

DIRECTOR-GENERAL

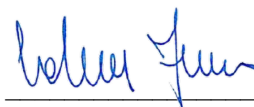
ST/Directive/2025/2

15 May 2025

DIRECTIVE

Staff Regulations and Staff Rules incorporating the Revised Code of Conduct

1. The Director-General hereby promulgates the Staff Regulations and Staff Rules attached to the present Directive. They incorporate the revisions to the Code of Conduct contained in the Annex to the Staff Rules, as requested by the Assembly in paragraph 3 of its decision A/15/DC/5 of 13 January 2025 to ensure consistency with the Policy on Ethics and Conflict of Interest and, where appropriate, with the other policies adopted by the Assembly through its decision A/15/DC/5.
2. In accordance with Staff Regulation 13.3, the Code of Conduct contained in the Annex to the Staff Rules hereby promulgated shall be provisional until the Director-General has reported its full text to the Assembly, and will enter in full force and effect, taking into account such modifications and/or deletions as may be directed by the Assembly, after its promulgation by the Director-General no later than thirty days after the end of the Assembly session having considered it.
3. This Directive supersedes and replaces Directive ST/Directive/2025/1 of 25 February 2025, with immediate effect.



Francesco La Camera
Director-General
15 May 2025

ST/Directive/2025/2
15 May 2025

**STAFF REGULATIONS AND
STAFF RULES**

TABLE OF CONTENTS

ARTICLE 1 SCOPE AND DEFINITIONS	1
Regulation 1.1 <i>Scope</i>	1
Regulation 1.2 <i>Definitions</i>	1
CHAPTER 1 SCOPE AND DEFINITIONS.....	2
Rule 101.1 <i>Scope</i>	2
Rule 101.2 <i>Definitions</i>	2
ARTICLE 2 DUTIES, OBLIGATIONS, RIGHTS AND PRIVILEGES	3
Regulation 2.1 <i>Status of staff</i>	3
Regulation 2.2 <i>Responsibilities of the Director-General</i>	3
Regulation 2.3 <i>Privileges and immunities</i>	3
Regulation 2.4 <i>Core values</i>	3
Regulation 2.5 <i>General rights and obligations</i>	4
Regulation 2.6 <i>Honours, gifts or remuneration</i>	4
Regulation 2.7 <i>Conflict of interest</i>	5
Regulation 2.8 <i>Use of property and assets</i>	5
Regulation 2.9 <i>Performance of staff</i>	5
Regulation 2.10 <i>Declaration of office</i>	5
CHAPTER 2 DUTIES, OBLIGATIONS, RIGHTS AND PRIVILEGES.....	6
Rule 102.1 <i>Status of staff</i>	6
Rule 102.2 <i>Code of Conduct</i>	6
Rule 102.3 <i>Notification by staff members and obligation to supply information</i>	6
Rule 102.4 <i>Performance management</i>	7
Rule 102.5 <i>Proprietary rights</i>	7
ARTICLE 3 CLASSIFICATION OF POSTS AND STAFF	8
Regulation 3 <i>Classification of posts</i>	8
CHAPTER 3 CLASSIFICATION OF POSTS AND STAFF.....	9
Rule 103.1 <i>Classification standards</i>	9
Rule 103.2 <i>Classification of individual posts</i>	9
ARTICLE 4 SALARIES AND RELATED ALLOWANCES.....	10

Regulation 4.1 <i>Salary scales</i>	10
Regulation 4.2 <i>Allowances and benefits</i>	10
Regulation 4.3 <i>Tax reimbursement</i>	10
CHAPTER 4 SALARIES AND RELATED ALLOWANCES	11
Rule 104.1 Definitions	11
Rule 104.2 Salary determination.....	12
Rule 104.3 Post adjustment and rental subsidy.....	13
Rule 104.4 Dependency benefits.....	14
Rule 104.5 Education grant.....	15
Rule 104.6 Special education grant.....	16
Rule 104.7 Hardship and non-removal allowances.....	16
Rule 104.8 Settling-in grant	16
Rule 104.9 Payments and deductions.....	18
Rule 104.10 Time limit on claims for retroactive payments.....	18
Rule 104.11 Tax reimbursement	18
ARTICLE 5 APPOINTMENT AND PROMOTION	19
Regulation 5.1 <i>Appointment</i>	19
Regulation 5.2 <i>Recruitment criteria</i>	19
Regulation 5.3 <i>Selection of staff members</i>	19
Regulation 5.4 <i>Period of appointment and probation</i>	20
Regulation 5.5 <i>Medical standards</i>	21
Regulation 5.6 <i>Consultants, individual contractors, interns and other personnel</i>	21
CHAPTER 5 APPOINTMENT AND PROMOTION	22
Rule 105.1 Recruitment policies	22
Rule 105.2 Appointment procedure	22
Rule 105.3 Types of appointment	23
Rule 105.4 Effective date of appointment.....	24
Rule 105.5 Probation.....	24
Rule 105.6 Determination of recognized home country and place of residence in the home country	25
Rule 105.7 Promotion	25
Rule 105.8 Medical examination and required inoculations	25
ARTICLE 6 ATTENDANCE AND LEAVE	26
Regulation 6.1 <i>Working hours and attendance</i>	26

Regulation 6.2 <i>Annual leave</i>	26
Regulation 6.3 <i>Special leave</i>	26
CHAPTER 6 ATTENDANCE AND LEAVE	27
Rule 106.1 Working hours	27
Rule 106.2 Official holidays	27
Rule 106.3 Overtime and compensatory leave.....	27
Rule 106.4 Annual leave	27
Rule 106.5 Home leave	28
Rule 106.6 Special leave in exceptional cases	29
ARTICLE 7 SOCIAL SECURITY	30
Regulation 7.1 <i>Pension scheme</i>	30
Regulation 7.2 <i>Social security scheme</i>	30
CHAPTER 7 SOCIAL SECURITY	31
Rule 107.1 Medical insurance.....	31
Rule 107.2 Compensation for illness, injury or death attributable to service	31
Rule 107.3 Sick leave.....	31
Rule 107.4 Maternity leave	32
Rule 107.5 Paternity leave	32
Rule 107.6 Adoption leave.....	33
Rule 107.7 Special grant in case of death in service	33
Rule 107.8 Loss of personal property	33
ARTICLE 8 TRAVEL AND REMOVAL EXPENSES	34
Regulation 8.1	34
CHAPTER 8 TRAVEL AND REMOVAL EXPENSES.....	35
Rule 108.1 Travel of staff	35
Rule 108.2 Travel of eligible family members.....	35
Rule 108.3 Loss of entitlement	36
Rule 108.4 Authorization to travel.....	36
Rule 108.5 Travel expenses	37
Rule 108.6 Route, mode and standard of travel	37
Rule 108.7 Transportation expenses - Purchase of tickets.....	37
Rule 108.8 Travel by automobile.....	38
Rule 108.9 Terminal expenses	38

Rule 108.10 Daily subsistence allowance.....	38
Rule 108.11 Miscellaneous travel expenses.....	38
Rule 108.12 Relocation shipment of personal effects and household goods	38
Rule 108.13 Transportation of decedents.....	39
ARTICLE 9 STAFF RELATIONS.....	40
Regulation 9.1	40
Regulation 9.2	40
CHAPTER 9 STAFF RELATIONS	41
Rule 109.1 Staff representative body	41
ARTICLE 10 SEPARATION FROM SERVICE	42
Regulation 10.1 <i>Resignation</i>	42
Regulation 10.2 <i>Termination of appointment by the Director-General</i>	42
Regulation 10.3 <i>Repatriation grant</i>	42
Regulation 10.4 <i>Mandatory Age of Separation (Retirement)</i>	43
CHAPTER 10 SEPARATION FROM SERVICE.....	44
Rule 110.1 Definition.....	44
Rule 110.2 Resignation	44
Rule 110.3 Abandonment of post.....	44
Rule 110.4 Expiration of appointment	44
Rule 110.5 Non-confirmation of appointment	45
Rule 110.6 Termination of appointment	45
Rule 110.6 bis Reaching the mandatory age of separation (retirement)	46
Rule 110.7 Termination indemnity	46
Rule 110.8 Commutation of annual leave.....	46
Rule 110.9 Restitution of advance annual and sick leave	46
Rule 110.10 Repatriation grant	47
Rule 110.11 Certificate of service.....	47
ARTICLE 11 DISCIPLINARY MEASURES.....	48
Regulation 11.1	48
Regulation 11.2	48
CHAPTER 11 DISCIPLINARY MEASURES.....	49
Rule 111.1 Disciplinary measures.....	49
Rule 111.2 Notification of charges and reply.....	49

Rule 111.3 Administrative leave.....	49
Rule 111.4 Imposition of one or more disciplinary measures.....	50
ARTICLE 12 ADMINISTRATION OF JUSTICE.....	51
Regulation 12.1	51
Regulation 12.2	51
Regulation 12.3	51
CHAPTER 12 APPEALS AND ADMINISTRATION OF JUSTICE.....	52
Rule 112.1 Right to appeal.....	52
Rule 112.2 Internal appeal process	52
Rule 112.3 Appeal against non-confirmation of appointment	52
Rule 112.4 Appeal against decisions imposition of disciplinary measures.....	53
ARTICLE 13 GENERAL PROVISIONS.....	54
Regulation 13.1 <i>Amendments</i>	54
Regulation 13.2 <i>Staff Rules</i>	54
Regulation 13.3 <i>Entry into force of new and amended staff rules</i>	54
CHAPTER 13 GENERAL PROVISIONS	55
Rule 113.1 Purpose of the Staff Rules	55
Rule 113.2 Relationship between Staff Regulations and Staff Rules	55
Rule 113.3 Amendments to the Staff Rules	55
Rule 113.4 Exceptions to the Staff Rules.....	55
Rule 113.5 Delegation of authority	55
ANNEXES TO THE STAFF REGULATIONS AND STAFF RULES.....	56
Annexes to the Staff Regulations	
Annex I Letters of Appointment	57
Annex II Termination indemnity.....	58
Annex to the Staff Rules	
Code of Conduct.....	59

ARTICLE 1 SCOPE AND DEFINITIONS

Regulation 1.1 *Scope*

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties and obligations of the Secretariat of the International Renewable Energy Agency. They represent the broad principles of human resources policy for the staffing and administration of the Secretariat. The Staff Regulations apply to all staff at all levels, including the Director-General.

Regulation 1.2 *Definitions*

For the purpose of the present regulations, the following definitions shall apply:

- a. “Agency” means the International Renewable Energy Agency (IRENA);
- b. “Statute” means the Statute of the Agency;
- c. “Assembly” means the supreme organ of the Agency, as set out in Article IX of the Statute;
- d. “Members” means States and regional intergovernmental economic integration organizations as set out in Article VI of the Statute;
- e. “Director-General” means the head and chief administrative officer of the Agency, as set out in Article XI paragraph (B) of the Statute;
- f. “Secretariat” means the Secretariat of the Agency, as set out in Article XI of the Statute;
- g. “Staff” means all staff members of the Secretariat who serve under a letter of appointment subject to the present regulations and who have been appointed by the Director-General under Article XI of the Statute;
- h. “Staff Rules” means the rules issued by the Director-General to implement the Staff Regulations;
- i. “United Nations common system standards” means the United Nations common system of salaries, allowances and benefits.

CHAPTER 1 SCOPE AND DEFINITIONS

Rule 101.1 *Scope*

These Staff Rules shall apply to all staff members of the International Renewable Energy Agency at all levels.

Rule 101.2 *Definitions*

- (a) “Agency” means the International Renewable Energy Agency (IRENA);
- (b) “Statute” means the Statute of the Agency;
- (c) “Assembly” means the supreme organ of the Agency, as set out in Article IX of the Statute;
- (d) “Staff Regulations” means the regulations approved by the Assembly to establish the fundamental conditions of service and the basic rights, duties and obligations of the staff of the Secretariat;
- (e) “Staff Rules” means the rules issued by the Director-General to implement the Staff Regulations;
- (f) “Secretariat” means the Secretariat of the Agency, as set out in Article XI of the Statute;
- (g) “Director-General” means the head and chief administrative officer of the Agency, as set out in Article XI paragraph (B) of the Statute;
- (h) “Staff” means all staff members of the Secretariat who serve under a letter of appointment subject to the Staff Regulations and who have been appointed by the Director-General under Article XI of the Statute;
- (i) “United Nations common system standards” means the United Nations common system of salaries, allowances and benefits;
- (j) “Category” of staff means the basis on which the United Nations common system determines the applicability of distinct conditions of service for staff appointed to perform substantive functions in the Professional category and above, and for staff appointed to perform support functions in the General Service category.

ARTICLE 2 DUTIES, OBLIGATIONS, RIGHTS AND PRIVILEGES

Regulation 2.1 *Status of staff*

Staff members are international civil servants. Their responsibilities as staff members are not national but exclusively international.

Regulation 2.2 *Responsibilities of the Director-General*

- (a) The Director-General shall ensure that the rights and duties of staff members, as set out in the Statute, the Staff Regulations and Rules, the Policy on Ethics and Conflict of Interest and other relevant decisions of the Assembly, are respected.
- (b) The Director-General shall seek to ensure that, in accordance with Article XI paragraph C of the Statute, the paramount consideration in the employment of staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity.

Regulation 2.3 *Privileges and immunities*

- (a) Any privileges and immunities enjoyed by the Agency in respect of its staff members are conferred in the interests of the Agency, not for the personal benefit of the staff concerned. These privileges and immunities furnish no excuse for failure by staff members to observe the applicable laws and police regulations of the State in which they are located, or for non-performance of their private obligations.
- (b) In any case where an issue arises regarding the application of privileges and immunities, the staff member concerned shall immediately report the matter to the Director-General, who shall decide whether there is immunity and, if so, whether it should be waived.
- (c) In the case of the Director-General, the Assembly shall have the right to waive immunities.

Regulation 2.4 *Core values*

- (a) Staff members shall uphold and respect the principles set out in the Statute and in the Charter of the United Nations, including faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women. Consequently, staff members shall exhibit respect for all cultures; they shall not engage in harassment or discrimination against any individual or group of individuals and they shall not abuse the power and authority vested in them.
- (b) Staff members shall uphold the highest standards of efficiency, competence and integrity. The concept of integrity includes, but is not limited to, probity, impartiality, fairness, honesty and truthfulness in all matters affecting their work and status.

(c) Staff shall conduct themselves at all times in a manner consistent with the Policy on Ethics and Conflict of Interest adopted by the Assembly and with the Agency's Code of Conduct promulgated by the Director-General as an annex to and an integral part of the Staff Rules, in accordance with Regulation 13.3.

Regulation 2.5 *General rights and obligations*

(a) Staff members are subject to the authority of, and accountable to, the Director-General, including his or her decisions on assignment to any of the activities or offices of the Agency. In exercising this authority, the Director-General shall seek to ensure, having regard to the circumstances that all necessary safety and security arrangements are made for staff carrying out the responsibilities entrusted to them.

(b) In the performance of their duties, staff members shall neither seek nor receive instructions from any Government or from any other source external to the Agency.

(c) By accepting appointment, staff members pledge themselves to discharge their functions and regulate their conduct with the interests of the Agency only in view and to advance its objectives as set out in the Statute.

(d) Staff members shall ensure that their personal views and convictions do not adversely affect the discharge of their official duties or the interests of the Agency. They shall refrain from any action incompatible with their status as a staff member of the Agency or with the integrity, independence and impartiality required by that status.

(e) Staff members shall not use their office or knowledge gained from their official functions for private advantage or for the private advantage of any third party.

(f) Staff members shall exercise the utmost discretion with regard to all matters of official business. They shall not communicate to any Government, entity, person or any other source any information known to them by reason of their official position that they know or ought to have known has not been made public, except as appropriate in the normal course of their duties or by authorization of the Director-General. These obligations do not cease upon separation from service.

Regulation 2.6 *Honours, gifts or remuneration*

No staff member shall accept any honour, decoration, remuneration, favour or gift of any monetary value from a Government or a source external to the Agency unless authorized to do so by the Director-General or under the exceptions specifically provided by the Policy on Ethics and Conflict of Interest.

Regulation 2.7 *Conflict of interest*

- (a) Staff members shall not be actively associated in their personal capacity, directly or indirectly, with any business or other concern if it were possible for the staff member or the business or other concern to benefit from such association by reason of the staff member's position with the Agency unless specifically provided for pursuant to the Policy on Ethics and Conflict of Interest.
- (b) Staff members at the P-5 level and above, as well as any other staff members whose functions could lead to actual or apparent conflict of interest with the Agency, shall prepare and submit disclosure of interest statements, as required by the Policy on Ethics and Conflict of Interest and as prescribed by the Director-General.
- (c) Staff members shall not engage in any outside occupation or employment, whether remunerated or not, without the prior approval of the Director-General.

