


Procedure file

Basic information		
NLE - Non-legislative enactments Decision	2009/0085(NLE)	Procedure completed
Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU		
Subject 3.60.05 Alternative and renewable energies 3.60.15 Cooperation and agreements for energy		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ITRE Industry, Research and Energy		28/04/2010
		PPE REUL Herbert	
	Former committee responsible		
	ITRE Industry, Research and Energy		02/09/2009
		PPE REUL Herbert	
	Committee for opinion	Rapporteur for opinion	Appointed
	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
Council of the European Union	Former committee for opinion		
	ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	3024	24/06/2010
European Commission	General Affairs	3010	26/04/2010
	Agriculture and Fisheries	2966	20/10/2009
	Commission DG Energy	Commissioner OETTINGER Günther	

Key events			
26/06/2009	Legislative proposal published	COM(2009)0326	Summary
16/07/2009	Committee referral announced in Parliament		
29/09/2009	Vote in committee		Summary
08/10/2009	Committee report tabled for plenary, 1st reading/single reading	A7-0026/2009	

20/10/2009	Results of vote in Parliament		
20/10/2009	Decision by Parliament	T7-0030/2009	Summary
01/12/2009	Formal reconsultation of Parliament		
02/12/2009	Additional information		Summary
03/05/2010	Amended legislative proposal for reconsultation published	08612/2010	Summary
01/06/2010	Vote in committee		Summary
03/06/2010	Committee report tabled for plenary, reconsultation	A7-0176/2010	
16/06/2010	Decision by Parliament	T7-0215/2010	Summary
24/06/2010	Act adopted by Council after consultation of Parliament		
24/06/2010	End of procedure in Parliament		
13/07/2010	Final act published in Official Journal		

Technical information

Procedure reference	2009/0085(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consent by Parliament
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the EU TFEU 194-p2; Treaty on the Functioning of the EU TFEU 218-p6a
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/7/02341; ITRE/7/00340

Documentation gateway

Legislative proposal		COM(2009)0326	26/06/2009	EC	Summary
Document attached to the procedure		COM(2009)0327	26/06/2009	EC	Summary
Committee draft report		PE428.152	10/09/2009	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0026/2009	08/10/2009	EP	
Text adopted by Parliament, 1st reading/single reading		T7-0030/2009	20/10/2009	EP	Summary
Amended legislative proposal for reconsultation		08612/2010	03/05/2010	CSL	Summary
Committee draft report		PE441.187	11/05/2010	EP	
Committee final report tabled for plenary, reconsultation		A7-0176/2010	03/06/2010	EP	
Text adopted by Parliament after reconsultation		T7-0215/2010	16/06/2010	EP	Summary

Additional information

Final act[Decision 2010/385](#)[OJ L 178 13.07.2010, p. 0017](#) Summary

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

PURPOSE: to conclude, by the European Union, the Statute of the International Renewable Energy Agency (IRENA).

PROPOSED ACT: Council Decision.

CONTENT: the creation of an "International Renewable Energy Agency" (IRENA), with the objective of becoming a centre of excellence for renewable energy, advising governments on drawing up national programmes for the introduction of renewable energy, dissemination of information about renewables and offering training activities and advice on best practice and financing options, has been under discussion for some time. The Statute of IRENA was signed by 75 States, among which 20 Member States, in Bonn on 26 January 2009.

Article VI of the Statute provides for the possibility for regional inter-governmental economic integration organisations to become members. Twenty Member States have already signed the statute, and there is a clear need for the Community to be represented in an Agency where some obligations provided for by the Statute affect or are likely to affect the arrangements laid down by Community acts adopted in the areas of environment and energy, and thus to affect Community competences. The process of joining does not entail any negotiations as the Statute was agreed already by 75 States. Therefore joining IRENA can accordingly be made on the basis of a Council decision designating the person empowered to sign the Statute on behalf of the European Community and providing for its provisional application.

In accordance with Article VI.C of the Statute, it is necessary at the conclusion stage to declare the respective competences and responsibilities of the Community and its Member States in the performance of their obligations under the Statute.

Following signature of the Statute, this proposal provides for conclusion of the Statute by the European Community as well as for the adoption of a declaration of competences.

IMPACT ASSESSMENT: not applicable.

BUDGETARY IMPACT: the budget (Article XII of the Statute) of the Agency is to be financed by mandatory (and voluntary) contributions of its members. The mandatory contributions will be based on the scale of assessment of the United Nations, as to be determined by the IRENA Assembly. Contributions amounting to an order of US\$25 million per year are expected to be needed for the day-to-day functioning of IRENA. On this basis, the Community's contributions are expected to be in the region of 2.5% of the total mandatory contributions, or EUR 480 000 per annum.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

This Proposal for a Council Decision concerns the signing and provisional application of the Statute of the International Renewable Energy Agency (IRENA) by the European Community.

