

**PREPARATORY COMMISSION FOR THE
INTERNATIONAL RENEWABLE ENERGY AGENCY**

Fifth Session

Abu Dhabi, 3 April 2011

Agenda item 7

**Draft decision on the secondment of personnel to the
International Renewable Energy Agency**

The Preparatory Commission for the International Renewable Energy Agency, at its fifth session,

Recalling that paragraph 10(h) of the Resolution on Establishing a Preparatory Commission for the International Renewable Energy Agency (IRENA) mandated the Commission to prepare such reports, studies and recommendations as it deems relevant to ensure the effective and early start of the Agency's activities;

Having considered the Note prepared by the Chair of the Working Group on Legal Issues annexed to the present decision;

Taking note of the general agreement reached among the members of the Working Group on a new approach on secondment of staff to the Agency that would ensure equality of status and treatment between staff seconded to the Agency and other staff;

Taking note also of the need to clarify several issues before a final decision could be taken by the Assembly at its second session;

Emphasizing the importance of ensuring that seconded staff be governed by a clear legal regime in the interim period;

1. *Decides* to recommend to the Assembly that it requests the Director-General to review the issues requiring clarifications before a new approach on secondment of staff ensuring equal status and treatment for all staff members and to present options and recommendations to the Council and the Assembly;

2. *Decides* to recommend to the Assembly that it decides to maintain in force the Secondment Regulations adopted by the Commission at its second session (PC.2/DC.6) until a final decision is taken by the Assembly on the regime that will govern secondment of staff in future.

**Working Group on Legal Issues,
Abu Dhabi 23 February, 2011**

Chair's Notes on Secondment

Key Issue – 3 options on how to deal with secondment,

Option 1: Fully integrate secondees as staff members (albeit on temporary basis)

Option 2: Maintain secondees as separate type of staff members and proceed with latest revision of Secondment Regulations text

Option 3: Maintain secondees as separate type of staff members and maintain Secondment Regulations as per Second Session of the Preparatory Commission (PC.2/dc.6)

After consideration by the WG on Legal Issues, there was general agreement to move to option 1. This means a change to the current approach to secondment which is based on the Secondment Regulations adopted at the second session of the Preparatory Commission. The new approach should ensure that seconded staff would serve as full-fledged staff members, with the same status, obligations and conditions of service as other staff members, and without restrictions on the functions they could perform. Seconded staff would no longer receive salaries and allowances from the seconding entity but would be paid by the Agency like other staff, thus ensuring respect of the principle of equal pay for equal work. The seconding entity would pay to the Agency the cost of the salaries and benefits paid to the seconded staff member.

Several issues need to be clarified before a final decision can be taken, notably on:

- appropriate transition arrangements for current secondees;
- the most appropriate terms of seconded remuneration, bearing in mind the need for the consideration of equity both within IRENA as well as at the seconded staff's home post;
- A policy decision will also be necessary as to whether seconding entities should be restricted to governments or the public sector, or be open to other sources, including the private sector.

It was agreed that all these matters needed to be considered in the next few months so that a decision could be made at the Second Session of the Assembly.

In the interim period, the Assembly would need to decide at its First Session that the existing Secondment Regulations (PC.2/dc.6) remain in force, and will continue to govern seconded personnel until the Second Session of the Assembly. During that period staff contracting arrangements could be made with regard to new seconded appointments and current seconded arrangements could be renewed or extended to meet the needs of the Secretariat.