

**Framework Agreement on the establishment of the International Solar
Alliance (ISA)**

We, the Parties to this Agreement,

Recalling the Paris Declaration on the International Solar Alliance of 30th November 2015 and the shared ambition to undertake joint efforts required to reduce the cost of finance and the cost of technology, mobilize more than US \$ 1000 billion of investments needed by 2030 for massive deployment of solar energy, and pave the way for future technologies adapted to the needs,

Recognizing that solar energy provides countries with an unprecedented opportunity to bring prosperity, energy security and sustainable development to their peoples,

Acknowledging the specific and common obstacles that still stand in the way of rapid and massive scale-up of solar energy in these countries,

Affirming that these obstacles can be addressed if solar resource rich countries act in a coordinated manner, with strong political impulse and resolve, and that better harmonizing and aggregating the demand for inter alia solar finance, technologies, innovation or capacity building, across countries, will provide a strong lever to lower costs, increase quality, and bring reliable and affordable solar energy within the reach of all,

United in their desire to establish an effective mechanism of coordination and decision-making among them,

Have agreed as follows:

Article I Objective

Parties hereby establish an International Solar Alliance (hereinafter referred to as the ISA), through which they will collectively address key common challenges to the scaling up of solar energy in line with their needs.

Article II Guiding Principles

1. Members take coordinated actions through Programmes and activities launched on a voluntary basis, aimed at better harmonizing and aggregating demand for, inter alia, solar finance, solar technologies, innovation, research and development, and capacity building.

2. In this endeavor, Members cooperate closely and strive for establishing mutually beneficial relationships with relevant organizations, public and private stakeholders, and

with non-member countries.

3. Each Member shares and updates, for those solar applications for which it seeks the benefits of collective action under the ISA, and based on a common analytical mapping of solar applications, relevant information regarding: its needs and objectives; domestic measures and initiatives taken or intended to be taken in order to achieve these objectives; obstacles along the value chain and dissemination process. The Secretariat maintains a database of these assessments in order to highlight the potential for cooperation.

4. Each Member designates a National Focal Point for the ISA. National Focal Points constitute a permanent network of correspondents of the ISA in Member countries. They inter alia interact with one another and also with relevant stakeholders to identify areas of common interest, design Programmes proposals and make recommendations to the Secretariat regarding the implementation of the objectives of the ISA.

Article III **Programmes and other activities**

1. A Programme of the ISA consists of a set of actions, projects and activities to be taken in a coordinated manner by Members, with the assistance of the Secretariat, in furtherance of the objective and guiding principles described in article I and II. Programmes are designed in a way to ensure maximum scale effect and participation of the largest possible number of Members. They include simple, measurable, mobilizing targets.

2. Programme proposals are designed through open consultations among all National Focal Points, with the assistance of the Secretariat, and based on information shared by Members. A Programme can be proposed by any two Members or group of Members, or by the Secretariat. The Secretariat ensures coherence among all ISA Programmes.

3. Programme proposals are circulated by the Secretariat to the Assembly by digital circulation, through the network of National Focal Points. A Programme proposal is deemed open to adhesion by Members willing to join if it is supported by at least two Members and if objections are not raised by more than two countries.

4. A Programme proposal is formally endorsed by Members willing to join, through a joint declaration. All decisions regarding the implementation of the Programme are taken by Members participating in the Programme. They are carried out, with the guidance and assistance of the Secretariat, by country Representatives designated by each Member.

5. The annual work plan gives an overview of the Programmes, and other activities of the ISA. It is presented by the Secretariat to the Assembly, which ensures that all Programmes and activities of the annual work plan are within the overall objective of the ISA.

Article IV Assembly

1. [REDACTED] The Parties hereby establish an Assembly, on which each Member is represented, to make decisions concerning the implementation of this Agreement and coordinated actions to be taken to achieve its objective. The Assembly meets annually at the Ministerial level at the seat of the ISA. The Assembly may also meet under special circumstances.

2. [REDACTED] Break-out sessions of the Assembly are held in order to take stock of the Programmes at Ministerial level and make decisions regarding their further implementation, in furtherance of article III.4.

3. [REDACTED] The Assembly assesses the aggregate effect of the Programmes and other activities under the ISA, in particular in terms of deployment of solar energy, performance, reliability, as well as cost and scale of finance. Based on this assessment, Members take all necessary decisions regarding the further implementation of the objective of the ISA.

