versions, other Members, Signatories of the Statute, and States in the process of accession to the Statute, to observe the timeline in Annex 2 to the present decision.

Draft

**Agreement on Privileges and Immunities
for the International Renewable Energy Agency**

PREAMBLE

Whereas Article XIII, paragraph A of the Statute of the International Renewable Energy Agency provides that the International Renewable Energy Agency shall enjoy in the territory of each Member such domestic legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes; and

Whereas Article XIII, paragraph B of the Statute of the International Renewable Energy Agency provides that Members shall decide upon a separate agreement on privileges and immunities.

Consequently the Assembly by a decision adopted on the (date) , approved the following Agreement and proposed it for ratification, acceptance, approval or accession by each Member of the International Renewable Energy Agency.

Article I

DEFINITIONS

Section 1

In this Agreement:

(a) the word “Statute” means the Statute of the International Renewable Energy Agency, which was opened for signature at the Founding Conference of the International Renewable Energy Agency which took place in Bonn, Federal Republic of Germany, on 26 January 2009 and entered into force on 8 July 2010;

(b) the word “Agency” means the International Renewable Energy Agency established by the Statute;

(c) the word “Member” or “Members” means a member or members of the Agency according to Article VI of the Statute;

(d) for the purposes of Article III of this Agreement, the words “property, funds and assets” shall include any property, funds and assets administered by the Agency in furtherance of its functions as laid down in the Statute;

(e) for the purposes of Article V and Article VIII of this Agreement, the expression “representatives of Members” shall be deemed to include all representatives, alternates, advisers, technical experts and secretaries of Members’ delegations; and

(f) in sections 12, 13, 14 and 27 of this Agreement, the expression “meetings convened by the Agency” means meetings: (1) of the Assembly and of the Council, and (2) of any international conference convened by the Agency; and (3) of any committee, sub-committee or working group of any of the organs of the Agency.

Article II

LEGAL PERSONALITY

Section 2

The Agency shall possess legal personality. It shall have the capacity:

- (a) To contract;
- (b) To acquire and dispose of immovable and movable property; and
- (c) To institute legal proceedings.

Article III

PROPERTY, FUNDS AND ASSETS

Section 3

The Agency, its property and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except in so far as in any particular case the Assembly has expressly waived the immunity of the Agency. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 4

The premises of the Agency shall be inviolable. The property and assets of the Agency, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.

Section 5

The archives of the Agency, and in general all documents belonging to it or held by it, shall be inviolable, wherever located.

Section 6

Without being restricted by financial controls, regulations or moratoria of any kind:

- (a) The Agency may hold funds, gold or currency of any kind and operate accounts in any currency;
- (b) The Agency may freely transfer its funds, gold or currency from one country to another or within any country and convert any currency held by it into any other currency.

Section 7

The Agency shall, in exercising its rights under section 6 above, pay due regard to any representations made by a Member party to this Agreement in so far as it is considered that effect can be given to such representations without detriment to the interests of the Agency.

Section 8

The Agency, its assets, income and other property shall be:

- (a) Exempt from all direct taxes; it is understood, however, that the Agency will not claim exemption from taxes which are, in fact, no more than charges for public utility services;
- (b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the Agency for its official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;
- (c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of its publications.

Section 9

While the Agency will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the Agency is making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, Members party to this Agreement will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

Article IV**FACILITIES IN RESPECT OF COMMUNICATIONS****Section 10**

The Agency shall enjoy, in the territory of each State party to this Agreement, for its official communications, treatment not less favourable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission, in the matter of priorities, rates and taxes on mails, cables, telegrams, radiograms, telephotos, telephone and other communications, including electronic communications, and press rates for information to the press and radio.

Section 11

No censorship shall be applied to the official correspondence and other official communications of the Agency. The Agency shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags. Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a Member and the Agency.

Article V**REPRESENTATIVES OF MEMBERS****Section 12**

Representatives of Members at meetings convened by the Agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities.