Regulation 2.8 *Use of property and assets*

- (a) Staff members shall only use the property and assets of the Agency for official purposes and shall exercise reasonable care when utilizing such property and assets.
- (b) Staff members must respond fully to requests for information from staff members or other qualified persons authorized by the Agency to investigate possible misuse of funds, waste or abuse.

Regulation 2.9 *Performance of staff*

- (a) Supervisors shall be responsible for ensuring that each staff member is fully informed of his or her work requirements and of the related performance indicators, on the basis of which each staff member shall be evaluated.
- (b) The performance of staff members shall be appraised periodically to ensure that the required standards of performance are met.

Regulation 2.10 *Declaration of office*

- (a) Staff members shall subscribe to the following declaration:

"I solemnly declare and promise to exercise in all loyalty, discretion and conscience the functions entrusted to me as an international civil servant of the International Renewable Energy Agency, to discharge these functions and regulate my conduct with the interests of the Agency only in view, and not to seek or accept instructions in regard to the performance of my duties from any Government or other source external to the International Renewable Energy Agency."

- (b) The declaration of office shall be made orally by the Director-General at a session of the Assembly. All staff members of the Agency shall make the declaration in writing in front of the Director-General or an authorised representative.

CHAPTER 2 DUTIES, OBLIGATIONS, RIGHTS AND PRIVILEGES

Rule 102.1 *Status of staff*

- (a) The interests of the Agency and the loyalty that staff members owe to it shall always take precedence over their other interests and ties, as emphasized in the declaration they are required to make on appointment pursuant to staff regulation 2.10. Staff members shall act in such a manner as to ensure their independence from any person, entity or authority outside the Agency.
- (b) The declaration made by each staff member pursuant to staff regulation 2.10 shall be placed in his or her official file.

Rule 102.2 *Code of Conduct*

- (a) All staff members shall comply with the provisions of the Code of Conduct set out in the Annex to these Rules, of which the Code of Conduct is an integral part.
- (b) The Code of Conduct elaborates on the principles set out in staff regulations 2.3 to 2.9.
- (c) Violation of the provisions of the Code of Conduct shall constitute misconduct under Article 11 of the Staff Regulations and Chapter 11 of the Staff Rules.

Rule 102.3 *Notification by staff members and obligation to supply information*

- (a) Staff members shall be responsible on appointment for supplying the Director-General with any information that may be required in order to determine their status under the Staff Regulations and Rules or to complete administrative arrangements in connection with their appointment.
- (b) Staff members shall also be responsible for promptly notifying the Director-General, in writing, of any subsequent changes that may affect their status under the Staff Regulations and Rules.
- (c) A staff member may at any time be required by the Director-General to supply information concerning facts anterior to his or her appointment and relevant to his or her suitability as an international civil servant, or concerning facts relevant to his or her integrity, conduct and service as a staff member.
- (d) A staff member who has been arrested, charged with an offence other than a minor traffic violation or summoned before a court as a defendant in a criminal proceeding, or who has been convicted, fined or imprisoned for any offence other than a minor traffic violation shall immediately report the fact to the Director-General.

(e) At the time of appointment, each staff member shall nominate a beneficiary or beneficiaries in writing in a form prescribed by the Director-General. It shall be the responsibility of the staff member to notify the Director-General of any revocation or change of beneficiaries. In the event of the death of a staff member, all amounts due to the staff member by the Agency under the Staff Regulations and Rules will be paid to the nominated beneficiary or beneficiaries, unless otherwise specified under particular rules. Such payment will release the Agency of all further liability in respect of any sum being paid. In the absence of beneficiary, the amount due to the staff member will be paid to his or her estate.

Rule 102.4 *Performance management*

- (a) Supervisors shall be responsible for:
- i. Establishing a work plan for each staff member, in consultation with the staff member concerned, and informing him or her of the related performance indicators;
 - ii. Guiding staff under their supervision through work review and discussion with each staff member.
- (b) Supervisors shall periodically make a formal evaluation of the performance and conduct of every staff member under their supervision. This evaluation shall be made once a year. Should performance problems arise in the course of the year, supervisors shall discuss their assessment with the staff member concerned and make specific suggestions for improvement.
- (c) The evaluation of the performance for staff members with supervisory responsibilities shall include an assessment of their performance as supervisors.
- (d) The performance of staff members during the preceding year shall be evaluated according to procedures established by the Director-General. The report shall be signed by the supervisors and the staff members concerned. If a staff member disagrees with the evaluation, he or she may attach to the report a statement explaining the grounds for disagreement which will be part of the official performance record.

Rule 102.5 *Proprietary rights*

All rights, including title, copyright and patent rights, in any work performed or produced by staff members as part of their official duties shall be vested in the Agency.

ARTICLE 3 CLASSIFICATION OF POSTS AND STAFF

Regulation 3 *Classification of posts*

The Director-General shall make appropriate provision for the classification of posts and staff according to the nature of the duties and responsibilities required and in conformity with the United Nations common system standards as developed by the International Civil Service Commission (hereinafter the “ICSC”), and in accordance with Article XI of the Statute.

CHAPTER 3 CLASSIFICATION OF POSTS AND STAFF

Rule 103.1 *Classification standards*

The Director-General shall apply the United Nations common system classification standards to determine the level of posts in the Secretariat.

Rule 103.2 *Classification of individual posts*

To the maximum possible extent, the definition of duties of individual posts shall follow the generic job profiles used in the United Nations common system, adjusting them as necessary to reflect the requirements of the functions to be performed for the Agency.

ARTICLE 4 SALARIES AND RELATED ALLOWANCES

Regulation 4.1 *Salary scales*

Salaries of staff members shall be fixed by the Director-General in conformity with the United Nations common system standards.

Regulation 4.2 *Allowances and benefits*

Staff members shall be granted allowances and benefits in accordance with the United Nations common system standards. The Director-General shall specify such allowances and benefits in the Staff Rules.

Regulation 4.3 *Tax reimbursement*

(a) In the event the salaries and emoluments paid by the Agency to staff members are subject to national income taxation, the Director-General is authorized to refund the amount of those taxes to the staff members concerned, under conditions established by the Director-General to ensure that staff are obligated to minimize their tax liability to the maximum extent allowed under applicable law, and to provide accurate copies of the tax returns filed with the tax authorities. Taxes that may be imposed on the Agency's pension contributions, or on any pension payments or benefits made by or received from the Staff Provident Fund or any other alternate pension scheme authorized under staff regulation 7.1, are the sole responsibility of staff members or former staff members and shall not give rise to claims for tax reimbursement.

(b) The Director-General is authorized to conclude bilateral agreements with the Members concerned for the reimbursement of such refunds to the Agency.

CHAPTER 4 SALARIES AND RELATED ALLOWANCES

Rule 104.1 *Definitions*

- (a) *"Base salary"* means the salary at a given grade and step as defined in the salary scales applicable in the United Nations common system;
- (b) *"Remuneration"* means the sum of the net base salary, plus post adjustment and allowances where applicable, subject to deductions under rule 104.9. *"Net remuneration"* means the sum of net base salary plus post adjustment where applicable;
- (c) *"Pensionable remuneration"* means the amount set by grade and category of staff for pension purposes in the United Nations common system on the basis of which contributions by the staff member and the Agency to the pension scheme shall be calculated;
- (d) *"Home country"* means the country that is recognized by the Agency at the time of recruitment of internationally-recruited staff members for the purpose of establishing their entitlements under the Staff Rules. The home country is the country of nationality of the staff member unless there are valid reasons for the Director-General to accept that another country be recognized as the home country;
- (e) *"Child"* for the purpose of determining entitlements under the Staff Rules, means:
- i. a staff member's natural or legally adopted child; or
 - ii. a staff member's stepchild who is residing with the staff member.
- (f) *"Dependants"* for the purpose of determining entitlements under the Staff Rules, means:
- i. a staff member's spouse whose gross occupational earnings from the exercise of a trade, profession, business or other regular employment do not exceed during any calendar year:
 - (aa) for General Service staff, a limit equivalent to the annual gross occupational earnings at the lowest entry level in the General Service salary scale in force on 1 January of the year concerned at the closest duty station applying the United Nations common system standards in the country of the spouse's place of work;
 - (bb) for staff at the Professional level and above, the limit is the higher of the amount determined in (aa) above, or of the gross salary for the lowest entry level in force on 1 January of the year concerned at the base of the salary system (G-2, step 1 in New York);
 - (cc) if both spouses are staff members of international organizations applying the United Nations common system, neither may be recognized as a dependant of the other;

- ii. a child for whom the staff member certifies that he or she provides the main and continuing support, provided that the child is under 18 years of age or, if in full-time attendance at a school or university, under the age of 21 years. Age and school attendance requirements shall not apply if the child is physically or mentally incapacitated for substantial gainful employment either permanently or for a period expected to be of long duration. If both parents are staff members of international organizations applying the United Nations common system standards, the children, if determined dependent, shall be recognized as the dependants of the parent whose annual gross occupational earnings yield the higher amount;
- iii. one secondary dependant, who can be the father, mother, brother or sister of the staff member. Not more than one such dependant may be claimed and this only when the staff member does not have a recognized dependent spouse. Payment of an allowance for a secondary dependant is subject to the following requirements:
 - (aa) the staff member demonstrates that he or she provides more than half the total support and, in any case, at least twice the amount of the allowance claimed;
 - (bb) the brother or sister fulfills the age and school attendance conditions for recognition of a dependent child set out in (ii) above; and
 - (cc) for General Service staff, the local salary scale provides for payment of a secondary dependant allowance.
- iv. the definitions of dependants in this rule apply to staff in the Professional and higher categories and in the General Service category except as otherwise specified in these Rules or in the local salary scale.

Rule 104.2 *Salary determination*

- (a) On appointment, the net base salary of staff members shall normally be fixed at step 1 of the grade of the post or function to be occupied. However, in accordance with guidelines established by the Director-General, it may be fixed at a higher step in the grade in order to take into account a staff member's qualifications, skills and experience in relation to the requirements of the post or function.
- (b) Salary increments of one step on the salary scale may be granted subject to confirmation of satisfactory performance and conduct by the staff member's supervisor after one year of service at a given step, or two years where indicated in the applicable salary scale. The increment will be effective on the first day of the month in which the required period of service at the prior step is completed.
- (c) On promotion of a staff member on a fixed-term appointment to a higher grade, the net base salary of a staff member shall be at the lowest step at the new grade that provides an increase in net base salary equal to at least the amount that would have resulted from the granting of two steps at the grade of the staff member before promotion.

- (d) On reduction in grade of a staff member with a fixed-term appointment:
- i. due to reasons other than unsatisfactory performance or misconduct, the net base salary of a staff member shall be fixed at that step in the lower grade that corresponds to his current net base salary, or at the step nearest below if there is no exactly corresponding step;
 - ii. due to unsatisfactory performance or misconduct, the net base salary may be fixed at a step in the lower grade below the level determined under paragraph (d)(i) above.
- (e) A staff member with a fixed-term appointment may be required to assume temporarily the responsibilities of a post at a higher level. Such temporary arrangements shall not be continued for more than 12 months, unless otherwise decided by the Director-General. As from the beginning of the fourth consecutive month of such service, the staff member shall be granted a special post allowance equal to the difference between the staff member's current pay, consisting of net base salary, post adjustment and allowances, and the amount that would have been payable in case of promotion to the higher level post. Granting of a special post allowance shall not affect the level of contributions to the pension scheme from the staff member or the Agency.

Rule 104.3 *Post adjustment and rental subsidy*

- (a) The net base salary of staff in the Professional and higher categories shall be adjusted for cost-of-living variations in accordance with the United Nations common system standards.
- (b) Post adjustment at the rate applicable at the duty station is normally paid for assignments of six months or longer. However:
- i. When a staff member is assigned to an office for less than six months, the Director-General shall decide at that time whether to pay a daily subsistence allowance for the period, or to pay post adjustment, settling-in grant under rule 104.8 and hardship allowance under rule 104.7(a), provided the applicable conditions are met;
 - ii. A staff member assigned by the Director-General to a new duty station where the post adjustment is lower than at the previous Agency office may continue to receive the higher post adjustment for up to six months while at least the spouse or a dependent child remains at the location of the prior Agency office.
- (c) A supplement to the post adjustment in the form of a rental subsidy may be paid to eligible staff members who have to rent housing accommodation at substantially higher commercial rates than the average rental cost used in calculating the post adjustment, in accordance with conditions established by the Director-General.

Rule 104.4 *Dependency benefits*

(a) Staff members appointed to the Professional and higher categories are entitled to the following dependency benefits for dependants as defined in rule 104.1(f):

- i. Payment of a spouse allowance when the spouse is recognized as a dependant;
- ii. Payment of a child allowance for every child recognized as a dependant, except when:
 - the staff member is entitled to a single parent allowance in accordance with sub-paragraph (a) iii., or
 - the staff member qualifies for a transitional allowance in accordance with sub-paragraph (a) iv.; or
 - the dependent child is recognized as disabled in accordance with sub-paragraph (a) v.;
- iii. A single parent allowance shall be payable to a staff member who is a single parent and provides main and continuous support in respect of a first dependent child, on account of whom the regular child allowance shall not be payable. The regular child allowance shall be payable on account of other dependent child(ren);
- iv. A transitional allowance shall be payable to staff members who, on 1 January 2017, would have been entitled to being paid at the dependency rate on account of a first dependent child under the salary scales applicable until 31 December 2016;
- v. For a child who is physically or mentally disabled as determined under conditions defined by the Director-General, payment of an additional amount corresponding to the amount of the regular child allowance;
- vi. A secondary dependant benefit may be payable for one secondary dependant, who may be the father, mother, brother or sister of the staff member, provided the staff member is not paid a spouse allowance.

(b) General Service staff members are entitled to the following dependency benefits for dependants as defined in rule 104.1(f):

- i. Payment of a dependency allowance for their spouse and every dependent child, subject to the limit on the number of dependent children for whom a dependency benefit may be paid as specified in the local salary scale;
- ii. For a child who is physically or mentally disabled as determined under conditions defined by the Director-General, the regular dependency allowance is payable at twice the regular rate;
- iii. For a secondary dependant, as defined in paragraph (a)(vi) above, provided such payment is authorized under the local salary scale.*

* The text of staff rule 104.4 (b)(iii), as reported to the Assembly in document A/7/4, contained an additional sentence stating: "General Service staff members are unchanged for the time being." This sentence was introduced as a result of an editorial error and has been removed from the text of the rule.

- (c) The amount of the allowances to be paid shall be determined in accordance with the United Nations common system standards, including the phasing out and discontinuance of the transitional allowance.

Rule 104.5 *Education grant*

- (a) Staff members shall be eligible to receive education grant on account of a child or children when the following conditions are met:

- i. They are appointed to a position in the Professional category or above, and hold a fixed-term appointment of one year or longer;
- ii. The child, as defined in rule 104.1(e), is in full time attendance in an educational institution at the primary level and above until the end of the school year in which the child reaches the age of 25 or completes four years of post-secondary studies, whichever is earlier;
- iii. For the purpose of this rule, education shall be deemed primary if the child is five years or older at the beginning of the school year, or reaches the age of five within three months of the beginning of the school year;
- iv. If the child's education is interrupted for at least one scholastic year by national service obligations, illness or other compelling reasons, the period of eligibility may be extended for the duration of the period of interruption beyond the scholastic year in which the child reaches the age of 25.

- (b) The education grant is payable for tuition, including mother-tongue tuition, enrolment-related expenses, and assistance with boarding expenses, under conditions established by the Director-General in accordance with the United Nations common system standards.

- (c) The education grant shall not be paid for:

- i. Periods during which staff members are assigned to, or reside in, their home country as defined in rule 104.1(d) except when such periods are immediately preceded by an assignment to a duty station outside that country in which case the grant is payable for the balance of the current school year following reassignment but not exceeding one full school year;
- ii. attendance at a kindergarten or nursery school at the pre-primary level;
- iii. attendance at a free school or a school charging only nominal fees;
- iv. vocational training or apprenticeships which either do not involve full-time schooling or in which the child receives some payment for services rendered;
- v. assistance for capital assessment fees charged by the school.

- (d) The amount of the grant shall be determined in accordance with the United Nations common system standards.