4. [REDACTED] The Assembly makes all necessary decisions regarding the functioning of the ISA, including the selection of the Director General and approval of the operating budget.

5. [REDACTED] Each Member has one vote in the Assembly. Observers and Partner organizations may participate without having right to vote. Decisions on questions of procedure are taken by a simple majority of the Members present and voting. Decisions on matters of substance are taken by two-third majority of the Members present and voting. Decisions regarding specific Programmes are taken by Members participating in this Programme.

6. [REDACTED] All decisions taken by the International Steering Committee of the ISA established by the Paris Declaration on the ISA of 30th November 2015 are submitted to the Assembly for adoption at its first meeting.

Article V Secretariat

1. [REDACTED] Parties hereby establish a Secretariat to assist them in their collective work under this Agreement. The Secretariat comprises of a Director General, who is the Chief Executive Officer, and other staff as may be required.

2. [REDACTED] The Director General is selected by and responsible to the Assembly, for a term of four years, renewable for one further term.

3. [REDACTED] The Director General is responsible to the Assembly for the appointment of

the staff as well as the organization and functioning of the Secretariat, and also for resource mobilization.

4. [REDACTED] The Secretariat prepares matters for Assembly action and carries out decisions entrusted to it by the Assembly. It ensures that appropriate steps are taken to follow up Assembly decisions and to co-ordinate the actions of Members in the implementation of such decisions. The Secretariat, inter alia, shall:

a) [REDACTED] assist the National Focal Points in preparing the Programmes proposals and recommendations submitted to the Assembly;

b) [REDACTED] provide guidance and support to Members in the implementation of each Programme, including for the raising of funds;

c) [REDACTED] act on behalf of the Assembly, or on behalf of a group of Members participating in a particular Programme, when so requested by them; and in particular establishes contacts with relevant stakeholders;

d) [REDACTED] set and operate all means of communication, instruments and cross-cutting activities required for the functioning of the ISA and its Programmes, as approved by the Assembly.

Article VI

Budget and Financial Resources

1. [REDACTED] Operating costs of the Secretariat and Assembly, and all costs related to support functions and cross-cutting activities, form the budget of the ISA. They are covered by:

a) [REDACTED] Voluntary contributions by its Members, UN & its agencies and other countries;

b) [REDACTED] Voluntary contributions from private sector. In case of a possible conflict of interest, the Secretariat refers the matter to the Assembly for approval of the acceptance of the contribution;

c) [REDACTED] Revenue to be generated from specific activities approved by the Assembly.

2. [REDACTED] The Secretariat will make proposals before the Assembly to establish and enhance a Corpus Fund which will generate revenues for the budget of the ISA, with initial donation of US \$16 million.

3. [REDACTED] Government of India will contribute US \$ 27 million to the ISA for creating corpus, building infrastructure and recurring expenditure over 5 year duration from 2016-17 to 2020-21. In addition, public sector undertakings of the Government of India namely Solar Energy Corporation of India (SECI) and Indian Renewable Energy Development Agency (IREDA) have made a contribution of US \$ 1 million each for creating the ISA corpus fund.

4. [REDACTED] Financial resources required for the implementation of a specific Programme, other than administrative costs falling under the general budget, are assessed

and mobilized by countries participating in this Programme, with the support and assistance of the Secretariat.

5. The finance and administration activities of the ISA other than Programmes may be outsourced to another organization, in accordance with a separate agreement to be approved by the Assembly.

6. The Secretariat with the approval of the Assembly may appoint an external auditor to examine the accounts of the ISA.

Article VII

Member Country status

1. Membership is open to States which are members of the United Nations. Such States become Members of the ISA by having signed this Agreement and having deposited an instrument of ratification, acceptance or approval.

Article VIII

Partner Organization

1. Partner Organization status may be granted by the Assembly to organizations that have potential to help the ISA to achieve its objectives, including regional inter-governmental economic integration organizations constituted by sovereign States and at least one of which is a member of ISA.

2. Decisions regarding partnerships to be concluded in the context of a specific Programme are taken by countries participating in this Programme, with the approval of the Secretariat.

3. United Nations including its organs will be the Strategic Partner of the ISA.

Article IX

Observers

Observer status that may be granted by the Assembly to applicants for membership whose application is pending, or to any other organization which can further the interest and objectives of the ISA.

Article X

Status, privileges and immunities of the ISA

1. [REDACTED] The ISA Secretariat shall possess juridical personality under the Host Country Agreement, the capacity to contract, to acquire and dispose of movable and immovable properties and to institute legal proceedings.

