

<p style="text-align: center;"><b>Draft-Statute of the International Renewable Energy Agency (IRENA)</b></p>
--

**Article I  
Establishment of the agency**

The Contracting Parties shall establish an International Renewable Energy Agency (IRENA), hereinafter referred to as the agency, in accordance with the following provisions and conditions:

**Article II  
Objectives**

The objective of the agency shall be to expedite and enhance throughout the world the contribution renewable energy sources can make to peace, the protection of resources, the stabilization of the global climate, the conservation of nature, economic development, a granted energy supply in every country and to health.

**Article III  
Tasks**

A. The agency shall be authorized

1. to promote and support the practical use of renewable energy sources throughout the world; at a member's request to provide and to supply services in the field of national energy planning, research and development, education and training in view of renewable energies;
2. to promote the exchange and dissemination of scientific and technical information on the use of renewable energy sources;
3. to promote the exchange and training of scientists and experts in the field of renewable energy sources;
4. to support initiatives which serve the performance of the tasks assigned to it

insofar as the installations, facilities and equipment available in the field concerned are inadequate or only available on terms it considers unsatisfactory;

5. to support countries to establish institutions for research and development and to build up their own technologies for the conversion and use of renewable energy sources;
6. to cooperate with other national and international organizations and institutions working in the field of renewable energies and support their work;
7. to work according to the subsidiary principle, that is, focus on activities which are not yet done by other organizations and institutions with the same objectives as the agency;
8. to prepare analyses on the global activities to support renewable energies, on the state of technology and the economic efficiency of renewable energies and political support programmes, to set up statistics and publish reports;
9. to prepare standards and proposals for certification and promote their international introduction.

B. In performing its tasks, the agency shall

1. act in accordance with the objectives and principles of the United Nations with regard to promoting peace and international cooperation, and in line with the objectives set forth in Agenda 21;
2. allocate its resources in such a way as to ensure that they are used effectively and are put to the best possible use in all regions of the world; in this respect, priority shall be given to the specific needs of the underdeveloped regions of the world;
3. submit a report on its work to the General Assembly of the United Nations every year;
4. submit reports to the Economic and Social Council as well as to other organs of the United Nations on matters which fall within their competence.

- C. In performing its tasks the agency may not make its assistance to its members subject to political, economic or other conditions which are incompatible with this Statute.
- D. Subject to Statute and any agreements concluded in accordance with it between the agency and a state or group of states, the agency shall take due account of the sovereign rights of states in performing its tasks.

#### **Article IV Membership**

- A. The founder members of the agency shall be those member states of the United Nations which sign this Statute within ninety days of its being opened for signature and subsequently deposit an instrument of ratification.
- B. On request, every member state of the United Nations may become member of the agency.
- C. The agency shall be based on the principle of the sovereign equality of all its members; every member shall in good faith fulfill the obligations it has assumed under this Statute in order to ensure that all members enjoy the rights and benefits arising from membership.
- D. Every member state may have its national energy agency safeguard its rights as a member.
- E. Every international organization involved in supporting renewable energies in the field of science and development, financing, and introduction may become a cooperative member of the agency.

#### **Article V The General Conference**

- A. A General Conference composed of representatives of all members shall assemble for a regular meeting every two years as well as for special meetings which the Director-General shall convene at the request of the Board of Governors or of a majority of members.

- B. At these meetings every member shall be represented by a delegate who may be accompanied by deputies and advisers. The costs of a delegation's attendance shall be borne by the member concerned.
- C. At the beginning of each meeting the General Conference shall elect a President and the other members of its bureau. They will perform their duty during the meeting. The General Conference shall adopt its rules of procedure within the framework of this Statute. Each member shall have one vote. Decisions on member's contributions to the budget, on the volume of the budget, on amendments to the Statute and on the suspension of members shall be taken by a two-thirds majority of the members present and voting. Decisions on other matters shall be taken by a simple majority of the members present and voting. The General Conference shall have a quorum when the majority of its members is present.
- D. The General Conference may discuss all questions or matters which fall within the purview of this Statute or which concern the powers or tasks of one of the organs provided for under this Statute; it may address recommendations on these questions or matters to the members of the agency or to the Board of Governors, or to both the members and the Board of Governors.
- E. The General Conference
1. shall elect the members of the Board of Governors in accordance with Article VI;
  2. shall approve the membership of states in accordance with Article IV;
  3. may, in accordance with Article XVI, temporarily deprive a member of the rights conferred upon it by membership;
  4. shall examine the biennial report of the Board of Governors;