- (e) The grant shall be paid in full if in any scholastic year for which the staff member's period of employment with the Agency and the period of the child's attendance at the educational institution are each not less than two-thirds of the scholastic year. If this condition is not met the grant shall be proportionately reduced, except if the staff member dies while in service after the beginning of the school year.
- (f) When a staff member is married to another staff member or to a staff member of another organization following the United Nations common system standards, and both parents are at the Professional level or above, only the parent qualifying for a dependency allowance for one or more children may claim education grant and education grant travel under rule 108.2(c)(v).
- (g) Administration of the education grant, including education grant travel, is subject to conditions established by the Director-General.
- (h) The new conditions governing education grant will be introduced starting with the school year in progress on 1 January 2018. The prior regime will continue to apply until this requirement is met.

Rule 104.6 *Special education grant*

Staff members holding a fixed-term appointment of one year or longer are entitled to a special education grant in respect of any physically or mentally disabled child, up to the end of the year in which such child reaches the age of 28, under conditions established by the Director-General in accordance with the United Nations common system standards.

Rule 104.7 *Hardship and non-removal allowances*

- (a) Staff members in the Professional and higher categories shall receive a hardship allowance when they are assigned to a duty station where the conditions are found by the Director-General to justify payment of such an allowance in an amount based on the schedule applicable in the United Nations common system;
- (b) Staff members in receipt of a non-removal allowance as of 31 December 2016 in accordance with the rules in force at the time of appointment or assignment shall continue to receive it at the 2016 level until they move to another duty station or reach the full duration allowed under the relevant Staff Regulations and Rules. No new entitlement shall arise in respect of staff members appointed or assigned to a new duty station on or after 1 January 2017.

Rule 104.8 *Settling-in grant*

- (a) Staff members holding a fixed-term appointment to a position in the Professional category and above whose travel to a new duty station has been authorized shall be paid a settling-in grant:
 - i. upon appointment or reassignment to a new duty station for a period of at least one year; or

- ii. upon extension of an initial appointment or reassignment of less than one year to a new duty station, resulting in an uninterrupted period of service of one year or longer at that duty station.
- (b) The amount of the settling-in grant shall consist of:
 - i. A daily subsistence allowance portion, corresponding to daily subsistence allowance for 30 days from arrival in respect of the staff member, and 15 days from arrival in respect of each family member accompanying or joining the staff member at the Agency's expense under rule 108.2;
 - ii. A lump-sum portion consisting of one month's net base salary plus post adjustment at the duty station concerned. For staff members appointed before 1 January 2017 to a duty station where a second month's lump sum was payable under certain conditions, the Director-General shall ensure that they remain eligible for a second month's lump sum when the relevant conditions under the former assignment grant are met.
- (c) Staff members holding a temporary appointment of six months or longer to whom post adjustment and related allowances are paid under rule 104.3(b) shall be paid a settling-in grant equivalent to daily subsistence allowance for 30 days when travel has been authorized by the Agency. No settling-in grant shall be paid in respect of any family member.
- (d) No settling-in grant shall be paid for children born, or for any other dependant acquired after the arrival of the staff member at the new duty station.
- (e) The settling-in grant is subject to adjustment and recovery when a staff member serves at a duty station for a period that is less than anticipated, as follows:
 - i. When a staff member resigns within six months of the date of appointment or reassignment to the duty station, both the daily subsistence allowance portion paid under sub-paragraph (b) i. above, and the lump-sum portion paid under sub-paragraph (b) ii. above shall be subject to full recovery;
 - ii. In other situations:
 - (aa) the daily subsistence allowance portion is normally not recoverable;
 - (bb) the lump-sum portion payable to staff on a fixed-term appointment is subject to adjustment and recovery under conditions established by the Director-General.
- (f) If both spouses are staff members of international organizations applying the United Nations common system standards at the same duty station, the daily subsistence allowance in respect of the staff member himself or herself under sub-paragraph (b) (i) above shall be payable to each staff member. The daily subsistence allowance on account of eligible family members under the same provision shall be payable to the staff member in respect of whom the child or children are recognized as dependants. The lump-sum portion shall be payable to one spouse only, who shall be the spouse whose entitlement yields the higher amount.

Rule 104.9 *Payments and deductions*

- (a) The normal pay period is from the first to the last day of any calendar month. A month's pay corresponds to 1/12 of the annual net base salary plus allowances and benefits expressed on an annual basis. Staff members who are not in pay status for a full calendar month are paid for each working calendar day at the rate of 1/261 of the annual net base salary plus allowances and benefits expressed on an annual basis.
- (b) An advance against monthly pay may be made to a staff member if the regularly scheduled payment date falls due during the staff member's absence on leave or official travel. An advance may also be approved by the Director-General in emergency situations.
- (c) Payments shall be made to staff members in such currencies and at such rates of exchange as the Director-General may determine, with due regard to the legitimate interests of the staff.
- (d) Deductions from salaries and other emoluments, including entitlements paid on separation from service, may be made in the following cases:
- i. for the staff member's contributions to a pension scheme and for health insurance;
 - ii. for indebtedness to the Agency;
 - iii. for lodging provided by the Agency or a related institution to a staff member at no cost to the staff member or at nominal rent;
 - iv. for indebtedness to third parties when any deduction for this purpose is authorized by the Director-General;
 - v. as otherwise authorized by the staff member and agreed by the Director-General.

Rule 104.10 *Time limit on claims for retroactive payments*

Claims in respect of any salary, allowance or benefit which the staff member considers should have been paid to him or her under the Staff Regulations and Rules shall be submitted in writing within one year of the date on which the initial payment would have been due. Claims relating to earlier periods are time-barred and shall not be accepted by the Agency.

Rule 104.11 *Tax reimbursement*

Tax reimbursement claims under staff regulation 4.3(a) may be made by staff members who are subject to national income taxation, provided that such taxes are imposed in respect of salaries and allowances paid by the Agency to the individuals concerned for services rendered as staff members of the Agency. Taxes that may be imposed on the Agency's contributions to a pension scheme authorized under staff regulation 7.1 and/or pension payments or benefits paid by the Staff Provident Fund or another pension scheme selected by the staff member, are the sole responsibility of staff members or former staff members and do not qualify for tax reimbursement.

ARTICLE 5 APPOINTMENT AND PROMOTION

Regulation 5.1 *Appointment*

As provided in Article XI, paragraph C, of the Statute, the Director-General shall be responsible to the Assembly and the Council for the appointment of staff. Upon appointment, each staff member, including a staff member on secondment, shall receive a letter of appointment in accordance with the provisions of Annex I to these present Regulations and signed by the Director-General or by an official in the name of the Director-General.

Regulation 5.2 *Recruitment criteria*

(a) In accordance with Article XI paragraph C of the Statute, the paramount consideration in the employment of the staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. Due regard shall be paid to the importance of recruiting the staff primarily from Members and on as wide a geographical basis as possible, taking particularly into account the adequate representation of developing countries and gender balance.

(b) Recruitment on as wide a geographical basis as possible shall not apply to posts in the General Service category.

Regulation 5.3 *Selection of staff members*

(a) Selection of staff members shall be made without distinction as to race, sex or religion in a manner that ensures transparency of the process. As far as practicable, selection shall be made on a competitive basis. The requirement of selection on a competitive basis shall not apply for appointment to the positions of Chief of Staff and Adviser to the Director-General which shall be subject to the discretionary authority of the Director-General. The Director-General shall exercise such discretionary authority with due regard to the requirements of Article XI.C of the Statute.

(b) Except where another equally well qualified person cannot be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.

(c) The spouse of a staff member may be appointed provided that the spouse is fully qualified for the position and provided that the spouse is not given any preference for appointment by virtue of the relationship to the staff member.

(d) The Director-General shall specify in the Staff Rules the restrictions applicable to the placement into the organizational structure of any of the related staff members mentioned in paragraphs (b) and (c) above, and to the process of reaching any administrative decision in respect of such a related staff member in order to ensure that the proper functioning of the Agency is not affected and that there is no actual or perceived conflict of interest.

(e) Posts below the level of D-1, other than those of a short-term nature, which become vacant shall be announced to the staff if they represent a promotion opportunity for any staff, and selection for such posts shall be on a competitive basis. These requirements shall not apply to any posts when it is in the interest of the Agency to fill them by reassignment of a staff member without promotion.

Regulation 5.4 *Period of appointment and probation*

- (a) Appointment of the Deputy Director-General shall be for a period of up to four years, renewable for up to a further four years.
- (b) Other professional staff members shall be granted either a temporary or a fixed-term appointment. No continuing appointments shall be granted. Fixed-term appointments may be extended at the discretion of the Director-General. The initial period shall normally not exceed three years. The total length of service on fixed-term appointments for staff at the professional level and above shall normally not exceed seven years.
- (c) The Director-General may extend this maximum length of service for staff at the professional level and above once for a period of up to two years provided that there is a documented record of performance and the need for such extension to ensure continuity of the work of the Agency. The maximum length of service applicable to staff at the professional level and above shall not apply to staff in the general service category.
- (d) Staff members shall be required to serve a probationary period of six months. For certain categories of staff, especially for temporary and part-time appointments, the Director-General may, in the best interest of the Agency, adjust the length and conditions of the probationary period.
- (e) A temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment.
- (f) A fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service or its extension.

Re-employment of former staff members

- (g) Current and former staff members at the professional level and above having completed the maximum length of service of seven years referred to in paragraph (b) above, or nine years in cases where a two-year extension had been granted pursuant to paragraph (c) above, may be re-employed for a fixed term after the expiration of thirty consecutive months following the date of their separation from the Agency (mandatory break in service), subject to the following requirements:
 - i. No such re-employment shall be by direct appointment by the Director-General. For all positions that are to be filled, a vacancy announcement shall be issued and posted on the IRENA website. The object of issuing a vacancy announcement is to attract a wide variety of candidates for each position from a wide geographic and gender base. The selection of staff members for all such positions shall be on a competitive basis, in accordance with the established procedures;
 - ii. The total combined length of service of any such re-employed staff member shall not exceed thirteen years;
 - iii. A former staff member shall not be re-employed to a position that he or she previously held or substantively similar to a position that he or she previously held, irrespective of any change in the title of the position.
- (h) Former staff members at the professional level and above, who have not reached the maximum length of service of seven years specified in paragraph (b) above may be re-employed for a fixed term for a period equivalent to the difference between their total combined length of service

15 May 2025

and seven years. Any further re-employment of such former staff members shall be subject to paragraph (g) above.

(i) Current and former staff members at the professional level and above having completed the total combined length of service of thirteen years shall not be eligible for further employment by the Agency, without any exception regardless of the category of staff, the type of the appointment (whether fixed or temporary), the level of the post or any other criteria.

(j) The maximum length of service of seven years referred to in paragraph (b) above applies to current and former staff members and includes their current and past periods of service.

Regulation 5.5 *Medical standards*

The Director-General shall establish appropriate medical standards that staff members shall be required to meet before appointment.

Regulation 5.6 *Consultants, individual contractors, interns and other personnel*

Consultants, individual contractors, interns and other personnel may be engaged under such terms and conditions as the Director-General may determine as appropriate and shall not be staff members for the purposes of these regulations.

CHAPTER 5 APPOINTMENT AND PROMOTION

Rule 105.1 *Recruitment policies*

- (a) The paramount consideration in the selection of staff shall be the necessity of securing the highest standards of efficiency, competence and integrity. For posts in the Professional category and above, due regard shall be paid to the importance of recruiting the staff primarily from Members, taking into account the adequate representation of developing countries and gender balance. For all vacant posts which are to be filled, a vacancy announcement shall be issued in accordance with established procedures.
- (b) Except where another person equally well qualified cannot be recruited, appointment shall not be granted to a person who bears any of the following relationships to a staff member: father, mother, son, daughter, brother or sister.
- (c) The spouse of a staff member may be appointed provided that the spouse is fully qualified for the position and is not given any preference for appointment by virtue of the relationship to the staff member.
- (d) A staff member who is related to another staff member under conditions specified in paragraphs (b) and (c) above shall not:
- i. be assigned to serve in a position which is superior or subordinate in the line of authority to the position occupied by the staff member to whom he or she is related;
 - ii. participate in the process of selection, assignment, promotion or transfer of the related staff member; or in the taking or reviewing of any administrative decision affecting the employment status, entitlements or other benefits of the related staff member.
- (e) The marriage of one staff member to another shall not affect the contractual status of either spouse, but their entitlements and other benefits shall be modified as specified by the Director-General. The same modification shall apply in case of a staff member whose spouse is a staff member of an organization that applies the United Nations common system standards.

Rule 105.2 *Appointment procedure*

- (a) Upon selection for a post in accordance with procedures established by the Director-General, a candidate shall be informed of the proposed appointment and of its terms, including the fact that the appointment would be subject to the Staff Regulations and Rules, including the Code of Conduct, and shall also be informed of the requirements that need to be met before the offer can be confirmed.
- (b) The offer shall specify the grade and step of the proposed appointment, established in accordance with rule 104.2(a).
- (c) On reporting for duty, an appointee shall receive and sign a letter of appointment consistent with Annex I to the Staff Regulations and subscribe to the Declaration of Office required by staff regulation 2.10.

Rule 105.3 *Types of appointment*

(a) Staff members may be granted fixed-term or temporary appointments, as defined below. No appointment carries any expectation of renewal or conversion to any other type of appointment, irrespective of the length of service or its extension.

(b) A “fixed-term appointment” is a time-limited appointment of one year or longer. The initial period shall normally not exceed three years. The total length of service on fixed-term appointments for staff at the professional level and above shall normally not exceed seven years. The Director-General may extend this maximum period once for a period of up to two years, provided that such an extension may be made only when there is a documented record of good performance and of the need to ensure continuity of the work of the Agency. The maximum length of service applicable to staff at the professional level and above shall not apply to staff in the general service category.

(c) A “temporary appointment” shall be granted for a period of less than one year to meet seasonal or peak workloads and specific short-term requirements. The appointment of a staff member who has served for the maximum period may be extended up to a total continuous period of less than two years when warranted by surge requirements and operational needs related to special projects with finite mandates.

Rule 105.3 bis – Re-employment of former staff members

(a) Current and former staff members at the professional level and above having completed the maximum length of service of seven years specified in staff regulation 5.4(b), or nine years, in cases where a two-year extension had been granted pursuant to staff regulation 5.4(c), may be re-employed for a fixed term after the expiration of thirty consecutive months following the date of their separation from the Agency (mandatory break in service), subject to the following requirements:

- i. No such re-employment shall be by direct appointment by the Director-General. For all positions that are to be filled, a vacancy announcement shall be issued and posted on the IRENA website. The object of issuing a vacancy announcement is to attract a wide variety of candidates for each position from a wide geographic and gender base. The selection of staff members for all such positions shall be on a competitive basis, in accordance with the established procedures;
- ii. The total combined length of service of any such re-employed staff member shall not exceed thirteen years;
- iii. A former staff member shall not be re-employed to a position that he or she previously held or substantively similar to a position that he or she previously held, irrespective of any change in the title of the position.

(b) Former staff members at the professional level and above who have not reached the maximum length of service of seven years specified in staff regulation 5.4(b) may be re-employed for a fixed term for a period equivalent to the difference between their total combined length of service and seven years. Any further re-employment of such former staff members shall be subject to paragraph (a) above.

(c) Current and former staff members at the professional level and above having completed the total combined length of service of thirteen years shall not be eligible for further employment by the Agency, without any exception regardless of the category of staff, the type of the appointment (whether fixed or temporary), the level of the post or any other criteria.

15 May 2025

(d) The maximum length of service of seven years referred to in staff rule 105.3 (b) above applies to current and former staff members and includes their current and past periods of service.

(e) A former staff member who is re-employed under staff regulation 5.4 shall be given a new appointment in accordance with the Staff Regulations and Staff Rules. Subject to paragraph (f) below, the terms of such new appointment shall be fully applicable without regard to any period of former service.

(f) When a staff member receives a new appointment less than 12 months after separation, the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of the separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.

Rule 105.4 *Effective date of appointment*

(a) The effective date of appointment shall be the date the staff member reports for duty if locally recruited. If travel is authorized, the effective date of appointment shall be the date the staff member enters travel status, provided that this date is not earlier than that required for travel by the route and type of transport designated by the Agency.

(b) No appointee shall report for duty or commence any travel for the purpose of entering on duty until the medical requirements of rule 105.8 and the appointment procedure requirements of rule 105.2(a) have been met.

Rule 105.5 *Probation*

(a) In accordance with staff regulation 5.4 (d), new staff members shall serve a probationary period of six months for fixed-term appointments and three months for temporary appointments of six months or longer.