2. [REDACTED] Under the same Host Country Agreement, the ISA Secretariat shall enjoy such privileges, applicable tax concessions and immunities as are necessary at its Headquarters for independent discharge of its functions and programmes, approved by the Assembly.

3. [REDACTED] Under the territory of each Member, subject to its National Laws and in accordance with a separate Agreement, if necessary; the ISA Secretariat may enjoy such immunity and privileges that are necessary for the independent discharge of its functions and programmes.

Article XI Amendments and withdrawal

1. [REDACTED] Any Member may propose amendments to the Framework Agreement after expiry of one year from the commencement of the Framework Agreement.

2. [REDACTED] Amendments to the Framework Agreement shall be adopted by the Assembly by two thirds majority of the Members present and voting. The amendments shall come into force when two thirds of the Members convey acceptance in accordance with their respective constitutional processes.

3. [REDACTED] Any member may withdraw from the present Framework Agreement, by giving a notice of three months to the Depository in advance. Notice of such withdrawal are notified to the other Members by the Depository.

Article XII Seat of the ISA

The seat of the ISA shall be in India.

Article XIII Signature and entry into force

1. [REDACTED] Ratification, acceptance or approval of the Framework Agreement is effected by States in accordance with their respective constitutional processes. This Framework Agreement shall enter into force on the thirtieth day after the date of deposit of the fifteenth instrument of ratification, acceptance or approval.

2. [REDACTED] For Members having deposited an instrument of ratification, acceptance or approval after the entry into force of the Framework Agreement, this Framework Agreement shall enter into force on the thirtieth day after the date of deposit of the relevant instrument.

3. [REDACTED] Once the ISA is established, the International Steering Committee of the ISA ceases to exist.

Article XIV
Depositary, registration, authentication of the text

1. [REDACTED] The Government of the Republic of India is the Depositary of the Framework Agreement.

2. [REDACTED] This Framework Agreement is registered by the Depositary pursuant to Article 102 of the Charter of the United Nations.

3. [REDACTED] The Depositary transmits certified copies of the Framework Agreement to all Parties.

4. [REDACTED] This Framework Agreement, of which Hindi, English and French texts are equally authentic, is deposited in the archives of the Depositary.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed the Framework Agreement.

DONE at New Delhi on this 7th day of Feb. 2023 year, in the Hindi, English and French languages, all texts being equally authentic.

Signature: N Chahal

Name of Signatory: Hon Nanaia Gybele Mahuta

Designation: Minister of Foreign Affairs

Country: New Zealand

National Interest Analysis

International Solar Alliance: Approval for Membership

Executive summary

It is proposed that New Zealand join the International Solar Alliance (ISA) by signing and ratifying the Framework Agreement on the Establishment of the International Solar Alliance (ISA) (Framework Agreement) (See Annex One for full text). The ISA is inter-governmental organisation focused on developing and sharing solar energy expertise to reduce global dependence on fossil fuels. The ISA is established by the Framework Agreement, which is an international treaty.

ISA membership would boost constructive engagement on political and economic cooperation with a range of key countries, in particular India – a priority relationship for New Zealand¹. It would also support New Zealand's climate change objectives and may facilitate New Zealand business, investment, and research opportunities in the solar field.

Membership would help promote New Zealand's influence in the Indo-Pacific and strengthen New Zealand's international reputation as a leading advocate for renewable energies. By improving energy security in the region, the membership would also enhance New Zealand's contribution to Pacific resilience.

No significant risks or disadvantages are identified that would outweigh the expected benefits.

Nature and timing of the proposed treaty action

The proposed treaty action is the signing and ratification of the Framework Agreement.

The ISA was launched by India and France at the November 2015 meeting of the United Nations Framework Convention on Climate Change Conference of the Parties in Paris (COP21). The Framework Agreement entered into force on 6 December 2017, the thirtieth day after the date of deposit of the fifteenth instrument of ratification, in accordance with Article XIII of the Framework Agreement.

New Zealand must ratify the Framework Agreement to become a member of the ISA. Membership of the ISA is set out in Article VII of the Framework Agreement and states that States must sign the agreement and deposit an instrument of ratification.

Following completion of necessary domestic procedures, New Zealand should deposit its formal instrument of ratification (Article VII) with the Depositary of the

¹ As set out in the New Zealand Government Strategy *'India – New Zealand 2025: Investing in the Relationship'*.