5. shall, in accordance with Article XII, approve the budget of the agency as recommended by the Board of Governors or shall return it to the Board of Governors with recommendations concerning the budget in its entirety or parts thereof, whereupon the Board of Governors shall submit it once more to the General Conference;
6. shall approve all agreements between the agency and the United Nations or other organizations;
7. shall approve any amendments to this Statute;
8. shall approve the appointment of the Director-General.

F. The General Conference shall be authorized

1. to take decisions on all matters expressly submitted to it for this purpose by the Board of Governors;
2. to propose to the Board of Governors that it treat specific matters, and to request reports from it on all matters falling within the remit of the agency.

G. The cooperative members are entitled to participate in the General Conference in an advisory function.

**Article VI**  
**The Board of Governors**

A. The General Conference shall elect the members of the Board of Governors. As far as they are members of the agency, the permanent members of the Security Council of the United Nations should be represented: India, and at least one member state of each of the following regions:

- a) Northern Africa

- b) Southern Africa
- c) Latin America
- d) the European Union
- e) the Pacific
- f) the Middle East

- B. The term of office of the members represented in the board of Governors according to para. (A) shall run from the end of the regular annual meeting of the General Conference till the end of the subsequent regular annual meeting of the General Conference.
- C. Each member of the Board of Governors shall have one vote. Decisions on the volume of the budget of the agency shall be taken by a two-thirds majority of the members present and voting. Decisions on other questions, including the definition of additional questions requiring decisions by a two-thirds majority, shall be taken by a simple majority of the members present and voting. The Board of Governors shall have a quorum when two thirds of its members are present.
- D. The Board of Governors shall be authorized, in accordance with this Statute and subject to its accountability to the General Conference provided for therein, to perform the tasks of the agency.
- E. The Board of Governors shall convene as often as it sees fit. Its meetings shall take place at the seat of the Agency unless the Board of Governors decides otherwise.
- F. The Board of Governors shall elect from among its members a chairman and the other members of its bureau. It shall adopt its rules of procedure within the framework of this Statute.
- G. The Board of Governors shall prepare a biennial report for submission to the General Conference on matters concerning the agency and on all projects approved by it. It shall also prepare any reports for submission to the General Conference which the agency has to submit. These reports shall be submitted to the members of the agency together with the biennial report at least one month before the regular annual meeting of the General

Conference.

## **Article VI Staff**

- A. The staff of the agency shall be headed by a Director-General. He shall be appointed by the General Conference for a period of five years.
- B. The Director-General shall be responsible for the recruitment, agency and management of staff. He shall be subject to the authority and control of the Board of Governors. He shall carry out his functions in accordance with the guidelines established by the Board of Governors.
- C. The staff shall comprise the scientific, technical and other specialists required to achieve the agency's objectives and to perform its tasks. The agency shall be guided by the principle that the number of its permanent staff should be kept as low as possible.
- D. In selecting and recruiting staff, and in regulating the terms of their employment, the main criterion shall be their ability to meet the highest requirements in terms of performance, technical aptitude and probity. The selection of staff shall be placed on as broad a geographical basis as possible.
- E. In performing their duties the Director-General and the agency's staff shall not be permitted to request or accept any instructions from outside the agency. Every member shall undertake to respect the international character of the sphere of duties of the Director-General and the agency's staff and to make no attempt to influence them in the performance of their tasks.

## **Article VIII Exchange of information**

- A. Every member shall be advised to provide any information which in its view might be of benefit to the agency.

- B. Every member shall provide the agency with all the scientific information it acquires as a result of assistance given by the agency in accordance with Article X.
- C. The agency shall collect the information passed on to it in accordance with paragraphs A and B and shall make it available to members in a suitable form. It shall take measures on its own initiative to promote the exchange of information on renewable energy sources among its members, and shall act as an intermediary for this purpose.