(b) The purpose of the probationary period is to assess whether new staff members are willing and able to perform their work satisfactorily, and to regulate their conduct in accordance with the obligations flowing from the Staff Regulations and Rules, including the Code of Conduct, and from their status as international civil servants.

(c) At the end of the probationary period, the appointment shall be confirmed if the assessment of the staff member's performance and conduct is positive. If the assessment is negative, the staff member shall be separated from service in accordance with rule 110.5.

Rule 105.6 *Determination of recognized home country and place of residence in the home country*

(a) At the time of appointment, the Director-General shall determine, in consultation with the staff member, the place that is to be recognized throughout the staff member's service as the home country and the place of residence in the home country for purposes of establishing the staff member's entitlements under the Staff Rules.

(b) Unless there are valid reasons to the contrary, the home country shall be the country of nationality of the staff member, and the place of residence shall be the place in the home country where the staff member was last residing before appointment. Consideration may be given in individual cases to designating a country other than the country of nationality as the home country, and a place other than the last residence in that country as the place of residence for administrative purposes.

Rule 105.7 *Promotion*

(a) Promotion is the advancement of a staff member with a fixed-term appointment to a higher level post, after a competitive selection process.

(b) Salary on promotion shall be determined in accordance with rule 104.2(c).

Rule 105.8 *Medical examination and required inoculations*

(a) Upon selection, a candidate that has been selected for appointment shall undergo a prescribed medical examination by a physician designated by the Director-General.

(b) Should the report of the physician show that the candidate is not fit for the post in question, a decision shall be made whether or not to make an offer of appointment and, if an offer has been made, whether to confirm it and upon what terms.

(c) Upon appointment and before any subsequent travel for the Agency, a staff member shall have such inoculations as the physician shall prescribe.

(d) Any medical examination and any inoculation required by the Agency shall be at the Agency's expense, subject to conditions and maximum amounts established by the Director-General in accordance with United Nations common system standards.

ARTICLE 6 ATTENDANCE AND LEAVE

Regulation 6.1 *Working hours and attendance*

(a) The Director-General shall establish the normal working hours and the normal working week and shall establish official holidays for each duty station according to principles laid down in the Staff Rules. Exceptions may be made by the Director-General as the needs of the service may require, and staff members may be requested to work beyond the normal working hours or the normal working week if necessary for the performance of the Agency's work.

(b) No salary shall be paid to staff members in respect of periods of unauthorized absence from work unless such absence was due to reasons beyond their control.

Regulation 6.2 *Annual leave*

Staff members shall be allowed appropriate annual leave and eligible staff members shall be allowed, as appropriate, home leave in accordance with the United Nations common system standards. The Director-General shall specify these standards in the Staff Rules.

Regulation 6.3 *Special leave*

Special leave may be authorized by the Director-General in exceptional cases.

CHAPTER 6 ATTENDANCE AND LEAVE

Rule 106.1 *Working hours*

- (a) The Director-General shall establish for each duty station the normal working hours and the normal working week, on the basis of the standards used by United Nations common system organizations at each duty station.
- (b) Staff members may be required to work beyond the normal working hours and the normal working week, in which case they will be compensated as provided in rule 106.3.

Rule 106.2 *Official holidays*

The number of official holidays at each duty station shall be ten days in each calendar year. The Director-General shall establish the official holidays at each duty station, taking into account the most commonly observed holidays at the duty station and the practice followed by other international organizations.

Rule 106.3 *Overtime and compensatory leave*

- (a) General Service staff who have been required to work by the appropriate supervisor beyond the normal working hours and the normal working week shall be given compensatory leave or monetary compensation in accordance with procedures established by the Director-General;
- (b) Should the exigencies of service permit, and subject to prior approval of the Director-General, staff in the Professional category and above may be granted occasional compensatory leave when they have been required to work substantial or recurrent periods of overtime.

Rule 106.4 *Annual leave*

- (a) Staff members shall accrue annual leave while in full pay status at the rate of two and a half days per month. No annual leave shall accrue while the staff member is on the special leave that may be authorized under rule 107.2 as part of the compensation for service-incurred illness or injury.
- (b) Annual leave accrues and may be taken in units of days and half days.
- (c) Since the purpose of annual leave is to provide a period of rest each year, not more than 15 days of annual leave accrued in a given year shall normally be carried forward to the next calendar year. Not more than 60 days of accumulated annual leave can be carried forward beyond 31 December of each year.
- (d) In exceptional circumstances and after approval from the Director-General, a staff member may be permitted to take advanced annual leave.

- (e) Annual leave may be taken only when authorized. All arrangements as to leave are subject to the exigencies of service, which may require that leave be taken by a staff member during a specified period.
- (f) Staff members who, on leaving the service of the Agency, have an annual leave credit shall be paid in respect of each day of unused annual leave up to a maximum of 60 working days for staff on fixed-term appointments and 30 working days for staff on temporary appointments.

Rule 106.5 *Home leave*

- (a) Home leave is provided so that staff members on a fixed-term appointment in the Professional category and above who are serving and residing outside their home country, as defined in rule 104.1(d), may spend a reasonable period of annual leave in the home country with a view to maintaining effective association with that country. Staff members may exercise home leave travel in a country other than their home country under conditions established by the Director-General.
- (b) Home leave may be taken for the first time when staff members have completed 24 months of qualifying service as defined in paragraph (c) below, provided their service is expected by the Agency to continue at least six months after the expected date of return from home leave. Subsequent home leave may be taken once every other year, at any time during the calendar year, subject to the same expectation of continuation of service for at least six months after the expected date of return from home leave.
- (c) Qualifying service means continuous service for the Agency outside the staff member's home country. Leave without pay for 30 days or less does not break continuity of service.
- (d) Home leave consists of travel time not charged to the staff member's annual leave and return transportation paid by the Agency for the staff member, the spouse and eligible children, up to the cost of travel between the duty station and the staff member's place of residence in home country or the actual destination, whichever is less, under conditions established by the Director-General. The staff member, his or her spouse and dependent children must spend a reasonable period of time in the country where the leave is exercised.
- (e) If both spouses are staff members in organizations applying the United Nations common system standards and both are eligible for home leave, each shall have the choice of exercising the home leave entitlement as a staff member, or as a spouse, but not as both. Such choice may not result in more than one home leave in every home leave cycle.
- (f) A staff member may be required to take home leave in conjunction with travel on official business or change of duty station, due regard being paid to the interests of the staff member and his family.

Rule 106.6 *Special leave in exceptional cases*

- (a) Special leave with full, partial or no pay may be granted at the request of a staff member for such period and under such conditions as the Director-General may prescribe. Special leave may be granted for training or research in the interest of the Agency or for other important reasons, including but not limited to child care, serious illness of a family member, or death of an immediate family member.
- (b) The Director-General may, at his or her initiative, place a staff member on special leave with full pay if he or she considers such leave to be in the interest of the Agency.

ARTICLE 7 SOCIAL SECURITY

Regulation 7.1 *Pension scheme*

The Agency shall provide a provident contribution for the benefit of eligible staff. The primary fund for provident contribution will be the IRENA Staff Provident Fund. The Management Board of the Staff Provident Fund shall establish and maintain a relationship with a “preferred provider” commercial, financial, providential organization to host the IRENA Staff Provident Fund. Given the limited duration of IRENA contracts and the diversity of national, private and intergovernmental pension schemes on offer, the onus and responsibility for the specification of a staff member’s pension scheme lie within the individual, subject to the criteria determined by the ManagementBoard.

Regulation 7.2 *Social security scheme*

The Director-General shall establish a cost-effective and administratively efficient scheme of social security for the staff, including provisions for health protection, sick leave, maternity and paternity leave, and reasonable compensation in the event of illness, accident or death attributable to the performance of official duties on behalf of the Agency, in accordance with the United Nations common system standards under terms and conditions specified by the Director-General in the Staff Rules.

CHAPTER 7 SOCIAL SECURITY

Rule 107.1 *Medical insurance*

Staff members shall participate in a medical insurance scheme under terms and conditions determined by the Director-General.

Rule 107.2 *Compensation for illness, injury or death attributable to service*

A staff member, or his surviving spouse or dependants, shall be entitled to compensation in the event of illness, injury or death attributable to the performance of official duties on behalf of the Agency, in accordance with rules established by the Director-General.

Rule 107.3 *Sick leave*

(a) Staff members who are unable to perform their duties because of illness or injury, or whose attendance is prevented by public health requirements, will be granted sick leave. All sick leave must be approved under conditions established by the Director-General.

(b) Staff member's maximum entitlement to sick leave shall be determined by the nature and duration of their appointment, as follows:

- i. A staff member who holds a temporary appointment shall be granted sick leave with full pay at the rate of two working days for each month of completed service;
- ii. A staff member who holds a fixed-term appointment and who has completed less than three years of continuous service shall be granted sick leave of up to three months with full pay and three months on half pay;
- iii. A staff member who holds a fixed-term appointment and who has completed three years of continuous service shall be granted sick leave of up to nine months on full pay and nine months on half pay.

(c) Any absence of more than two consecutive working days which is to be charged as sick leave must be supported by a certificate from a duly recognized medical practitioner stating that the staff member is unable to perform his or her duties and indicating the probable duration of the illness. Not more than seven working days of uncertified absences within one calendar year shall be charged to sick leave. Part or all of this uncertified sick leave may be used to attend to serious family-related emergencies, in which case the certification requirement in respect of two consecutive working days shall not apply.

(d) A staff member may at any time be required to undergo a medical examination by a medical practitioner designated by the Director-General.

- (e) A staff member shall not, while on sick leave, leave the duty station without the prior approval of the Director-General.
- (f) Staff members shall inform their supervisors as soon as possible in case of absence due to illness or injury. They shall submit a medical certificate for any absence of more than two consecutive working days taken in accordance with paragraph (c) above by the fifth working day of continuous absence or upon return to work, whichever is earlier.

Rule 107.4 *Maternity leave*

- (a) Staff members shall be entitled to maternity leave, subject to conditions established by the Director-General.
- (b) Maternity leave on full pay shall commence six weeks before the expected date of birth upon submission of a certificate from a duly qualified medical practitioner or midwife indicating the expected due date. At the request of the staff member and on medical advice, the Director-General may permit the maternity leave to commence less than six weeks but not less than two weeks before the expected due date. Maternity leave shall extend for a period of 16 weeks from the time it is granted. However, in no case shall maternity leave terminate less than 10 weeks after the actual date of birth.
- (c) During the first year after the birth of a child, a nursing mother shall be allowed additional maternity leave of sufficient time each day to nurse her child.
- (d) Where both parents of a newborn child are staff members of the Agency, any unused portion of maternity leave to which the mother could otherwise have been entitled may be used by the other parent, under conditions established by the Director-General.
- (e) Sick leave shall not normally be granted to a staff member on maternity leave, except where serious complications arise.
- (f) Annual leave shall accrue during the period of maternity leave.

Rule 107.5 *Paternity leave*

A staff member shall be entitled to paternity leave subject to conditions established by the Director-General. Upon presentation of satisfactory evidence of the birth of the staff member's child, the staff member shall be entitled to paternity leave for a total period of up to four weeks. In exceptional circumstances, typically related to a severe medical condition of the mother or the child, the Director-General may authorize paternity leave for a total period of up to eight weeks. Paternity leave must be exhausted within 12 months from the date of the child's birth.

Rule 107.6 *Adoption leave*

Subject to conditions established by the Director-General, and upon presentation of satisfactory evidence of the adoption of a child, a staff member shall be entitled to adoption leave for a total period of up to eight weeks.

Rule 107.7 *Special grant in case of death in service*

- (a) On the death of a staff member with a surviving spouse or one or more dependent children, a special grant shall be paid to the spouse or, if none, to the dependent children, in equal shares.
- (b) The grant shall be calculated in accordance with the United Nations common system standards and on the basis of the following schedule:

<i>Years of continuing service</i>	<i>Months of net base salary at the last grade and step of the staff member</i>
0-3	3
4	4
5	5
6	6
7	7
8	8
9 or more	9

- (c) The grant shall not be payable if the staff member did not have a spouse or one or more dependent children.

Rule 107.8 *Loss of personal property*

Loss of personal property incurred in the course of service may be compensated under conditions and subject to maximum limits established by the Director-General. Staff members are expected in all cases to take reasonable precautions to against loss of their personal property and shall obtain insurance for all valuable items.

ARTICLE 8 TRAVEL AND REMOVAL EXPENSES

Regulation 8.1

Staff members shall be paid travel and removal expenses in accordance with the United Nations common system standards, under terms and conditions specified by the Director-General in the Staff Rules.

CHAPTER 8 TRAVEL AND REMOVAL EXPENSES

Rule 108.1 *Travel of staff*

Subject to conditions established by the Director-General, the Agency shall pay the travel expenses of a staff member in the following circumstances:

- (a) On initial appointment of a staff member to a position in the Professional category and above;
- (b) On change of duty station;
- (c) On official business;
- (d) On home leave;
- (e) On family visit, provided the Agency did not pay travel expenses to the duty station and settling-in grant for the spouse or any dependent children;
- (f) On separation from service, the staff member will be paid return travel except in cases of abandonment of post and as provided in rule 108.3.

Rule 108.2 *Travel of eligible family members*

- (a) Eligible family members, for the purposes of official travel, comprise the spouse and dependent children as defined in rule 104.1(f)(ii). In addition, children who meet the requirements to qualify for education grant travel remain eligible for such travel even though they are no longer recognized as dependants under rule 104.1(f)(ii).
- (b) Travel for eligible family members shall be paid only in respect of staff members appointed or assigned from outside the duty station to a position in the Professional category and above and holding an appointment of one year or longer.
- (c) Subject to conditions established by the Director-General, the Agency shall pay the travel expenses of eligible family members of a staff member holding a fixed-term appointment in the following circumstances:
 - i. On appointment or assignment for a period of one year or longer, or upon extension of an initial assignment of less than one year resulting in an uninterrupted period of service of one year or longer at the duty station, from the recognized home country or, at the option of the Agency, the place of recruitment, provided that the spouse and dependent children are expected by the Director-General to remain at the duty station for at least six months while the staff member remains in service;
 - ii. On change of duty station, provided that the service of the staff member at the new duty station is expected by the Director-General to continue for more than six months beyond the date of travel of eligible family members to the new duty station;

- iii. On home leave;
 - iv. On travel of the spouse to the duty station in lieu of the staff member's family visit travel under staff rule 108.1(e);
 - v. On education grant travel for children who fulfill the conditions for such travel established by the Director-General for education grant and special education grant;
 - vi. On separation of a staff member from service, the Agency will pay return travel for eligible family members, provided that the staff member has completed not less than one year of continuous service, subject to the provisions of rule 108.3.
- (d) When a child for whom travel expenses have previously been paid by the Agency reaches the age beyond which he or she no longer qualifies as a dependant under rule 104.1(f)(ii), payment of a one-way trip by the child to either the staff member's duty station or to the home country may be paid provided the travel takes place:
- i. Within the year following the date when the child ceases to qualify as a dependant under rule 104.1(f)(ii); or
 - ii. Upon completion of the child's continuous attendance at a university or equivalent institution, when the child's attendance commenced during the period of dependency status.
- (e) If both spouses are staff members of the Agency and both are eligible for repatriation travel, each shall have the choice of exercising the entitlement as a staff member or as a spouse, but not as both. Such choice shall not result in more than one journey for each staffmember.

Rule 108.3 *Loss of entitlement*

- (a) Staff members who resign before completing one year of service or within three months following the date of return from travel on home leave shall not be entitled to payment of return travel for themselves and eligible family members unless, in the opinion of the Director-General, there are compelling reasons for authorizing such payment.
- (b) Entitlement to return travel shall cease if travel has not commenced within one year after the date of separation. However, where both spouses are staff members and the spouse who separates first is entitled to return travel expenses his or her entitlement shall not cease until one year after the date of separation of the other spouse.
- (c) Entitlements under rules 108.1 and 108.2 that have not been exercised within the above time limits and in accordance with the conditions established by the Director-General shall lapse.

Rule 108.4 *Authorization to travel*

Travel shall be authorized in writing before it is undertaken. A staff member shall be personally responsible for ascertaining that he or she has the proper authorization before commencing travel.

Rule 108.5 *Travel expenses*

- (a) Travel expenses that shall be paid or reimbursed by the Agency under the relevant provisions of the Staff Rules include:
- i. Transportation expenses (i.e. carrier fare);
 - ii. Terminal expenses;
 - iii. Daily subsistence allowance;
 - iv. Miscellaneous travel expenses.
- (b) Staff members shall exercise the same care in incurring expenses that a prudent person would exercise if travelling on personal business.