Framework Agreement. The Framework Agreement will enter into force, and New Zealand will become a member of the ISA, on the thirtieth day after the date the instrument of ratification is deposited (Article XIII).

The nature of binding treaty action

The Framework Agreement establishes the structure and operations of the ISA, mainly the Assembly (Article IV) and the Secretariat (Article V). As such, the Framework Agreement does not create many binding obligations on the individual Members. There are no mandatory financial obligations conferred by membership.

Nominating a National Focal Point for the ISA is the main ongoing obligation for New Zealand under the Framework Agreement. The National Focal Point will act as New Zealand's correspondent with other ISA members and the ISA Secretariat, and will be managed by the Ministry of Foreign Affairs and Trade (MFAT) officials seconded to the New Zealand High Commission in New Delhi.

The ISA is governed by an Assembly of representatives from each Member State. The Assembly meets annually at the Ministerial level (or their representative) to make all key decisions regarding the functioning of the ISA. Each Member has the right to participate in all decisions taken by the Assembly, including on the budget, work programmes, and applications for membership.

Representation at any ISA meetings is also proposed to be led by MFAT officials seconded to the New Zealand High Commission in New Delhi in coordination with relevant agencies and stakeholders in New Zealand. Ministerial attendance at the annual Assembly meetings can be decided based on the significance and relevance of the meeting each year.

Overview of the Agency established by the Statute

The principal organs of the ISA are: the Assembly; the Secretariat and five Committees: The Standing Committee, the Regional Committee for Africa Region, the Regional Committee for Asia and Pacific Region; the Regional Committee for Europe and Others Region, the Regional Committee for Latin America and Caribbean Region.

The Assembly is the supreme decision-making organ of the ISA, consisting of representation from each member, and meeting annually unless it decides otherwise (Article IV). Each member has the right to participate in all of the decisions taken by the Assembly, including on the budget and work programme, and applications for membership.

As set out in the Framework Agreement, the objectives of the ISA are to:

- collectively address key common challenges to scale up solar energy applications in line with their (developing member countries) needs;

- mobilise investments of more than USD 1,000 billion by 2030;
- take coordinated action through programmes and activities launched on a voluntary basis, aimed at better harmonisation, aggregation of demand, risk and resources, for promoting solar finance, solar technologies, innovation, research and development (R&D), capacity building etc.;
- reduce the cost of finance to increase investments in solar energy in member countries by promoting innovative financial mechanisms and mobilising finance from Institutions;
- scale up applications of solar technologies in member countries;
- facilitate collaborative R & D activities in solar energy technologies among member countries; and
- promote a common cyber platform for networking, cooperation and exchange of ideas among member countries.

The ISA has no membership or joining fee. Participation in any programmes and projects is on a voluntary basis. The quantum and timing of any voluntary contribution is at the discretion of Members.

To date, 110 countries have signed the Framework Agreement, of which 90 have subsequently ratified. Members include nine Pacific Island countries² as well as a number of likeminded international partners, including Australia, the United Kingdom, the United States, Germany, Japan and founding countries France and India.

The ISA is supported by a large number of partner organisations including the Asian Development Bank, the Asian Infrastructure Investment Bank, the Commonwealth Secretariat, the European Investment Bank, the European Union, the Green Climate Fund, the International Energy Agency, the International Renewable Energy Agency, the United Nations Development Programme, and the World Bank.

The ISA has launched programmes aimed at scaling up solar mini-grids, solar roof tops, and solar applications for agricultural use, solarising heating and cooling systems, enabling sustainable solar waste management, mobilising investment to finance solar developments, and promoting solar-based green hydrogen across ISA membership.

The date by which the Government proposes to complete binding treaty action

New Zealand may commence its formal ratification following completion of Parliamentary treaty examination process. New Zealand will need to pass an Order in Council under the Diplomatic Privileges and Immunities Act 1968 to provide

² Fiji, Kiribati, Marshall Islands, Nauru, Tonga, Tuvalu, Papua New Guinea, Samoa, and Vanuatu.

privileges and immunities to the ISA Secretariat, as specified in Article X of the Framework Agreement.

Application to Tokelau as a non-self-governing territory

Consultation is being undertaken with Tokelau to determine whether New Zealand's accession to the Convention will extend to Tokelau as a non-self-governing territory of New Zealand.