- (a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;
- (b) Inviolability for all papers and documents;
- (c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;
- (d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;
- (e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;
- (f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

Section 13

In order to secure for the representatives of Members at meetings convened by the Agency complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

Section 14

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of Members are present at meetings convened by the Agency in the territory of a Member party to this Agreement for the discharge of their duties shall not be considered as periods of residence.

Section 15

Privileges and immunities are accorded to the representatives of Members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connexion with the Agency. Consequently, a Member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the Member, the

immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 16

The provisions of sections 12, 13 and 14 are not applicable in relation to the authorities of a Member of which the person is a national or of which he or she is or has been a representative.

Article VI

OFFICIALS

Section 17

The Agency will specify the categories of officials to which the provisions of this Article shall apply. It shall communicate them to Members. The names of the officials included in these categories shall from time to time be made known to Members.

Section 18

Officials of the Agency shall:

- (a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
- (b) Enjoy exemptions from taxation in respect of the salaries and emoluments paid to them by the Agency;
- (c) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
- (d) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
- (e) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
- (f) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 19

1. The officials of the Agency shall be exempt from national service obligations, provided that in relation to the Members of which they are nationals, such exemption shall be confined to officials of the Agency whose names have, by reason of their duties, been placed upon a list compiled by the Director-General of the Agency and approved by the Member concerned.
2. Should other officials of the Agency be called up for national service, the Member concerned shall, at the request of the Agency, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

Section 20

In addition to the immunities and privileges specified in sections 18 and 19, the Director-General of the Agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions and facilities accorded to diplomatic agents, in accordance with international law.

Section 21

Privileges and immunities are granted to officials in the interests of the Agency only and not for personal benefit of the individuals themselves. The Director-General shall have the right and the duty to waive the immunity of any official in any case where, in his or her opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the Agency. In the case of the Director-General, the Assembly shall have the right to waive the immunity.

Section 22

The Agency shall co-operate at all times with the appropriate authorities of Members party to this Agreement in order to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connexion with the privileges, immunities and facilities mentioned in this Article.

Article VII

EXPERTS

Section 23

1. Experts (other than officials coming within the scope of Article VI) serving on committees or working groups of, or performing missions for, the Agency shall be accorded the following privileges and immunities so far as is necessary for the effective exercise of their functions, including the time spent on journeys in connexion with service on such committees, working groups or missions:

- (a) Immunity from personal arrest or seizure of their personal baggage;
- (b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity from legal process of every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees or working groups of, or employed on missions for, the Agency;
- (c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign Government on temporary official missions;
- (d) Inviolability of their papers and documents relating to the work on which they are engaged for the Agency;
- (e) The right to use codes and to receive papers or correspondence by courier or in sealed bags for the purpose of their communications with the Agency.

2. For the purpose of paragraph 1, experts shall be given a certificate signed by the Director-General attesting that they are travelling on the business of the Agency.

Section 24

In connexion with section 23, paragraph 1(d), the principle contained in the last sentence of section 11 shall be applicable.

Section 25

Privileges and immunities are granted to the experts referred to in section 23, paragraph 1, in the interests of the Agency and not for the personal benefit of the individuals themselves. The Agency shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice, and it can be waived without prejudice to the interests of the Agency.

Article VIII**ABUSES OF PRIVILEGE****Section 26**

If any Member party to this Agreement considers that there has been an abuse of a privilege or immunity conferred by this Agreement, consultations shall be held between that Member and the Agency to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the Member and the Agency, the question whether an abuse of a privilege or immunity has occurred shall be submitted to arbitration in accordance with section 32. If the tribunal makes a finding that such an abuse has occurred, the Member party to this Agreement affected by such abuse shall have the right, after notification to the Agency, to withhold from the Agency the benefits of the privilege or immunity so abused and to request that the individual concerned leave the territory of the Member party to this Agreement affected by such abuse.