Rule 108.6 *Route, mode and standard of travel*

- (a) All travel at the Agency's expense shall be by a route, mode and standard of travel approved by the Director-General.
- (b) Travel expenses and other entitlements, including travel time, shall be limited to the amounts and conditions applicable for a journey by the approved route, mode and standard of travel.
- (c) Staff members who wish to make travel arrangements that vary from the approved route, mode and standard of travel must obtain permission to do so in advance and assume responsibility for any extra charges resulting from the variation.
- (d) Travel shall normally be by the most direct and economical route. An alternative route may be approved when the Director-General determines that it is in the best interest of the Agency.
- (e) The standard of travel shall be determined in accordance with the conditions established by the Director-General.

Rule 108.7 *Transportation expenses - Purchase of tickets*

- (a) Tickets for official travel of staff members and eligible family members shall be purchased by the Agency in advance of actual travel. Staff members may be authorized to purchase their own tickets under conditions established by the Director-General. The Director-General shall endeavor to negotiate contract fare rates advantageous to the Agency, especially for the most frequently travelled routes.
- (b) When staff members, for reasons of personal preference or convenience, request a standard of travel in excess of their entitlement or request travel by other than the approved route or mode of travel, they shall be required to reimburse the Agency for any additional costs thus incurred before the Agency provides them with the necessary tickets.

Rule 108.8 *Travel by automobile*

Staff members who are authorized to travel by automobile shall be reimbursed by the Agency at rates and under conditions established by the Director-General.

Rule 108.9 *Terminal expenses*

Terminal expenses shall be deemed to cover all expenditures for transportation and incidental charges between the airport or other point of arrival and departure and the hotel or other accommodation for the staff member and each family member authorized to travel at the Agency's expense. They shall be reimbursed at rates and under conditions established by the Director-General.

Rule 108.10 *Daily subsistence allowance*

- (a) A staff member authorized to travel at the Agency's expense shall be paid a daily subsistence allowance at rates and under conditions established by the Director-General.
- (b) When the spouse or dependent children of a staff member are authorized to travel at the Agency's expense, the staff member shall be paid an additional daily subsistence allowance for each family member at half the rate applicable to the staff member. The present rule does not apply to computation of the daily subsistence allowance portion of the settling-in grant under rule 104.8(b) i. for eligible family members joining a staff member at a new duty station.
- (c) No daily subsistence allowance shall be payable for travel:
 - i. On appointment, assignment or repatriation;
 - ii. On home leave, family visit or education grant travel.

Rule 108.11 *Miscellaneous travel expenses*

Necessary additional expenses incurred by a staff member in connection with official business or in the performance of authorized travel shall be reimbursed by the Agency after completion of travel, under conditions established by the Director-General.

Rule 108.12 *Relocation shipment of personal effects and household goods*

- (a) The Agency shall pay for the cost of relocation of the staff member's personal effects and household goods to and from the duty station through a lump-sum relocation shipment that will be paid under conditions and within limits established by the Director-General in accordance with the United Nations common system standards.

(b) No relocation shipment on separation from service shall be payable to staff members appointed or assigned for one year or longer who resign after less than one year of service at the duty station to which they were appointed or assigned.

Rule 108.13 *Transportation of decedents*

On the death of a staff member or his or her spouse or dependent child, the Agency shall pay the expenses of preparing and transporting the remains of a deceased whom the Agency had the obligation to repatriate under rule 108.1 or 108.2, under conditions established by the Director-General.

ARTICLE 9 STAFF RELATIONS

Regulation 9.1

The Director-General shall establish and maintain continuous contact and communication with the staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to human resources policies, conditions of work and staff welfare.

Regulation 9.2

- (a) The staff of the Secretariat shall have the right to establish a staff representative body. It shall be organised in such a way as to afford equitable representation to all staff members, by means of elections that shall take place at least biennially under electoral regulations drawn up by the staff representative body and agreed to by the Director-General.
- (b) The staff representative body shall be entitled to initiate proposals to the Director-General for the purpose set forth in regulation 9.1.

CHAPTER 9 STAFF RELATIONS

Rule 109.1 *Staff representative body*

- (a) A staff representative body may be established by the staff of the Agency in accordance with staff regulation 9.2.
- (b) Polling officers selected by the staff shall conduct the election of the staff representatives in a manner that will ensure the regularity of the process.

ARTICLE 10 SEPARATION FROM SERVICE

Regulation 10.1 *Resignation*

Staff members may resign from service upon giving the Director-General the notice required under the terms of their appointment. The Director-General and the staff member concerned may agree on a shorter notice period.

Regulation 10.2 *Termination of appointment by the Director-General*

(a) The Director-General may terminate the appointment of a staff member who holds a temporary or a fixed-term appointment prior to the expiration date of the appointment in accordance with the terms of such appointment or for any of the following reasons:

- i. if the necessities of service require abolition of the post or reduction of the staff;
- ii. if the services of the staff member prove unsatisfactory;
- iii. if the staff member is, for reasons of health, incapacitated for further service;
- iv. if the conduct of the staff member indicates that the staff member does not meet the highest standards of integrity required by Article XI paragraph C of the Statute;
- v. if facts anterior to the appointment of the staff member and relevant to his or her suitability come to light that, if they had been known at the time of his or her appointment, should, under the standards established by the Statute, have precluded his or her appointment;
- vi. in the interest of the good administration of the Agency and in accordance with the standards of the Statute, provided that the action is not contested by the staff member concerned.

(b) The Director-General shall give reasons for the termination of the appointment of a staff member.

(c) If the Director-General terminates an appointment, the staff member shall be given such notice and such indemnity payment as may be applicable under the Agency's Staff Regulations and Staff Rules. Payment of termination indemnity shall be made by the Director-General in accordance with the rates and conditions specified in Annex II to these regulations.

Regulation 10.3 *Repatriation grant*

Staff members shall be paid repatriation grants in accordance with the United Nations common system standards, under terms and conditions specified by the Director-General in the Staff Rules.

Regulation 10.4 *Mandatory Age of Separation (Retirement)*

Staff members in the general service category shall not be retained in active service beyond the age of 65 years. The mandatory retirement age of 65 years shall not apply to staff at the professional level and above.

CHAPTER 10 SEPARATION FROM SERVICE

Rule 110.1 *Definition*

“Separation from service” means the administrative process through which a person previously employed as a staff member by the Agency will no longer have that status, and at the end of which his or her final entitlements will be established and settled. Separation from service may be as a result of any of the following:

- (a) Resignation;
- (b) Abandonment of post;
- (c) Expiration of appointment;
- (d) Non-confirmation of appointment;
- (e) Termination of appointment;
- (f) Reaching the mandatory age of separation (retirement) for staff in the general service category; and
- (g) Death.

Rule 110.2 *Resignation*

- (a) Resignation is a separation initiated by the staff member. No termination indemnity is payable.
- (b) Staff members on a fixed-term appointment shall give 30 calendar days’ written notice of resignation; staff members on a temporary appointment shall give 15 calendar days’ written notice. The Director-General may accept resignation on shorter notice.

Rule 110.3 *Abandonment of post*

Abandonment of post is a separation initiated by a staff member other than by resignation. Separation as a result of abandonment of post shall not constitute termination within the meaning of the Staff Regulations and Rules. No termination indemnity is payable.

Rule 110.4 *Expiration of appointment*

Fixed-term and temporary appointments expire automatically and without prior notice on the expiration date specified in the letter of appointment. No termination indemnity is payable.

Rule 110.5 *Non-confirmation of appointment*

(a) When a staff member's performance and conduct during the probationary period governed by staff regulation 5.4(d) and rule 105.5 has been assessed negatively, the appointment shall not be confirmed and the staff member shall be separated from service.

(b) A special report shall be prepared prior to a decision not to confirm the appointment at the end of the probationary period. The staff member shall be notified of the reasons for non-confirmation. Written notice of separation is required 30 calendar days before the separation date for staff on a fixed-term appointment, and 15 calendar days before the separation date for staff on temporary appointments. No termination indemnity is payable.

Rule 110.6 *Termination of appointment*

(a) "Termination" within the meaning of the Staff Regulations and Rules is a separation from service initiated by the Director-General.

(b) The Director-General may, giving the reasons therefor, terminate the appointment of a staff member who holds a temporary or fixed-term appointment in accordance with the terms of the appointment or on any of the following grounds:

- i. Abolition of post(s) or reduction of staff;
- ii. Unsatisfactory service;
- iii. For reasons of health, if the staff member is incapacitated for further service for such reasons;
- iv. Dismissal or summary dismissal in accordance with staff regulation 11.1 and chapter 11 of the Staff Rules;
- v. If facts anterior to the appointment and relevant to the suitability of a staff member come to light that, if they had been known at the time of appointment, should have precluded his or her appointment under the standards established in the Statute;
- vi. In the interest of the good administration of the Agency and in accordance with the standards of the Statute, provided that the action is not contested by the staff member concerned.

(c) The Director-General shall give 30 calendar days' written notice of termination to staff on a fixed-term appointment, and 15 calendar days to staff on a temporary appointment.

(d) In lieu of the notice period, the Director-General may authorize compensation equivalent to salary, post adjustment and allowances that the staff member would have received during the relevant notice period, at the rate in effect on the last day of service.

(e) The Director-General shall establish, as necessary, detailed conditions applicable to termination on the grounds listed in paragraph (b) above.

Rule 110.6 *bis* Reaching the mandatory age of separation (retirement)

- (a) The separation of staff members in the general service category as a result of reaching the mandatory age of separation shall not be regarded as a termination within the meaning of staff regulation 10.2 and rule 110.6.
- (b) The appointments of staff referred to in this Rule will expire automatically on the date when they reach the age of 65 years, notwithstanding the expiration date specified in the letter of appointment, and without prior notice. No termination indemnity is payable.

Rule 110.7 Termination indemnity

- (a) Payment of termination indemnity under staff regulation 10.3 and Annex II to the Staff Regulations shall be calculated on the basis of the net base salary payable to the staff member as of the effective date of separation.
- (b) Length of service for purposes of computing the termination indemnity shall comprise the total period of a staff member's full-time continuous service. Continuity of service shall not be considered as broken by periods of special leave. However, periods of special leave with partial pay or without pay of one month or longer shall not be taken into account when determining the length of service for purposes of computing the termination indemnity.

Rule 110.8 Commutation of annual leave

- (a) If staff members have accrued annual leave on separation from service, they shall be paid a sum of money in commutation of such accrued leave up to a maximum of 30 working days for staff on temporary appointments and 60 working days for staff on fixed-term appointments, in accordance with rules 106.4(f).
- (b) The payment shall be calculated as follows:
 - i. For staff in the Professional and higher categories, on the basis of the staff member's net base salary plus post adjustment, calculated for each working day at the rate of 1/261 of the annual amounts;
 - ii. For staff in the General Service category, on the basis of the staff member's net base salary, calculated for each working day at the rate of 1/261 of the annual amount.

Rule 110.9 Restitution of advance annual and sick leave

- (a) If a staff member has taken advance annual or sick leave that has not been offset by leave accrued before the date of separation, the resulting negative leave balance shall be restituted by the staff member by means of a cash refund or a deduction from terminal payments.
- (b) The amount to be restituted shall be equivalent to the remuneration received by the staff member, including allowances and other payments, in respect of the advance leave period.
- (c) The Director-General may waive this requirement if in his or her opinion there are exceptional or compelling reasons for doing so.

Rule 110.10 Repatriation grant

(a) On separation from service other than by abandonment of post under rule 110.3 or summary dismissal under rule 111.1(c), a staff member in the Professional category or above shall be eligible for a repatriation grant provided the following conditions are met:

- i. The Agency has the obligation to return the staff member and his or her spouse and dependent children on separation from service, at the expense of the Agency, to a place outside the country of the last duty station;
- ii. The staff member worked and resided outside his or her recognized home country while serving at the last duty station;
- iii. The staff member has completed at least five years of continuous service and residence away from the home country. Any period of one month or longer during which the staff member was assigned to, or residing in, the recognized home country shall be excluded for the purpose of computing the duration of continuous service for purposes of repatriation grant;
- iv. The staff member provides evidence satisfactory to the Director-General that he or she has relocated in a country other than the country of the last duty station.

(b) Subject to conditions established by the Director-General, the repatriation grant shall be paid in accordance with the United Nations common system standards.

(c) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children who are entitled to repatriation at the Agency's expense. The payment shall be made at the lower rate if there is only one such surviving family member, and at the higher rate if there is more than one surviving family member.

(d) Entitlement to the repatriation grant shall cease if no claim has been submitted within one year after the date of separation. However, when both spouses are staff members and the spouse who separates first is entitled to repatriation grant, the claim for payment by that spouse shall be considered timely if submitted within one year of the date of separation of the other spouse.

(e) As a transitional measure, a staff member in service on 31 December 2016 who separates before having served for the minimum qualifying period under paragraph (a) iii. above shall maintain eligibility and be paid repatriation grant in accordance with the schedule in force on 31 December 2016, up to the number of years of qualifying service accrued as at that date.

Rule 110.11 Certificate of service

Any staff member who so requests shall, on leaving the service of the Agency, be given a statement relating to the nature of his or her duties and the length of service. On written request from the staff member, the statement shall also refer to quality of work and official conduct.

ARTICLE 11 DISCIPLINARY MEASURES

Regulation 11.1

- (a) The Director-General may impose disciplinary measures on staff members who engage in misconduct.
- (b) The Director-General may summarily dismiss a staff member for serious misconduct.

Regulation 11.2

The Director-General shall establish administrative machinery with staff participation to advise him or her in disciplinary cases.

CHAPTER 11 DISCIPLINARY MEASURES

Rule 111.1 *Disciplinary measures*

- (a) Misconduct occurs when a staff member fails to comply with his or her obligations under the Staff Regulations and Rules, including the Code of Conduct, the Financial Regulations and Procedures, and directives issued by the Director-General.
- (b) Once it has been established that misconduct has occurred, disciplinary measures proportionate to the gravity of the misconduct may be imposed.
- (c) Disciplinary measures may take the form of one or more of the following:
 - i. Written censure;
 - ii. Loss of one or more steps in grade;
 - iii. Deferment, for a specified period, of eligibility for salary increment;
 - iv. Demotion, with or without deferment for a specified period of eligibility for promotion;
 - v. Dismissal;
 - vi. Summary dismissal, in which case the staff member shall not receive the termination indemnity or repatriation grant that would otherwise be payable.
- (d) An oral or written reprimand given by a supervisor on performance grounds shall not be regarded as a disciplinary measure.

Rule 111.2 *Notification of charges and reply*

- (a) A disciplinary measure listed in rule 111.1 (c) may be imposed only after the staff member has been notified of the charges made against him or her and has been given an opportunity to respond to those charges within eight calendar days. This period may be shortened if the urgency of the situation requires it.
- (b) The notification and the reply shall be in writing.

Rule 111.3 *Administrative leave*

- (a) A staff member may be placed on administrative leave pending completion of an investigation and of any subsequent disciplinary process. Such placement does not constitute a disciplinary measure.

- (b) A staff member placed on administrative leave shall be given a written statement of the reason(s) for such leave and its probable duration.
- (c) Administrative leave shall normally be with full pay. In exceptional circumstances, the Director-General may decide that administrative leave without pay is warranted. If the staff member is placed on administrative leave without pay and the charges are subsequently dropped or found not to warrant dismissal, the staff member shall retroactively be restored in full pay status.

Rule 111.4 *Imposition of one or more disciplinary measures*

- (a) When serious misconduct has been established, the Director-General may decide to summarily dismiss the staff member without prior notice.
- (b) In all other cases, imposition of a disciplinary measure shall require prior advice to the Director-General from the body with staff participation established under staff regulation 11.2.
- (c) The Director-General shall establish detailed procedures as may be needed for the implementation of the disciplinary process.

ARTICLE 12 ADMINISTRATION OF JUSTICE

Regulation 12.1

Staff members have the right to appeal against administrative decisions affecting them directly, including disciplinary measures imposed without prior advice from the body established under regulation 11.2. The appeal must be based on an alleged non-observance of their terms of appointment, including pertinent Staff Regulations and Rules.

Regulation 12.2

The Director-General shall establish machinery with staff participation to advise him or her on appeals submitted by staff members against administrative decisions affecting them directly.

Regulation 12.3

The Director-General shall make arrangements for staff members dissatisfied with the outcome of the internal appeal process under regulations 12.1 and 12.2, or with the disciplinary measure imposed after advice from the body established under regulation 11.2, to have access to an independent judicial or arbitral mechanism if they wish to present a recourse against the validity of the final decision taken by the Director-General.