**Article IX**  
**Services, equipment and installations**

Members may place at the agency's disposal services, equipment and installations which might assist the agency in achieving its objectives and performing its tasks.

**Article X**  
**Projects of the agency**

- A. Members of the agency which, singly or as a group, wish to initiate a project relating to the study, development or practical use of renewable energy sources may request the agency's assistance in procuring the required materials, services, equipment and installations.
- B. On request, the agency may also assist a member or a group of members in financing renewable energies. In providing such assistance, the agency shall not give guarantees or assume any financial obligation.
- C. Taking account of the wishes of the member or members filing the request, the agency may arrange for the materials, services, equipment and installations required for the project to be provided by one or several of its members, or it may provide them itself either in part or in full.
- D. To realize its initiatives according to this article, the agency duly considers:
  - 1. the usefulness of the project, this includes its technical and scientific implementation;



2. a support to work out the initiative and provide, educate and train the appropriate staff to grant an effective introduction of renewable energies;
3. the fact that the applying member or group of members cannot recruit the necessary support on its own;
4. the subsidiary role, to avoid competing activities with regard to other international governmental or non-governmental organizations or bilateral initiatives;
5. the fair allocation of materials and services being at the agency's disposal;
6. the particular needs of underdeveloped regions of the world.

### **Article XI** **Payments to members**

Unless otherwise agreed between the agency and the member placing materials, services, equipment or installations at the agency's disposal, the Director-General shall conclude an agreement with the member concerned on payments for supplies and services.

### **Article XII** **Finance**

- A. The Board of Governors shall submit an estimate of the agency's expenditure to the General Conference every two years. The Director-General shall prepare an initial draft of the estimate. Should this estimate not be approved by the General Conference, the General Conference shall return it with its recommendations to the Board of Governors. The Board of Governors shall then submit a new estimate to the General Conference for approval.
- B. The expenditure of the agency shall be divided into the following categories:
  1. Administrative expenditure. This encompasses expenses for the agency's staff, expenditure on preparations and implementations for project of the agency and on the dissemination of information;
  2. expenditure not already referred to in subparagraph 1. arising in connection with materials, installations, works and equipment which the agency acquires or

installs in performing the tasks assigned to it; the cost of materials, services, equipment and installations which the agency makes available on the basis of agreements with one or several of its members.

- C. The Board of Governors shall apportion the expenditure referred to in paragraph B, subparagraph 1. among its members according to a formula to be drawn up by the General Conference. In drawing up the formula the General Conference shall be guided by the principles adopted by the United Nations for the purpose of determining the contributions of member states to its ordinary budget.
- D. Subject to the regulations and restrictions approved by the General Conference, the Board of Governors shall be authorized to take up loans without, however, imposing on its members any obligation with regard to loans taken up on the basis of this authorization; it shall also be authorized to accept voluntary contributions to the agency.
- E. Decisions taken by the General Conference on financial matters, and by the Board of Governors on the volume of the agency's budget, shall require a two-thirds majority of the members present and voting.

### **Article XIII** **Privileges and immunities**

- A. In each member's national territory the agency shall have the legal capacity and possess the privileges and immunities it requires to perform its tasks.
- B. The delegates of members, as well as their deputies and advisers; the persons appointed to the Board of Governors, as well as their deputies and advisers; the Director-General and the staff of the agency shall enjoy the privileges and immunities necessary for them to be independent in performing the tasks incumbent upon them in connection with the agency.
- C. The legal capacity, privileges and immunities mentioned in this article shall be laid down in one or several special agreements between the agency, represented for this purpose by the Director-General acting in accordance with the instructions of the Board of Governors, and its members.

**Article XIV**  
**Relations with other organizations**

- A. The Board of Governors shall be authorized, with the consent of the General Conference, to conclude one or more agreements establishing appropriate relations with the United Nations and any other organizations whose work is connected with that of the agency.
- B. The agreement or agreements establishing relations between the agency and the United Nations shall provide for the agency
1. to submit reports as stipulated in Article III, paragraph B, subparagraphs 3. and 4.;
  2. to examine resolutions concerning it passed by the General Assembly or one of the councils of the United Nations and, upon request by the competent organ of the United Nations, to submit reports on measures taken by it or its members on the basis of such an examination in accordance with this Statute.