Section 27

Representatives of Members at meetings convened by the Agency, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 17, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his or her official functions, he or she may be required to leave by the Government of that country provided that:

- (a) Representatives of Members, or persons who are entitled to diplomatic immunity under section 20, shall not be required to leave the country otherwise than in accordance with the diplomatic procedure applicable to diplomatic agents accredited to that country;
- (b) In the case of an official to whom section 20 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the Director-General of the Agency; and, if expulsion proceedings are taken against an official, the Director-General of the Agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

Article IX**TRAVEL AND VISAS****Section 28**

Applications for visas, where required, from officials of the Agency, when accompanied by a certificate that they are travelling on the business of the Agency, shall be dealt with as speedily as possible by Members party to this Agreement. In addition, such persons shall be granted facilities for speedy travel.

Section 29

Similar facilities to those specified in section 28 shall be accorded to experts and other persons who have a certificate that they are travelling on the business of the Agency.

Section 30

The Director-General, the Deputy Director-General, and heads of departments travelling on the business of the Agency, shall be granted the same facilities for travel as are accorded to agents of comparable rank in diplomatic missions.

Article X**SETTLEMENT OF DISPUTES****Section 31**

The Agency shall make provision for appropriate modes of settlement of:

- (a) Disputes arising out of contracts or other disputes of private character to which the Agency is a party, including disputes between the Agency and a staff member or another individual whose services have been retained by the Agency;
- (b) Disputes involving any official of the Agency who by reason of his or her official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 21.

Section 32

1. Any dispute between a Member party to this Agreement and the Agency or between Members party to this Agreement on the interpretation or application of this Agreement that cannot be settled by negotiation or other agreed mode of settlement shall be submitted for final decision to a tribunal of three arbitrators at the request of either party to the dispute. Each party shall appoint one arbitrator and advise the other party of the name of its arbitrator. The third arbitrator, who shall be the chairman of the tribunal, shall be appointed by the first two arbitrators. Should the first two arbitrators fail to agree upon the third arbitrator within thirty (30) days of the date of appointment of the second arbitrator, the third arbitrator shall be appointed by the President of the International Court of Justice.
2. The arbitration shall be held in a language and at a location agreed upon between the parties to the dispute. A majority vote of the arbitrators shall be sufficient to reach decisions, including those on procedural matters, which shall be final and binding.
3. The expenses of arbitration shall be borne by the parties to the dispute as assessed by the tribunal.

Article XI**GENERAL PROVISIONS****Section 33**

The provisions of this Agreement in relation to the Agency shall be interpreted in the light of the functions with which the Agency is entrusted by the Statute.

Section 34

The provisions of this Agreement shall in no way be construed to limit or prejudice the privileges and immunities which have been, or may hereafter be, agreed between a Member and the Agency in any agreement concluded by reason of the location of the Agency's headquarters or offices in the territory of that Member. This Agreement shall not be deemed to prevent the conclusion between any Member party to this Agreement and the Agency of supplemental agreements adjusting the provisions of this Agreement or extending or curtailing the privileges and immunities thereby granted.

Section 35

This Agreement shall not be construed so as to abrogate, or derogate from, any provisions of the Statute or any rights or obligations which the Agency may otherwise have, acquire, or assume.

Article XII

FINAL PROVISIONS

Section 36

1. A Member's consent to be bound by this Agreement shall be effected by its deposit with the Director-General of an instrument of ratification, acceptance, approval or accession.
2. This Agreement shall enter into force thirty (30) days after the date of deposit of the first instrument of ratification, acceptance, approval or accession.

Section 37

It is understood that, when an instrument of ratification, acceptance, approval or accession is deposited on behalf of any Member, that Member will be in a position under its own laws or regulations to give effect to the terms of this Agreement.