CHAPTER 12 APPEALS AND ADMINISTRATION OF JUSTICE

Rule 112.1 *Right to appeal*

- (a) Staff members have the right to appeal against administrative decisions affecting them directly. The appeal must be based on an alleged non-observance of their terms of appointment, including pertinent Staff Regulations and Rules.
- (b) Appeal against an administrative decision shall not have the effect of suspending action on the contested decision.

Rule 112.2 *Internal appeal process*

Except as otherwise provided in rules 112.3 and 112.4, staff members wishing to appeal an administrative decision shall follow the internal appeal process set out below:

- (a) As a first step, the staff member shall address to the Director-General a request for management review of the decision within 30 calendar days of being informed of that decision.
- (b) If the staff member is not satisfied with the answer received, or if no answer is received within 15 days of the request for management review, the staff member may submit an appeal to the body with staff participation established under staff regulation 12.2.
- (c) The time limit for filing an appeal is 30 calendar days after the answer to the request for review. If no answer was provided, the time limit is 30 calendar days after the expiration of the 15 day period during which a timely answer could have been provided.
- (d) The appeal body shall consider the appeal expeditiously and advise the Director-General of its findings and recommendations.
- (e) The Director-General shall make a final decision on the appeal, in light of the findings and recommendations of the appeal body.
- (f) The staff member may challenge the Director-General's final decision before the independent judicial or arbitral mechanism provided under staff regulation 12.3.
- (g) The Director-General shall establish detailed procedures as may be needed for the implementation of the appeals process.

Rule 112.3 *Appeal against non-confirmation of appointment*

- (a) A decision taken under rule 110.5 not to confirm a staff member's appointment may be appealed in writing to the Director-General within 15 calendar days of receipt of notice of non confirmation.

- (b) The Director-General's decision shall be final, and shall not be subject to the internal appeal process established in rule 112.2 (a) to (e).
- (c) The staff member may challenge the Director-General's final decision before the independent judicial or arbitral mechanism provided under staff regulation 12.3.

Rule 112.4 *Appeal against decisions imposition of disciplinary measures*

- (a) Decisions to impose disciplinary measures after advice from a body with staff participation under rule 111.4(b) may be appealed directly to the independent judicial or arbitral mechanism provided under staff regulation 12.3.
- (b) Appeals against decisions to summarily dismiss a staff member under staff rule 111.4(a) shall be submitted to the appeal body established under staff regulation 12.2. The time limit for submitting such appeals shall be 30 calendar days after notification of the summary dismissal. The provisions of rule 112.2(d) to (f) shall apply after a timely appeal has been submitted to the appeal body.

ARTICLE 13 GENERAL PROVISIONS

Regulation 13.1 *Amendments*

The present regulations may be amended by the Assembly, without prejudice to the acquired rights of staff members.

Regulation 13.2 *Staff Rules*

The Director-General, as the chief administrative officer of the Agency, shall provide and enforce such Staff Rules as he or she considers necessary in order to implement these regulations.

Regulation 13.3 *Entry into force of new and amended staff rules*

- (a) New and/or amended Staff Rules shall be provisional until the requirements of the present regulation have been met. Provisional Staff Rules or amendments do not give rise to acquired rights for staff members.
- (b) The Director-General shall report to the Assembly the full text of provisional new and/or amended Staff Rules. Should the Assembly find that a provisional rule or amendment is inconsistent with the intent and purpose of the Staff Regulations, it may direct that the rule or amendment be withdrawn or modified.
- (c) The provisional rules and amendments reported by the Director-General, taking into account such modifications and/or deletions as may be directed by the Assembly, shall enter into full force and effect no later than thirty days after the end of the Assembly session having considered the provisional rules or amendments, unless the Assembly decides on a different date.

CHAPTER 13 GENERAL PROVISIONS

Rule 113.1 *Purpose of the Staff Rules*

The Staff Rules are issued by the Director-General to implement the provisions of the Staff Regulations as necessary.

Rule 113.2 *Relationship between Staff Regulations and Staff Rules*

In the event of conflict between the Staff Regulations and the Staff Rules, the Staff Regulations shall prevail.

Rule 113.3 *Amendments to the Staff Rules*

Subject to staff regulation 13.3, the Staff Rules may be amended by the Director-General in a manner consistent with the Staff Regulations.

Rule 113.4 *Exceptions to the Staff Rules*

The Director-General may make exceptions to the Staff Rules provided that such exceptions are not inconsistent with any staff regulation or other decision of the Assembly; and provided further that each exception is agreed to by the staff member directly affected and is, in the opinion of the Director-General, not prejudicial to the interests of any other staff member or group of staff members.

Rule 113.5 *Delegation of authority*

The Director-General may delegate to staff members of the Agency such of his powers as necessary for the effective implementation of the Staff Rules.

ANNEXES TO THE STAFF REGULATIONS AND STAFF RULES

Annexes to the Staff Regulations

Annex I Letters of Appointment

- (a) The letter of appointment shall state:
- (i) that the appointment is subject to the provisions of the Staff Regulations, the Staff Rules and the annexed Code of Conduct applicable to the category of appointment in question and to changes which may be duly made in such regulations and rules from time to time;
 - (ii) the nature of the appointment;
 - (iii) the date at which the staff member is required to enter upon his or her duties;
 - (iv) the period of appointment, the notice required to terminate it and the period of probation, if any;
 - (v) the category, level, commencing rate of salary and information on the scale of increments, if applicable;
 - (vi) any special conditions which may be applicable;
 - (vii) that a temporary appointment does not carry any expectancy, legal or otherwise, of renewal. A temporary appointment shall not be converted to any other type of appointment;
 - (viii) that a fixed-term appointment does not carry any expectancy, legal or otherwise, of renewal or conversion, irrespective of the length of service or its extension.
- (b) A copy of the Staff Regulations, the Staff Rules and the annexed Code of Conduct shall be transmitted to the staff member with the letter of appointment. In accepting appointment the staff member shall state that he or she has been acquainted with and accepts the conditions laid down in the Staff Regulations and in the Staff Rules.
- (c) The letter of appointment of a staff member on secondment signed by the staff member and by or on behalf of the Director-General, and relevant supporting documentation of the terms and conditions of secondment agreed to by the Member or other seconding entity and by the staff member, shall be evidence of the existence and validity of secondment to the Agency for the period stated in the letter of appointment.
- (d) The letter of appointment shall require the staff member to affirm that he or she has read the Agency's Code of Conduct and understands that its provisions constitute fundamental conditions of employment with the Agency.

Annex II Termination indemnity

Staff members whose appointments are terminated shall be paid an indemnity in accordance with the following provisions:

a) Except as provided in paragraphs (b) and (c) below, the termination indemnity shall be paid in accordance with the following schedule:

	<i>Temporary appointments exceeding six months</i>	<i>Fixed-term appointments</i>
Less than 1....	One week's net salary for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay	One week's net salary for each month of uncompleted service subject to a minimum of six weeks' and a maximum of three months' indemnity pay
1.....		
2.....		
3.....	Not applicable	
4.....		
5.....		
6.....		3 months' net salary
7.....		5 months' net salary
8.....		7 months' net salary
9.....		9 months' net salary
10.....		9.5 months' net salary
11.....		10 months' net salary
12.....		10.5 months' net salary
13.....		11 months' net salary
14.....		11.5 months' net salary
15 or more...		12 months' net salary

b) A staff member whose appointment is terminated for unsatisfactory service or who for disciplinary reasons is separated from service for misconduct other than by dismissal may be paid, at the discretion of the Director-General, an indemnity not exceeding one half of the indemnity provided under paragraph (a) of the present annex;

c) No indemnity payments shall be made to:

- (i) A staff member who resigns, except where termination notice has been given and the termination date agreed upon;
- (ii) A staff member whose appointment is not confirmed at the end of the probationary period;
- (iii) A staff member who has a temporary or a fixed-term appointment that is completed on the expiration date specified in the letter of appointment;
- (iv) A staff member who is dismissed;
- (v) A staff member who abandons his or her post.

Annex to the Staff Rules

Code of Conduct

I. Purpose

1. The purpose of the Code of Conduct (hereinafter, the “Code”) is to elaborate on the requirements of Article XI, paragraph C of the Statute of IRENA (“the Statute”) and the principles set out in staff regulations 2.3 to 2.9, the Policy on Ethics and Conflict of Interest and other applicable policies adopted by the Assembly, in order to assist the Agency, its staff and its other personnel in achieving the mission of the Agency in accordance with the purposes of the Statute.
2. The foundation of the Code is Article XI, paragraph C, of the Statute of IRENA, which provides that “[t]he paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence and integrity.” This fundamental requirement is the basis for the Agency’s core values: integrity, professionalism and respect for diversity, all of which underpin the specific obligations placed on the staff of the Agency by the Policy on Ethics and Conflicts of Interest and this Code.

II. Definitions

3. For the purposes of this Code, the following terms shall have the meanings specified below:
 - a) “Abuse of authority” means improper use of a position of influence, power or authority against another person. This is particularly serious when a person uses his or her influence, power or authority to improperly influence the career or employment conditions of another, including, but not limited to, appointment, assignment, contract renewal, performance evaluation or promotion. Abuse of authority may also include conduct that creates a hostile or offensive work environment which includes, but is not limited to, the use of intimidation, threats, blackmail or coercion. Discrimination and harassment, including sexual harassment, are particularly serious when accompanied by abuse of authority.
 - b) “Associated Individual” means a staff member or non-staff personnel's spouse, all children under the age of 21 and parents forming part of the staff member or non-staff personnel's household, and any other individual who, in the determination of the Director General, is entitled to receive benefits from IRENA as a result of their relationship with a staff member.
 - c) “Associated Institution” means any government, organisation, corporation or other entity: (a) in which a staff member or non-staff personnel is serving or has served in the past two years as an official, officer, director, trustee, partner, employee or agent, that receives or may receive funding from IRENA or with which IRENA has an agreement, contract, arrangement or other relationship, or (b) with which a staff member or non-staff personnel is negotiating or has an arrangement concerning prospective employment, or (c) with which the current or past involvement of a staff member or non-staff personnel could have an impact on the objectivity and independence of the staff member or non-staff personnel in the performance of his or her official duties or the provision of his or her services..
 - d) “Corruption” means an act or omission intended to give an advantage inappropriate with a staff member’s or non-staff personnel’s official duties in order to obtain a benefit for oneself or another from, or to harm, or to inappropriately influence the actions of, any other party engaging with or on behalf of the Agency.

- e) “Discrimination” means any unfair treatment or arbitrary distinction based on a person’s race, sex, religion, nationality, ethnic origin, sexual orientation, disability, age, language, social origin, or other similar shared characteristic or trait. Discrimination may be an isolated event affecting one person or a group of persons similarly situated, or it may manifest itself through harassment or abuse of authority.
- f) “Ethics Advisory Board” means the standing board composed of members of the Council appointed by the Council, established to assist with the implementation of the ethics and conflict of interest policies of IRENA set out in the Staff Regulations and Staff Rules including this Code annexed to the Staff Rules, the Policy on Ethics and Conflict of Interest, the Policy on Protection against Retaliation for Reporting Misconduct or for Cooperating with Duly Authorized Audits and Investigation (“Policy on Protection against Retaliation”) and other relevant policies of the Agency, including to assist in ethics matters involving the Director-General and on any matter that the Ethics Officer submits to it.
- g) “Ethics Officer” means the Secretariat staff member appointed by the Director-General to implement the ethics and conflict of interest policies of IRENA set out in the Staff Regulations and Rules including this Code annexed to the Staff Rules, the Policy on Ethics and Conflicts of Interest, the Policy on Protection against Retaliation for Reporting Misconduct or Cooperating with Duly Authorized Audits and Investigations, and other relevant policies of the Agency.
- h) “Fraud” is any act or omission in which a person knowingly misrepresents a pertinent fact or facts in order to obtain any undue benefit or advantage, to avoid any personal obligation or that of any third party, or to cause, or that would result in, an individual or entity to act, or to fail to act, to the detriment of such individual or entity.
- i) “Gift” means a gratuity, favour, discount, entertainment, hospitality, loan, forbearance, honorarium, or other item or service having monetary value, including without limitation training, transportation, local travel, lodgings and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred.
- j) “Harassment” means any improper and unwelcome conduct that might reasonably be expected or be perceived to cause offence or humiliation to another person, when such conduct interferes with work or creates an intimidating, hostile or offensive work environment. Harassment may take the form of words, gestures or actions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another. Harassment normally implies, but does not require there to be, a series of incidents.
- k) “Non-staff personnel” means any individual engaged by contract or other agreement between such individual and IRENA to perform or provide services to IRENA and whose relationship with IRENA is not governed by a letter of appointment subject to the Staff Regulations and Staff Rules of IRENA. Non-staff personnel include, without limitation, consultants, individual contractors, service contract holders, interns, volunteers, persons engaged on a reimbursable or non-reimbursable loan agreement, and IRENA officials other than staff members.
- l) “Other financial misconduct” means any failure to comply with the Financial Regulations and Procedures or other applicable policies or procedures, or otherwise performing any act or omission intended to promote personal interests inconsistent with the interests of the Agency and which results in the loss or imminent loss of the property or assets of the Agency, other than through “fraud” or “corruption” as defined herein.
- m) “Services” means services performed for or provided to IRENA by a non-staff personnel, pursuant to a contract between such non-staff personnel and IRENA.

- n) “Sexual abuse” means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. Any action or activity of a sexual nature with any person under the age of 18 years constitutes sexual abuse.
- o) “Sexual exploitation” means any actual or attempted abuse of a position of vulnerability, differential power or trust, for sexual purposes, including but not limited to profiting monetarily, socially or politically from the sexual exploitation of another.
- p) “Sexual Harassment” means any unwelcome conduct of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation, when such conduct interferes with work, is made a condition of employment, or creates an intimidating, hostile, or offensive working environment. Sexual harassment may occur in the workplace or in connection with work, including outside the workplace, outside official working hours, or during official travel or social functions related to work. While typically involving a pattern of behaviour, sexual harassment can take the form of a single incident. In assessing the reasonableness of expectations or perceptions, the perspective of the person who is the target of the conduct at issue shall be considered. Sexual harassment is the manifestation of a culture of discrimination and privilege based on unequal gender relations and other power dynamics. Sexual harassment may involve any conduct of a verbal, non-verbal or physical nature, including written and electronic communications. Sexual harassment may occur between persons of the same or opposite genders, and individuals of any gender can be either the persons affected by sexual harassment or the alleged perpetrators. Sexual harassment may be perpetrated by anyone in the workplace, whether a supervisor, a peer, a subordinate, individual contractor, or other person subject to the Code.

III. Scope

4. Unless otherwise specified, the provisions of this Code apply to all staff members, and to all non-staff personnel as defined in Section 3 above. They apply to staff members, including those serving on secondment, by virtue of the Staff Regulations and Staff Rules of which this Code is an integral part. They apply to non-staff personnel by virtue of their relevant contract or other agreement with IRENA which incorporates the Code by reference as part of their terms of service.

5. All staff members and non-staff personnel have the obligation, in performing their official duties or their services, to adhere strictly to the applicable provisions of the Staff Regulations and Staff Rules including this Code, the Financial Regulations and Financial Procedures, the Policy on Ethics and Conflicts of Interest, the Policy on Protection against Retaliation, the Policy Addressing Prohibited Conduct, Including Fraud, Corruption and Other Financial Misconduct, and Discrimination, Harassment, Including Sexual Harassment, and Abuse of Authority (hereinafter “Policy Addressing Prohibited Conduct”), the Directives promulgated by the Director-General and the other applicable policies and procedures of the Agency. Accordingly, the violation of this Code or of any of these regulations, rules, directives, policies and procedures may carry serious consequences, including as applicable a negative assessment of the performance and conduct of the individual concerned, and/or administrative measures, and/or disciplinary proceedings which may lead to dismissal, and/or the non-renewal or termination of appointment or contract and/or, where an investigation of the violation conducted in accordance with IRENA’s applicable policies and procedures establishes a credible allegation of criminal conduct, referral to national authorities for possible criminal accountability.

IV. Guiding Principles

6. Staff members and non-staff personnel are expected to adhere to the following principles in performing their official duties or their services for the Agency:

Loyalty

a) Staff members must ensure that the interests of the Agency always take precedence over their personal interests and ties, as emphasized in the declaration they are required to make on appointment pursuant to staff regulation 2.10. Non-staff personnel shall ensure that the interests of the Agency always take precedence over their personal interests and ties and the interests of others in the performance of their services.

