

Report of the Director-General on Proposed Membership of the Arbitration Panel

1. At its third session, the Assembly established an arbitration system for IRENA and adopted the IRENA Provisional Arbitration Rules (the “Arbitration Rules”).¹ At its fifth session, the Assembly amended the Arbitration Rules, as at present in effect.²
2. Rule 7 of the Arbitration Rules sets out the process to be followed for the appointment of the arbitrators. It provides *inter alia* that the Council shall approve a list of at least five arbitrators who will be appointed for a renewable two-year term, amongst a list of at least six qualified candidates communicated by the Director-General for inclusion in the Arbitration Panel, after obtaining the views of the staff representative body.
3. Regarding the qualifications and experience of candidates proposed to be appointed to the Arbitration Panel, Rule 7(2) of the Arbitration Rules provides as follows:

“In order to be considered for inclusion in the Arbitration Panel, candidates shall have experience in handling and resolving employment cases, preferably in the context of an international organization, either as member of a judicial or arbitral body or as a senior manager in an international organization; be familiar with issues and functions relevant to an international organization; be of good character; and have a reputation as a knowledgeable, fair and impartial individual. Due account shall be taken of the need to ensure geographical and gender balance among Panel members.”
4. Consistent with Rule 7, the Council appointed, upon the proposal of the Director-General, the following arbitrators at its twenty-fifth meeting for a two-year term from 19 August 2023 to 18 August 2025:
 - a. Mr. Andreas Vaagt
 - b. Ms. Jan Beagle
 - c. Mr. Jay W. Pozenel
 - d. Mr. Francis M. Ssekandi
 - e. Mr. Alberic Kacou
 - f. Ms. Maritza Struyvenberg

¹ Decision [A/3/DC/7](#) on Administration of Justice at IRENA, which took note of the relevant Report of the Director-General on the matter ([A/3/18](#)). The arbitration system was established to implement Staff Regulation 12.3, which requires the Agency to provide staff dissatisfied with the outcome of the internal appeals process or the imposition of a disciplinary measure “*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*”.

² Decision [A/5/DC/6](#) on Administration of Justice at IRENA. The approved amendments were of a technical and clerical nature and did not include any material changes to the Arbitration Rules, as initially approved by the Assembly at its third session. Further information on the nature of the amendments may be found in the related Report of the Director-General to the Assembly on the matter ([A/5/11](#)).

5. The Secretariat contacted the members of the Arbitration Panel, who confirmed their agreement to have their term renewed for a further two years.
6. In order to ensure that the Arbitration Panel is composed of the requisite number of arbitrators, the Director-General proposes to the Council to renew the appointment of the arbitrators referred to in paragraph 4 above for an additional two-year term from August 2025 to August 2027.
7. A detailed *Curriculum Vitae* for each of the arbitrators is available to the Members on [REmember](#), the secured area of the IRENA website.
8. In compliance with Rule 7 of the Arbitration Rules, the Director-General consulted with the IRENA Staff Association, which agreed with the proposed renewal of the arbitrators' appointment.
9. The Council is invited to consider renewing the appointment of the six arbitrators referred to in paragraph 4 above for an additional two-year term from 19 August 2025 to 18 August 2027³.

³ As contained in the Report of the Director-General on the operation of the arbitration system for IRENA (C/29/10), the Director-General has proposed to amend Rule 7(3) of the Arbitration Rules to provide that the arbitrators may remain in service for a period of two years or until such time they are replaced on the Arbitration Panel by the Council. If approved by the Assembly, on recommendation of the Council, the new Rule 7(3) will have immediate effect and apply to the then-serving Arbitration Panel.