Section 38

For each Member which ratifies, accepts, approves or accedes to this Agreement after the deposit of the first instrument of ratification, acceptance, approval or accession, this Agreement shall enter into force in respect of that Member on the thirtieth day following the deposit of its instrument of ratification, acceptance, approval or accession.

Section 39

1. Subject to the provisions of the following paragraphs of this section, each Member party to this Agreement undertakes to apply this Agreement until such time as a revised Agreement shall have become applicable and the said Member party shall have accepted the revised Agreement.
2. Each Member party to this Agreement, however, which has ceased to be a Member may address a written notification to the Director-General to the effect that it intends to withhold from the Agency the benefits of this Agreement as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.
3. The Director-General shall inform all Members of any notification transmitted to him under the provisions of this section.

Section 40

At the request of one third of the Members party to this Agreement, the Director-General of the Agency shall convene a conference with a view to its revision.

Section 41

This Agreement is established by the Assembly in the Arabic, English, French and Spanish languages, as well as in the language of the State of the Depositary of the Statute, all being authentic. Official texts of other versions in any one of the official languages of the United Nations other than Arabic, English, French and Spanish, shall be authenticated on the request of one or more of the Members.

Annex 2**Timeline**

The timeline set out below would apply primarily to Members having expressed at the Council their willingness to prepare the text of the draft Agreement on Privileges and Immunities in their respective languages (hereinafter referred to as “Concerned Members”). It would also affect other Members of the Agency, Signatories of the Statute, and States in the process of accession to the Statute (hereinafter “Members”) who would need to submit timely comments on the draft language versions transmitted by the Secretariat.

- By 06 July: Draft language versions transmitted to the Secretariat by the Concerned Members (**draft #1**).
- By 10 July: The Secretariat circulates the drafts to all Members.
- By 20 August: Members transmit their comments to the Secretariat. The Secretariat transmits those comments to the Concerned Members, copying all other Members for information.
- By 07 September: Concerned Members consult, as necessary, with Members having raised issues with the wording of the prepared language version, and revise the text as appropriate. Concerned Members transmit the revised drafts to the Secretariat (**draft #2**).
- By 11 September: The Secretariat circulates the revised drafts to Members.
- By 25 September: Concerned Members continue to consult with interested Members, as necessary. Members transmit their comments on revised drafts to the Secretariat.
- By 28 September: The Secretariat submits those comments to Concerned Members, copying all other Members for information.
- By 08 October: Concerned Members continue consulting with interested Members, as necessary, and amend drafts, as appropriate. Concerned Members transmit the latest drafts to the Secretariat (**draft #3**).
- By 11 October: The Secretariat circulates a Council Document containing the language versions of the draft Agreement received from Concerned Members.
- At the Council in November: The Council considers the Council Document.
- 30 days in advance of the third session of Assembly: The Secretariat circulates an Assembly Document containing the accepted language versions of the draft Agreement to all Members.

Third meeting of the Council of IRENA
05 – 06 June 2012, Abu Dhabi, United Arab Emirates

06 June 2012

Decision on subsidiary organs of the Council

The Council,

Recalling that the Assembly, at its first session through decision A/1/DC/10/Rev.1, established the Finance Committee, the Governance and Legal Committee, and the Policy and Strategy Committee as subsidiary organs of the Council, and adopted terms of reference, as well as Rules of Procedure for those committees;

Recalling further that the Rules of Procedure of Committees, as contained in A/1/DC/10/Rev.1, state that the committees and their memberships will be established for a term to last through the end of the third meeting of the Council, unless otherwise decided by the Council, and that the Assembly requested the Council to, among others, make appropriate recommendations regarding their mandates as required, and set their terms of reference;

Mindful that the Assembly at its second session adopted Rules of Procedure for Subsidiary Organs of the Assembly and of the Council, contained in document A/2/8, and decided that the said Rules of Procedure would enter into force after the conclusion of the third meeting of the Council, and replace the Rules of Procedure of Committees as contained in A/1/DC/10/Rev.1;