Independence

b) Staff members and non-staff personnel must remain independent of any authority outside the Agency in the performance of their duties or their services. They must not seek or receive instructions from any government or from any other source external to the Agency in the performance of their duties or their services.

Impartiality

c) Staff members and non-staff personnel must be impartial in all matters affecting their official duties or their services. In the performance of their duties or services they must act fairly and objectively, without bias, caprice, favouritism or self-interest, based on the regulations, rules, directives, policies and procedures of the Agency. Staff members and non-staff personnel must exhibit tolerance and restraint, particularly with political and religious views; While their personal views remain inviolate, they do not have the freedom of private individuals to take sides and/or to express their convictions publicly on controversial matters, either individually or as members of a group, irrespective of the medium used. This means that in certain situations, personal views should be expressed only with tact and discretion.

V. Core values

Integrity

7. Integrity is a core value in all aspects of professional conduct and personal behaviour. Integrity includes honesty, truthfulness, impartiality, reliability, and incorruptibility. As the integrity of the Agency greatly depends on the integrity of staff members and non-staff personnel and on their loyalty to the Agency, all Staff members and non-staff personnel are expected, in the performance of their official duties or their services:

- a) To demonstrate in practice the values of the Agency in all activities and behaviours;
- b) To promote the Agency's interests at all times;
- c) To make decisions without consideration for personal gain;
- d) To resist political pressure in decision-making;
- e) To ensure that official power or authority is not abused; and
- f) To take prompt, effective and appropriate action to deal with unprofessional and/or unethical behaviour.

Professionalism

8. Staff members and non-staff personnel must be mindful of the duty to serve the collective interest of the international community as effectively and efficiently as possible in performing their duties or their services. They are expected to keep abreast of the latest development in their respective areas of work. In order to achieve high standards of professionalism, they are expected:

- a) To demonstrate the highest standards of competence;
- b) To be conscientious and efficient in meeting goals and commitments;
- c) To be motivated by professional objectives rather than personal concerns;
- d) To show persistence when faced with problems or challenges, and
- e) To demonstrate self-control in stressful situations.

Respect for diversity

9. The diversity of the Agency's workforce is an invaluable asset to the Agency's mission, as it brings together individuals from varied backgrounds, cultures, and professional experience. All staff members and non-staff personnel are expected to embrace and respect diversity and its potential to enrich the interaction with colleagues and thereby enrich the work. They are expected to be tolerant, while ensuring that behaviour which some may find unacceptable is discussed and resolved in accordance with the Agency's rules and policies. In order to maintain an environment in which all personnel can work together with openness and trust, they are expected:

- a) To work effectively with people from all backgrounds;
- b) To treat colleagues fairly and equally, with dignity and respect;
- c) To show respect for and understanding of diverse points of view;
- d) To examine assumptions, and avoid stereotypes;
- e) Not to discriminate against any individual or group of persons.

VI. Specific obligations

10. The Agency values a work environment of civility and respect, free from abuse of authority, sexual abuse, sexual exploitation, harassment and discrimination, which constitute prohibited conduct under the Policy Addressing Prohibited Conduct and may lead to the imposition of the sanctions referred to in paragraph 5 above. Staff members and non-staff personnel must actively promote and enable such a work environment. Managers have an additional responsibility to be role models in words and actions in promoting such a work environment, and more generally in ensuring consistent application of this Code and related regulations, rules, directives, policies and procedures of the Agency.

Abuse of authority

11. Staff members and non-staff personnel must use the authority attached to their official function with utmost respect for their work colleagues. They are expected to be sensitive to the potential damage that an abusive or disrespectful exercise of authority can inflict on others, and they must not abuse the authority or use their power or position in a manner that is offensive, humiliating, embarrassing or intimidating to another person.

Harassment

12. Harassment in any shape or form is an affront to human dignity. Every person working for or with the Agency has the right to an environment free of harassment, including sexual harassment. No staff member or non-staff personnel shall engage in harassment against an individual or group of individuals on any basis or in any form.

Sexual exploitation and abuse

13. Sexual exploitation and sexual abuse violate universally recognized international legal norms and principles. Engaging in such conduct shall be treated as serious misconduct.

Discrimination

14. Freedom from discrimination is a basic human right. Staff members and non-staff personnel are expected to respect the dignity, worth and equality of all people without any distinction whatsoever. Assumptions based on stereotypes must be assiduously avoided. Staff members and non-staff personnel shall not engage in discrimination against any individual and/or group of individuals on any basis, including gender, nationality, ethnic origin, religion or culture or personal preferences.

Fraud, corruption and other financial misconduct

15. Fraud, corruption and other financial misconduct are contrary to the Agency's core value of integrity. Staff members and non-staff personnel are prohibited from engaging in any fraudulent or corrupt practices or other financial misconduct.

16. Such acts will lead to the imposition of measures which may include the recovery of any financial losses to the Agency in addition to the sanctions referred to in paragraph 5 above.

Compliance with instructions

17. Staff members and non-staff personnel must follow the instructions they receive from the Director-General or their supervisors in connection with their official functions and duties or their services and, if they have doubts as to whether an instruction is consistent with the Statute of IRENA, any regulations, rules, directives, policies or procedures of the Agency or any decisions of IRENA governing bodies or in the case of non-staff personnel the provisions of their relevant contract or agreement with the Agency, including this Code when incorporated by reference therein, they should first consult their supervisors. If a staff member or non-staff personnel and his or her supervisor cannot agree, he or she may ask for written instructions. These may be challenged through the proper institutional or contractual mechanisms, but any challenge should not delay carrying out the instruction. Staff members and non-staff personnel may also record their views in official files. They should not follow verbal or written instructions that are manifestly inconsistent with their official functions or their contractual terms of reference or that threaten their safety or that of others.

VII. Relations with governments and their representatives

18. Staff members and non-staff personnel shall not lobby or seek support from government representatives or members of legislative organs to obtain advancement, either for themselves or for others, or to block or reverse unfavourable decisions regarding their status or that of others.

19. Staff members and non-staff personnel must maintain the best possible relations with governments and avoid any action that might impair these relations. They must not interfere in the policies or affairs of governments. It is unacceptable for them, either individually or collectively, to criticize or try to discredit a government.

20. Staff members and non-staff personnel are not representatives of their countries, nor do they have authority to act as liaison agents between the Agency and any government. Exceptionally, the Director-General may request a staff member or non-staff personnel to liaise with a government, a unique role for which international loyalty and integrity are essential.

21. Staff members and non-staff personnel must immediately report to their supervisors any real or perceived undue pressure exercised by any government or its agents. They may also consult with the Ethics Officer on such matters.

VIII. Relations with other entities or individuals external to the Agency

22. Consistent with the requirement to serve the interests of the Agency only, staff members and non-staff personnel shall refrain from any overt or covert activities that would lead to create an actual or potential conflict of interest or the appearance of a conflict of interest as referred to in Section XV of this Code.

IX. Relations with the media

23. Staff members and non-staff personnel shall not, except in the normal course of their official duties or with the prior approval of the Director-General, communicate with the media on any matters that relate to the purposes, activities or interests of the Agency. This includes speaking engagements, participation in public events and submission of material for publication.

24. When authorized to speak with the media, staff members and non-staff personnel must be aware that they speak in the name of the Agency and must avoid personal preferences and views that could be at variance with those of the Agency. Under no circumstances should staff members or non-staff personnel use the media to further their own interests, air their own grievances, or disclose unauthorized information. No attempt should be made to influence policy decisions under consideration by the Agency, whether this is done to obtain personal benefit or benefit for an Associated Individual or Associated Institution or to further a personal agenda.

X. Relations with the public

25. Consistent with their duty of loyalty to the Agency, staff members and non-staff personnel may not air personal grievances or criticize the Agency in public. Should staff members or non-staff personnel face criticism of their work or of the Agency, they are expected to respond with tact and restraint, promoting at all times a positive image of the Agency.

26. While staff members and non-staff personnel are expected to promote openness and transparency, they must exercise the utmost discretion on all matters of official business. They shall not disclose information that has not been made public by the Agency or to which access is not permitted under the Policy on the public disclosure of documents adopted by the Assembly.¹ This includes information that is known to them because of their work for or with the Agency, even when that information is not specifically protected as confidential. These obligations do not cease upon separation from service.

¹Policy on the public disclosure of documents, A/2/15.

XI. Private conduct

27. The Agency does not seek to regulate the private personal conduct of staff members and non-staff personnel unless it could bring the Agency into disrepute or interfere with the performance of their official duties. Staff members and non-staff personnel must be aware that their private conduct may become the object of public scrutiny and that their relationship with the Agency carries special constraint as regards their private conduct, especially when such conduct puts into question their personal integrity and by inference the integrity of the Agency. Accordingly, staff members and non-staff personnel are expected:

- a) To fulfil their private obligations, including respect of local laws and compliance with their private obligations, including without limitation their obligations to make alimony and child support payments or to repay debts;
- b) To refrain from any misrepresentation of their official functions, title or duties, especially when this is done in order to obtain some illegitimate advantage or benefit for themselves or an Associated Individual and/or an Associated Institution;
- c) Not to engage in conduct which is, or may be perceived to be, an abuse of the privileges and immunities that are conferred upon them solely in the interest of the Agency and not for their personal benefit; and
- d) To refrain from engaging in any form of criminal activity.

XII. Political activities

28. Staff members and non-staff personnel are free to express their political preferences by exercising their right to vote. They may be members of a political party provided that its prevailing views and the obligations imposed on its members are consistent, in the case of staff members with their declaration of service pursuant to staff regulation 2.10 and, in the case of non-staff personnel, with their obligations towards the Agency pursuant to their relevant contract or agreement with the Agency.

29. However, in view of the independence and impartiality that staff members and non-staff personnel have a duty to maintain when working for the Agency, they may not participate in political activities, such as standing for election or holding a political office. They must exercise discretion in their support for a political party or campaign, and may not accept or solicit funds, author articles, or make public speeches, statements or endorsements for this purpose. This does not, however, preclude participation in local community or civic activities, provided that such participation does not prejudice the full performance of their official duties or their services.

XIII. Use of the Agency's property and assets

30. Staff members and non-staff personnel are responsible for ensuring the proper use and protection of the Agency's property and assets in accordance with the applicable policies and procedures. Property and assets include financial resources, material assets such as facilities, equipment and supplies, information technology (hardware, software, data) and other resources, such as work time. Such property and assets must be used with care for purposes directly related to official objectives and duties or the performance of services for the Agency.

31. Careless or improper use of resources, whether it involves abuse of the procurement process, misuse, misappropriation or theft of property, false claims for sick leave or false certification of information on the basis of which the Agency establishes entitlements, is incompatible with the Agency's core value of personal integrity.

32. When using the Agency's Information and Communication Technology (ICT) resources, staff members and non-staff personnel shall not knowingly or through negligence create false or misleading data; make data available to unauthorized persons; damage, delete, alter or conceal data, or attempt to access data on any system without authorization.

33. While limited personal use of the Agency's ICT resources is permitted within reasonable boundaries and in accordance with applicable policies, staff members and non-staff personnel must ensure that this does not result in additional costs to the Agency, encroach on their work time or prevent them in any way from performing all of their official duties or their services. They must refrain from any use that could have a deleterious effect on the integrity or efficiency of the ICT resources.

34. Staff members and non-staff personnel are reminded that all intellectual property rights in any work created as part of their official duties or the performance of their services are vested in IRENA and that they may not claim ownership of any such rights.

XIV. Confidential information

35. Staff members and non-staff personnel shall not seek to obtain confidential and/or personal information, including without limitation information contained in personnel files, medical records and information concerning audits, investigations, appeals and disciplinary actions, unless they have been specifically authorized to do so for the performance of their official duties or their services. Staff and non-staff personnel who are authorized to have access to such confidential and/or personal information must take appropriate measures to protect the confidentiality of such information. Should they become aware of any such information other than in the context of their official duties or the performance of their services, they are prohibited from disseminating it and must report the breach of confidentiality to the Agency official(s) responsible for protecting the confidentiality of the information that has been disclosed.

XV. Conflicts of Interest

36. A "conflict of interest" arises when a staff member or non-staff personnel participates personally and substantially in any particular IRENA matter in which, to his or her knowledge, he or she, or an "Associated Individual", or an "Associated Institution", has a financial, professional, or other interest, if the particular matter may have a direct and predictable effect on that interest.

37. In general, and without limitation, conflicts of interest may be deemed to exist in the following situations:

- a) Where a staff member or non-staff personnel's interests or the interest(s) of an Associated Individual or Associated Institution could affect the performance of the staff member's official duties or the provision of the non-staff personnel's services or result in a reasonable perception that such a conflict of interest exists;
- b) Where a staff member or non-staff personnel's action(s) compromise(s) or undermine(s) or could compromise or undermine the trust that the public places in the Agency; and/or
- c) Where a staff member or non-staff personnel's action(s) create(s) or could create the perception that he or she is using his or her position at IRENA for his or her personal benefit or the benefit of an Associated Individual or Associated Institution.

38. Such conflict situations do not necessarily imply corruption, wrongdoing or inappropriate activities. However, they must be identified and managed in a way that ensures broad public trust and confidence in the decision-making and work of the Agency, observance of the highest standard of ethical conduct in IRENA affairs, and protection of the reputation and integrity of the Agency.

39. Conflicts of interest can only be appropriately avoided by clearly placing the interests of the Agency above other interests. In particular, staff members and non-staff personnel shall not:

- a) Hold a financial interest in, or be actively associated with the management of any profit-making business or other Associated Institution if it were possible for the staff member or non-staff

personnel, any Associated Individual or Associated Institution to benefit from such financial interest or association by reason of the staff member or non-staff personnel's position or work with the Agency;

- b) Solicit or accept any economic or other benefit for themselves or allow an Associated Individual or Associated Institution to benefit improperly, directly or indirectly, by reason of the staff member or non-staff personnel's position or work with the Agency;
- c) Assist any Associated Individual or Associated Institution in their dealings with the Agency where this would result in their preferential treatment;
- d) Take advantage or obtain a personal benefit, or allow an Associated Individual or Associated Institution to benefit improperly, directly or indirectly, from information obtained in the course of their official duties or services that is not generally available to the public;
- e) Directly or indirectly use, or allow the use of, the Agency's property or property entrusted to the Agency of any kind, for anything other than officially approved activities; and/or
- f) Allow their actions and decisions to be influenced by the prospect of employment by or other affiliation with an Associated Institution for themselves or an Associated Individual.

40. All staff members and non-staff personnel must disclose to the Ethics Officer, immediately and in writing, any actual, potential or apparent conflict of interest, including but not limited to any actual or potential conflict that derives from Associated Individuals or Associated Institutions, and the nature of such conflict, whenever they become aware that a conflict exists or is reasonably likely to occur, or where it is reasonable to conclude that there is an appearance of a conflict. Staff members and non-staff personnel are encouraged to consult with the Ethics Officer if they have any doubt or question regarding the application of Section XV of the Code.

41. Staff members and non-staff personnel who are required to file a Disclosure of Interest Form pursuant to paragraph 44 below shall report to the Ethics Officer any family member who is also a staff member or non-staff personnel of the Agency.

XVI. Disclosure of Interest Programme

42. The adoption of public and corporate governance best practices of transparency and disclosure contributes to public confidence. Financial disclosure is a well-established practice in financial institutions, governments, and other public and private sector organizations. In order to facilitate the identification, resolution and mitigation of conflicts of interest risks arising from staff members and non-staff personnel's financial assets, liabilities, investments, and outside activities, the Agency established a Disclosure of Interests Programme, as described below.

Disclosure of Interest Form

43. The Secretariat shall maintain a Disclosure of Interest Form, with appropriate instructions and clarifications, and shall revise the form as appropriate from time to time.

44. The following staff members and non-staff personnel shall complete and submit the Disclosure of Interest Form to the Ethics Officer in accordance with paragraphs 47 through 49 below, annually and whenever there is a material change in the submitted information:

- a) All staff members at the grade of P5 and above;
- b) All staff members who are procurement officers, and all staff members and non-staff personnel

whose principal occupational duties are the procurement of goods and services for the Agency;

- c) All staff members and non-staff personnel who participate personally and substantially, on a regular basis, in the evaluation of bids or proposals submitted by prospective contractors of the Agency;
- d) All staff members and non-staff personnel who are members of the Contracts Review Committee;
- e) All staff members and non-staff personnel whose responsibilities relate to the investment of IRENA's assets, the IRENA Provident Fund or any accounts for which the Agency has fiduciary or custodial responsibility;
- f) All staff members or non-staff personnel who have direct access to confidential procurement or investment information;
- g) All staff members and non-staff personnel whose responsibilities relate to the allocation or contribution of IRENA funds to non-IRENA entities;
- h) All staff members and non-staff personnel who serve in the Ethics Office, and;
- i) Other staff members and non-staff personnel designated by the Director-General when the Director-General deems it necessary or appropriate in order to avoid actual, potential or apparent conflicts of interest.