On 26 January 2009, the Statute of the International Renewable Energy Agency was signed at the Founding Conference in Bonn by 75 States, including 20 EU Member States. According to the Statute, the objective of the International Renewable Energy Agency (IRENA) is to promote the widespread and increased adoption as well as the sustainable use of all forms of renewable energy, taking into account national and domestic priorities and benefits derived from a combined approach of renewable energy and energy efficiency measures, and the contribution of renewable energy to: (i) environmental preservation, through limiting pressure on natural resources and reducing deforestation, particularly tropical deforestation, desertification and biodiversity loss; (ii) climate protection; (iii) economic growth and social cohesion including poverty alleviation and sustainable development; (iv) access to and security of energy supply; (v) regional development; and (vi) inter-generational responsibility.

Both the European Community and its Member States have competence in the areas covered by the Statute. Certain obligations, provided for by the Statute, affect or are likely to affect the arrangements laid down by Community acts adopted regarding the environment and energy.

In view of its entry into force only on the thirtieth day after the deposit of the twenty-fifth instrument of ratification, and in view of the Statute remaining open for signature until that time, the Statute should be signed on behalf of the European Community in accordance with its Article XIX A. Considering that at the Founding Conference of IRENA in January 2009 a Preparatory Commission for IRENA was established, which is intended to ensure the rapid and effective establishment of IRENA, including by establishing an interim work programme and budget, it is considered beneficial to fully participate in IRENA activities from signature. The Statute should be applied on a provisional basis from 1 June 2009.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

The Committee on Industry, Research and Energy adopted the report by Herbert REUL (EPP,DE) approving unamended, under the consultation procedure, the proposal for a Council Decision on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Community and on the exercise of its rights and obligations.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

The European Parliament adopted by 453 votes to 13, with 12 abstentions, a legislative resolution approving unamended, under the consultation procedure, the proposal for a Council Decision on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Community and on the exercise of its rights and obligations.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

The Lisbon Treaty, which entered into force on 1 December 2009, amended the EU's two core treaties, the Treaty on European Union (TEU) and the Treaty establishing the European Community (EC Treaty). The latter was renamed the Treaty on the Functioning of the European Union (TFEU).

These changes had various consequences for many ongoing procedures. First of all, the articles of the TEU and of the old EC Treaty that constitute the legal basis of all the proposals founded on those Treaties were renumbered in accordance with the table of equivalences mentioned in Article 5 of the Lisbon Treaty.

In addition, some proposals underwent a change to their legal basis going beyond a mere change to their numbering, and this resulted in changes to the type of procedure.

The Lisbon Treaty also introduced new concepts of decision-making procedure. The old "codecision procedure" was extended to new areas and renamed the "ordinary legislative procedure". A new "consent procedure" replaced the old "assent procedure". New interinstitutional procedures were also set up for the adoption of certain non-legislative acts, for example the conclusion of some international agreements.

The ongoing proposals concerned by these changes were formally modified by the Commission in a Communication published on 2 December 2009 ([COM\(2009\)0665](#)).

In the case of the proposal for a Council Decision on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Community and on the exercise of its rights and obligations, the entry into force of the Lisbon Treaty had the following impacts:

- the old legal basis ? Treaty/EC/Art.175(1), Art. 300(2) first para and Art. 300(3) first para ? became Art. 194(2), Art. 218(6)(a) of the TFEU. Please note that the numbering of the old legal basis corresponds to the consolidated version of the Treaty that was applicable immediately before the entry into force of the Lisbon Treaty, and may differ from the references in the original Commission proposal;
- the proposal, which had previously fallen under the old consultation procedure (CNS), was classified as an interinstitutional non-legislative procedure (NLE) under which the Council requested Parliament's consent to the conclusion of the Statute.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

The European Parliament has been consulted again (under the interinstitutional non-legislative procedure involving a request for Parliament's consent) on a draft Council Decision on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union.

The new proposal states that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community. It also states that the Declaration of competences is hereby adopted on behalf of the Union and the text thereof is annexed to this Decision. The Union shall pay an annual contribution to the International Renewable Energy Agency.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

The Committee on Industry, Research and Energy adopted the report drafted by Herbert REUL (EPP, ED) recommending that the European Parliament give its consent to the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

The European Parliament adopted a legislative resolution on the draft Council Decision on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union.

It gives its consent to the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union.

Conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the EU

PURPOSE : to conclude the Statute of the International Renewable Energy Agency (IRENA) by the European Union and adopt a declaration of competence.

LEGISLATIVE ACT : Council Decision 2010/385/EU on the conclusion of the Statute of the International Renewable Energy Agency (IRENA) by the European Union

CONTENT : the Council adopted a decision on the conclusion of the Statute of the International Renewable Energy Agency by the European Union and on the exercise of its rights and obligations. In accordance with the Decision of the Council of 19 October 2009, the Statute of

IRENA was signed on behalf of the EC on 23 November 2009. As a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community.

Both the Union and its Member States have competences in the areas covered by the Statute, which provides that regional intergovernmental economic integration organisations that become members of IRENA declare the extent of their competence with respect to the matters governed by the Statute.

Accordingly, this Decision concludes the Statute and also adopts such a declaration of competences.

Lastly, it provides that the Union should pay an annual contribution to IRENA which is provided for in the Intelligent Energy-Europe (?IEE?) Programme.

ENTRY INTO FORCE : 24 June 2010