Recognizing with appreciation the important work undertaken by the Governance and Legal Committee during the formative phase of the Agency in helping to establish IRENA's institutional framework and governance processes, and *noting with satisfaction* the successful completion of its mandated tasks and functions;

Recognizing with appreciation the insight and guidance the Finance Committee and the Policy and Strategy Committee have provided to the work of the Council, and *underlining* the importance of the continuation of the work of the two committees;

Acknowledging the inclusive and participatory manner in which the Committees have conducted their business, by including non-members alongside formal members in the proceedings of the Committees;

Further acknowledging that membership involves commitment to regular attendance of meetings of subsidiary organs and follow-up of their work, in order to provide advice and views to the Council;

Having considered the draft Terms of Reference of the Administration and Finance Committee and the Programme and Strategy Committee, as set out in Annex 1 of C/3/DC/L.3;

1. *Decides* to discontinue the Governance and Legal Committee due to the successful completion of its mandated tasks and functions;

2. *Decides* to continue the Finance Committee under the name of Administration and Finance Committee, and the Policy and Strategy Committee under the name of Programme and Strategy Committee, for a term to be reviewed no later than the seventh meeting of the Council;

3. *Decides* to extend the chairmanship and the membership of the current Finance Committee, and the current Policy and Strategy Committee, until the close of the fifth meeting of the Council, and to request the Chair and Vice-Chair Designate of the fourth meeting of the Council to call for expressions of interest from Members, Signatories, and States in accession to become Committee members, with a view to having the Council review the expressions of interest received and appoint ten new Committee members at its fifth meeting;

4. *Adopts* the Terms of Reference of Committees as attached to the present decision;

5. *Stresses* the importance of consultation and coordination between and among the two Committees and the Secretariat;

6. *Invites* Members to work with the Secretariat to use the committees for outreach and guidance, as well as increased ownership by Members and the Secretariat of key programme activities;

7. *Encourages* the two Committees to continue conducting their business in a transparent, inclusive, and participatory manner;

8. *Further encourages* Committees to make use, to the extent possible, of electronic communications, and to hold meetings in conjunction with meetings of the Council.

Annex 1**Terms of Reference****Administration and Finance Committee (AFC)**

1. Review and consider the reports on internal and external audits in accordance with Financial Regulation 12.4 and 13.8 and Article XII, Paragraph C, of the Statute, and report to the Council, noting particularly implementation of auditor recommendations;
2. Review IRENA's annual audited financial statements, and present a summary of discussions and recommendations to the Council regarding the statements, as necessary;
3. Review and inform the Council on the IRENA budget, any supplemental budgets, and transfers between appropriation programmes (Financial Regulation 4.6) proposed by the Secretariat;
4. Report to each Council meeting on financial matters, including (a) any reports from the Secretariat on unforeseen and extraordinary expenditures (Financial Regulation 3.6), and (b) any reports from the Secretariat on voluntary contributions (Financial Regulation 7.2);
5. Review and inform the Council on any investment policies, guidelines and plans proposed by the Secretariat (Financial Regulation 9.9);
6. Provide advice to the Council, at the Council's request, on other issues including finance, audit, long-term funding and governance, legal and administrative matters of the Agency, as well as changes to relevant regulations and rules.

Programme and Strategy Committee (PSC)

1. Review and inform the Council on the implementation of the work programme, the formulation of the draft work programme, longer-term strategies, and other related documents, to ensure cohesion with resource capacity and strategic mission;
2. Review, in coordination with the Secretariat, measureable performance metrics for the work programmes and strategic plans;
3. Review and provide guidance to the Council on the prioritization of IRENA's programmatic work and strategic plans;
4. Provide advice to the Council on the structure and content of the work programme and allocation of resources;
5. Provide guidance to the Council on the Agency's outreach to global, regional, and local stakeholders, such as the private sector, among others.