45. The relevant head of office shall be responsible for determining, in accordance with guidelines issued by the Ethics Officer, the staff members and non-staff personnel who are required to submit a Disclosure of Interest Form under paragraph 44 above.

46. Any individual offered an appointment at a level or position that would require disclosure pursuant to paragraph 44 above shall be requested to file and submit to the Ethics Officer an initial Disclosure of Interest Form in respect of the immediately preceding 12-month period, and shall be informed that failure to submit such initial Disclosure of Interest Form may result in the withdrawal of the offer of appointment.

Scope of financial disclosure

47. Staff members and non-staff personnel who are required to submit a Disclosure of Interest Form pursuant to paragraph 44 above must disclose the following information for themselves and all Associated Individuals:

- a) Assets that have a market value of US\$10,000 or above per asset, or the equivalent in local currency at the operational rate of exchange (assets may generally include, without limitation, stocks, bonds, mutual fund investments and real estate; personal property should be reported only if held for investment or business purposes);
- b) Any profit of more than US\$10,000 on the sale of personal property held for business or investment purposes;
- c) All stock options, publicly listed or private, regardless of value;
- d) All income from sources other than IRENA, including, inter alia, royalties and patent fees, honoraria and speaking fees, pension benefits, investment income, profit from the sale of personal or real property valued at \$10,000 or above;

- e) Any Gift or remuneration subject to section XVII below from any entity aggregating to US\$200 or more from a single source during the reporting year, whether or not the acceptance of such Gift or remuneration was previously authorized;
- f) Liabilities of \$50,000 or more (liabilities with respect to personal property should be reported only if the property is held for investment or business purposes);
- g) Substantial or controlling interest in any business or entity;
- h) Participation in commercial, industrial, scientific, financial, or political affairs of an outside entity;
- i) Other interests in or association with any entity with which the staff member or non-staff personnel, directly or indirectly, has official dealings with on behalf of the Agency, or with which the staff member or non-staff personnel anticipates or should reasonably anticipate that he or she may be required, directly or indirectly, to have official dealings with on behalf of the Agency, or which has a commercial interest in the work of the Agency or a common area of activity with the Agency;
- j) Any leadership or policymaking role whether approved or not in any outside organisation, corporation or other entity; in particular, any role which creates a fiduciary relationship between that individual and that entity (e.g., membership on a corporate board);
- k) Association with the management or executive board of, or financial interest in, any business concern if it is possible for the staff member or non-staff personnel or any Associated Individual to benefit from such association or interest by reason of the staff member or non-staff personnel's position or work with the Agency.

Filing and review of financial disclosures

48. Completed Disclosure of Interests forms must be submitted to **Ethics.Office@IRENA.org**. Staff members and non-staff personnel who are required to file a Disclosure of Interest Form must certify that the disclosures made on the Disclosure of Interest Form are true, correct, and complete to the best of their knowledge and belief. Failure to provide true, complete, and accurate information in the Disclosure of Interest Form may have serious consequences, as referred to in paragraph 5 above.

49. Staff members and non-staff personnel who are required to fill out a Disclosure of Interest Form must identify themselves, their job title, and identify and list all Associated Individuals.

50. The Ethics Officer is responsible for safekeeping the Disclosure of Interest Forms in the secure location. Disclosure of Interest forms shall be maintained as strictly confidential, except as necessary to allow for their review by the Ethics Officer, or by the Director-General and the Ethics Advisory Board for the purpose of identifying and/or addressing actual, potential or apparent conflicts of interest.

51. It is the duty of the Ethics Officer to review the Disclosure of Interest Forms and the disclosures and to identify situations in which an actual, potential or apparent conflict of interest exists as a result of the staff member or non-staff personnel's activities or holdings in relation to his or her official duties or the performance of his or her services.

52. Failure by a staff member or non-staff personnel to disclose an actual or potential conflict of interest, to submit a Disclosure of Interest Form when required in accordance with paragraph 44 above, to complete and/or correct to the reasonable satisfaction of the Ethics Officer a previously submitted

Disclosure of Interest Form, or to comply with the conditions of a waiver granted under paragraph 55 (a) or 55 (b) below, may carry serious consequences as referred to in paragraph 5 above.

53. The Ethics Officer is responsible, after reviewing the disclosures and the disclosure of interest forms, for advising the Director-General as to whether an actual or potential conflict of interest or appearance thereof exists. After receiving the advice of the Ethics Officer, the Director-General will decide whether an actual or potential conflict of interest, or the appearance thereof, exists. The Director-General's decision shall be made in consultation with the Ethics Officer, or in consultation with the Ethics Advisory Board should both the Ethics Officer and the Director-General deem such consultation appropriate or should the Ethics Officer and the Director-General fail to agree on the existence of an actual or potential conflict, or the appearance of such a conflict. Following such consultation, should there be a continuing disagreement on the existence of a conflict of interest or appearance thereof, the Ethics Advisory Board shall resolve the matter.

Addressing conflicts of interest

54. When an actual or potential conflict of interest or the appearance thereof has been deemed to exist, the staff member or non-staff personnel shall not participate in the matter that has given rise to the conflict absent a waiver approved by both the Ethics Officer and the Director-General, together or in consultation with the Ethics Advisory Board should both the Ethics Officer and the Director General deem such consultation appropriate or fail to agree on whether or in what form a waiver should be issued. Following such consultation, should there be a continuing disagreement on whether or in what form a waiver should be issued, the Ethics Advisory Board will resolve the matter.

55. Waivers may be granted in the following forms, or in any other form appropriate under the circumstances

- a) Conditional Participation: This type of waiver allows a staff member or non-staff personnel to be involved or continue his or her involvement in the matter that has given rise to the conflict of interest, subject to any conditions imposed by the decision maker to safeguard against risks that arise from the conflict of interest or the appearance thereof. This waiver is appropriate when the staff member or non-staff personnel's interest is relatively minor and where disclosure would be sufficient to address any potential effect from the conflict of interest.
- b) Partial Exclusion: This type of waiver limits the staff member or non-staff personnel's involvement in the matter by: (i) excluding the staff member or non-staff personnel from the portion of the meeting or work where a conflict of interest or appearance thereof has been identified; (ii) excluding the staff member or non-staff personnel from participating in any final decision-making process; (iii) requiring the staff member or non-staff personnel to remove the conflict of interest, such as by divestiture of an asset; or (iv) limiting the staff member or non-staff personnel's participation in the matter or in any other manner where deemed appropriate.

56. Should a staff member or non-staff personnel be found to have an actual or potential conflict of interest that has not been disclosed, or to have failed to comply with the conditions of a waiver granted under paragraph 55 (a) or 55 (b) above, or should the Ethics Officer or the Director-General have reasonable grounds to believe that a staff member or non-staff personnel has failed to disclose an actual or potential conflict of interest or the appearance thereof or has failed to comply with the conditions of a waiver granted under paragraph 55 (a) or 55 (b) above, the Ethics Officer will inform the staff member or non-staff personnel of such finding or of the basis for such belief and provide him or her with the opportunity to disclose all relevant facts and explain the alleged failure to disclose or to comply. If, after hearing the response of the staff member or non-staff personnel concerned and making such further enquiries as may be warranted the Ethics Officer has reasonable grounds to believe that the staff member or non-staff personnel has violated this Code, the Ethics Officer will refer the matter to the Director-General for such measures as may be appropriate, for staff members pursuant to the Staff Regulations and

Staff Rules and the applicable policies and procedures, and for non-staff personnel pursuant to the applicable contract or other agreement for the provision of their services to the Agency, including this Code when incorporated by reference therein.

XVII. Gifts, honours, and remuneration

57. Subject to the exceptions set out herein, staff members and non-staff personnel are prohibited from accepting any Gift or any honour, decoration or remuneration from any source external to IRENA under circumstances where it could reasonably be construed that the Gift, honour, decoration or remuneration is motivated by the position of the staff member or non-staff personnel. A waiver of this provision may be granted by the Director-General with the agreement of the Ethics Officer or, in circumstances where the Director-General and the Ethics Officer cannot agree, by the Director-General following consultation with the Ethics Advisory Board. Staff members and non-staff personnel should not accept supplementary payments or other subsidies from any government or other source prior to, during or after their employment or engagement by IRENA if the payment is related to that employment or engagement.

Honours

58. Authorization to accept an honour will normally be granted where no actual or potential conflict of interest or appearance thereof has been found to exist, it cannot reasonably be construed that the honour is motivated by the position of the staff member or non-staff personnel, and acceptance of the honour would not be otherwise incompatible with the interests of the Agency. This should be the case for acceptance of most academic awards, distinctions, and tokens of a commemorative or honorary character, such as scrolls, certificates, trophies or other items of nominal or little monetary value.

Gifts and hospitality

59. Staff members and non-staff personnel are prohibited from accepting a Gift from any person doing business with or seeking to have a contractual relationship with the Agency or under any other circumstances where it could reasonably be construed that the Gift is motivated by the position of the staff member or non-staff personnel concerned. A waiver of this provision may be granted by the Director-General with the agreement of the Ethics Officer or in circumstances where the Director-General and the Ethics Officer cannot agree, by the Director-General following consultation with the Ethics Advisory Board. The following exceptions apply to the general prohibition against acceptance of Gift:

- a) Staff members and non-staff personnel may accept unsolicited Gifts on behalf of the Agency when, in their reasonable judgment, refusal to do so would not be in the interest of IRENA. In such a case, the Gifts may be accepted on behalf of the Agency, disclosed to the Ethics Officer, and handed over to Agency in accordance with the applicable policies and procedures; and
- b) Staff members may be expected, as part of their official function, to attend official events such as official meals and receptions. Benefits associated with such attendance shall generally not be considered to be the Gifts, subject to such guidance that the Director-General may issue from time to time to determine the category of events that may be appropriately included under this exception.

XVIII. Outside occupation, employment and activities

60. While staff members and non-staff personnel are encouraged, subject to the conditions and requirements set out in herein, to participate in outside professional activities that foster contacts with private and public bodies and thus serve to maintain and enhance their professional and technical competencies, they should not engage without prior authorization in any outside activity, whether

remunerated or not, that interferes with the performance of their official duties or their services, that is incompatible with their status with the Agency, or that conflicts with the interests of the Agency.

61. Staff members, whether working on a full or part-time basis and including when on special leave, and non-staff personnel working on a full-time basis, shall not, without prior authorization from the Director-General, hold an office or engage in an employment, occupation or other activity, whether remunerated or not, outside their employment or engagement by the Agency. Non-staff personnel who are not working on a full-time basis shall not, without prior authorization from the Director-General, hold an office or engage in an employment, occupation or other activity, whether remunerated or not, outside their employment or engagement by the Agency when such office, employment, occupation or other activity creates or leads to or may be reasonably expected to create or lead to an actual or potential conflict of interest or an appearance thereof, or may compromise the full performance of their official duties or their services, or is incompatible with their obligations under their contractual arrangements with the Agency or with the interests or objectives of the Agency, or compromises or may be reasonably expected to compromise their objectivity and independence from any person, entity or authority outside the Agency in the performance of their official duties or the performance of their services to the Agency. When requesting such authorization, staff members and non-staff personnel must disclose the nature and scope of the activity and whether any honorarium or other compensation will be received and, if so, the amount(s) involved. Outside activities include, without limitation, participation in boards, panels, committees, expert groups or similar bodies that are external to the Agency.

62. Staff members and non-staff personnel shall not submit material for publication without prior authorization from the Director-General, who may subject such authorization to specific conditions.

63. Authorization will not be granted when the proposed outside occupation, employment or other activity (including the submission of material for publication) is found to be incompatible with the status and/or obligations of the staff member or non-staff personnel concerned, the interests and/or objectives of the Agency and, in the case of a proposed publication, the obligation of discretion imposed by staff regulation 2.5(f).

64. The Ethics Officer is responsible for reviewing requests for authorization to engage in an outside activity, in consultation as appropriate with other relevant Agency officials, and for advising the Director-General on whether to grant the requested authorization.

65. Civic and/or community activities of staff members and non-staff personnel, including charitable, social, educational, and/or religious activities, like volunteering at their child's school or in their religious community, are not subject to review and authorization as long as there is no conflict of interest, the activity is compatible with the requirements of this Code, non-remunerated, and the time commitment does not interfere with the discharge of their official duties.

66. Staff members and non-staff personnel who are on special leave or other leave of absence, whether with or without pay, remain subject to this Code. If a staff member or non-staff personnel is seeking leave in order to engage in an outside occupation, employment or other activity, the review and authorization of the outside occupation, employment or other activity is required as part of the authorization of the leave.

XIX. Post-employment restrictions

67. Following separation of service from IRENA, staff members and non-staff personnel should not take improper advantage of their former functions and positions including, without limitation, the unauthorized use, distribution or disclosure of privileged or confidential information.

68. For a period of one year following separation from service or the end of their engagement by IRENA, as the case may be, former staff members and non-staff personnel who have participated in the

procurement process are prohibited from seeking or accepting employment with, or otherwise accepting any form of compensation or financial benefit from any IRENA contractor or vendor of goods and services, regardless of location, which conducts business with IRENA or seeks to do so and with whom such staff member and non-staff personnel have been personally involved in the procurement process during the last three years of their service with IRENA.

69. For a period of two years following separation from service, former staff members and non-staff personnel who have participated in the procurement process for IRENA before their separation from service are prohibited from knowingly communicating with, or appearing before, any staff member or non-staff personnel on behalf of any third-party on any particular matters that were under their official responsibility relating to the procurement process during the last three years of their service with IRENA.

XX. Protection from retaliation for reporting misconduct or cooperating with audits and investigations

70. It is the duty of staff members and non-staff personnel to report to the Agency officials responsible for taking appropriate action upon receipt of such report, violations of the Agency's Financial Regulations and Procedures, the Staff Regulations and Staff Rules, including the Code, the Policy on Ethics and Conflicts of Interest, the Policy addressing Prohibited Conduct and the other policies, directives, and procedures of the Agency, and to cooperate with duly authorized audits and investigations.

71. The Agency is committed to preventing and addressing, in accordance with the Policy on Protection against Retaliation, any retaliation, including the threat of retaliation, as a result of a staff member or non-staff personnel fulfilling his or her duty to report violations of this Code or of the above-mentioned regulations, rules, directives, policies and procedures of the Agency and/or to cooperate with a duly authorized audit or investigation. In accordance with the Policy on Protection against Retaliation, managers have the responsibility, in addition to not taking any retaliatory actions or threat(s) of retaliation, to respect the right for staff members and non-staff personnel to seek and receive protection if they believe they have been the object of retaliation or threat(s) of retaliation for reporting in good faith such violations or for cooperating with a duly authorized audit or investigation.

72. No retaliatory action or threat of retaliatory action shall be tolerated against those who report in good faith such violations to the Agency officials responsible for addressing them and/or who cooperate with a duly authorized audit and/investigation. Engaging in retaliatory action or threatening to do so may constitute misconduct.

73. In accordance with the Policy on Protection against Retaliation, staff members or non-staff personnel who believe that they have been the object of retaliation or the threat of retaliation for making a good faith report and/or for cooperating with a duly authorized audit or investigation should file a complaint with the Ethics Officer, and Agency officials receiving reports of misconduct must, with the consent of the individual making such reports, inform the Ethics Officer if a risk of retaliatory action or threat of retaliation exists to the individual who has made the report. Such complaints, and such notifications to the Ethics Officer, shall be handled in accordance with the Policy on Protection against Retaliation.

74. Protection against retaliation is premised upon reports of retaliation or threat of retaliation being made in good faith. Unsubstantiated gossip is discouraged. Malicious accusations are serious failures to abide by the Agency's value of integrity and the standards of conduct expected of all staff members and non-staff personnel and will lead to appropriate measures against their authors under the Staff Regulations and Staff Rules, the applicable contract or other agreement including this Code when incorporated by reference therein, and the applicable policies and procedures of the Agency.

XXI. Reporting to governing bodies

75. On an annual basis, the Ethics Officer will prepare a report on the implementation of the Policy on Ethics and Conflict of Interest. The report should be a general summary of issues associated with implementation, and should, in general circumstances, provide a basic overview of implementation issues needed for Council awareness and oversight. The report will be given to the Director-General to comment upon, but not alter, before delivery to the Assembly.