**Article XV**  
**Amendment and withdrawal**

- A. Any member may propose amendments to this Statute. Certified copies of the text of proposed amendments shall be executed by the Director-General and served to all members at least ninety days before the proposal is due to be dealt with at the General Conference.
- B. The question of a general revision of this Statute shall be placed on the agenda of the fifth General Conference to take place after the Statute's entry into force. Should a majority of the members present and voting agree, the revision shall take place at the following General Conference. Subsequently, proposals concerning a general revision of this Charter may be submitted to the General Conference following the same procedure.

- C. Amendments to this Charter shall enter into force for all members as soon as
- they have been approved by the General Conference, following an examination of the comments on each proposed amendment presented by the Board of Governors, by a two-thirds majority of the members present and voting;
  - they have been approved by two thirds of the members in conformity with the provisions of their constitutions. Members shall express their approval by depositing a corresponding instrument with the custodian government named in Article XVII, paragraph C.
- D. A member may withdraw from the agency at any time five years after its entry into force in accordance with Article XVII, paragraph E., and it may withdraw at any time if it does not wish to approve an amendment, by serving written notice to the custodian government named in Article XVII, paragraph C. which shall immediately inform the Board of Governors as well as all members.
- E. The withdrawal of a member shall affect neither its obligations pursuant to Article XI nor its obligations under the budget for the year of its withdrawal.

**Article XVI**  
**Temporary suspension of rights**

- A. Any member of the agency which is in arrears with its financial contributions to the agency shall have no right to vote if its arrears reach or exceed the amount owed in contributions for two preceding years. However, the General Conference may permit this member to vote if it is convinced that the default in payment is due to circumstances beyond the member's control.
- B. Any member which repeatedly violates this charter or an agreement concluded by it in accordance with the charter may, on the recommendation of the Board of Governors, be temporarily deprived of its rights arising from membership by a two-thirds majority of the members present and voting at the General Conference.

**Article XVII**  
**Signature, approval and entry into force**

- A. This Statute shall be open for signature to all the member states of the United Nations or one of its specialized agencies for a period of ninety days commencing on .....
- B. The signatory states shall become parties to this Statute by depositing an instrument of ratification.
- C. Each state shall ratify or accept this Statute in line with the provisions of its constitution.
- D. This Statute shall enter into force, with the exception of the annex, as soon as ten states have deposited instruments of ratification in accordance with paragraph B. Subsequently deposited instruments of ratification or acceptance shall become effective on receipt.
- E. The custodian government shall immediately inform all signatory states of the date of each deposit of an instrument of ratification and of the date of the Charter's entry into force. The custodian government shall immediately inform all signatory states of the date on which individual states subsequently become parties to this Statute.
- F. The annex of this Statute shall enter into force on the very day when this Statute is opened for signature.

**Article XVIII**  
**Registration with the United Nations**

- A. This Charter shall be registered by the custodian government in accordance with Article 102 of the Charter of the United Nations.

B. Agreements between the agency and one or more members, agreements between the agency and one or more other organizations, as well as agreements between individual members, being subject to approval by the agency, will be registered at the agency. Should their registration be required according to Article 102 of the Charter of the United Nations, the agency will have them registered with the United Nations.

**Article XIX**  
**Authentic texts and certified copies**

This Statute, of which the Arabic, Chinese, English, French, German, Russian and Spanish texts shall be equally authentic, shall be deposited with the Secretary-General of the United Nations. The Secretary-General shall convey duly certified copies of this Charter to the governments of the other signatory states as well as to the governments of states accepted as members in accordance with Article IV, paragraph B.

The Charter has been signed by those duly authorized to do so.

Done at

Definitions:

Renewable Energies: Any energy whose origin is the actual direct sun radiation (natural light, solar heat) and its indirect effect in form of biomass, atmospheric movement (wind) and waves. Furthermore the energy from geo-thermal and gravitation (tidal impulses). Biomass may only be counted among renewable energies if, on the areas where biomass is harvested, its sustainable cultivation corresponds to its use for energy.