Advantages of ISA membership

Advancing New Zealand's bilateral relationships with India and France

India is projected to be the world's second largest economy and most populous country by 2050. As India grows in regional and global importance, New Zealand is seeking to maximise geopolitical and economic opportunities and minimise risks to our interests.

New Zealand's aspirations for the relationship have been set out in our India Strategy released in early 2020: *India-New Zealand 2025: Investing in the Relationship*. Key to this Strategy is strengthening New Zealand's value to India in pursuit of deeper engagement on geostrategic issues and a more favourable trading environment for New Zealand's business interests. It was agreed that New Zealand seek opportunities to "open doors" by identifying and targeting issues of particular importance to India.

New Zealand's membership would help to maintain momentum in the New Zealand – India bilateral relationship, and potentially unlock economic, political, security, and multilateral benefits.

New Zealand has also been invited by France to join the ISA at officials' level. The membership would support enhanced bilateral cooperation with France and further our position as an active and like-minded partner in the areas of sustainability and the rules-based multilateral order. It is also consistent with our cooperation in the Pacific, where New Zealand has led increased investment in renewable energy, including solar energy.

Advancing New Zealand's climate change agenda and expanding domestic solar business and investment opportunities

Joining the ISA would complement New Zealand's climate change efforts and help promote clean energy norms domestically. By hastening the development of solar energy, the ISA has the potential to augment New Zealand's efforts to increase the use of renewable energies, reduce dependency on fossil fuels, and meet international and domestic legislative commitments on carbon neutrality by 2050. The membership would also support diversification of international solar supply chain for the benefit of New Zealand.

In 2021, solar made up 0.46 per cent of New Zealand's electricity generation mix and has gradually been increasing in share year-on-year, with an increase of 28 per cent between 2020 and 2021³. By increasing expertise in the field, New Zealand could see increase in the proportion of solar energy as an element of New Zealand's energy generation at a faster rate.

The ISA could also be a potential avenue for New Zealand to provide climate change support for developing countries in line with the International Climate Finance Strategy and New Zealand's climate finance commitment (NZD1.3 billion between 2022 and 2025).

The ISA provides a platform through which to share solar energy experience. There would be advantages for New Zealand companies to increase expertise in the field and develop high quality solar solutions. New Zealand companies have already played a key role in flagship solar projects in the Pacific through New Zealand's development assistance programme. The ISA will likely provide further opportunities, enhancing New Zealand's commercial competitiveness in the sector.

Promoting international reputation, including in the broader Indo-Pacific region

Promoting greater efforts on climate change in the Indo-Pacific region is a priority for New Zealand. Joining the ISA will complement our climate priorities in the region and fill an important gap.

The membership would strengthen New Zealand's international credentials as a leader on global climate change efforts. It would also enhance our ongoing advocacy for countries to align their climate action with the shared objectives under the Paris Agreement⁴, including limiting global average temperature increases to well below 2 degrees Celsius above pre-industrial levels and pursuing efforts to limit the temperature increase to 1.5 degrees Celsius.

ISA membership would support New Zealand's contribution to Goal 7 of the Sustainable Development Goals: to ensure access to affordable, reliable, sustainable and modern energy for all. Membership would also complement our leadership on fossil fuel subsidy reform by encouraging other countries to shift their reliance away from fossil fuels.

Joining the ISA would also reinforce New Zealand's relationships with a range of key international organisations such as the World Bank, the International Energy Agency, the International Renewable Energy Agency, and the United Nations Development Programme.

Contributing to Pacific Resilience

Climate change remains the most significant security and development issue facing the Pacific region. The ISA has been actively deploying solar energy solutions in the

³ Energy in New Zealand | Ministry of Business, Innovation & Employment (mbie.govt.nz).

⁴ The Paris Agreement is a legally binding international treaty on climate change. It was adopted by 196 Parties at COP 21 in Paris on 12 December 2015 and entered into force on 4 November 2016.

Pacific. Alongside multiple capacity building initiatives, the ISA is involved in the solarisation of healthcare centres and schools and in developing solar water pumping facilities in countries such as Fiji, Kiribati, Samoa and Tonga.

New Zealand's ISA membership could help bring further international attention and solutions to the energy issues and challenges faced by communities in the Pacific region (especially energy insecurity and reliance on fossil fuels). New Zealand could utilise the ISA as an avenue to amplify Pacific voices, build Pacific capacity to maximise their membership benefits, and help to ensure that solar initiatives are effectively directed to meet the needs of the Pacific.

Disadvantages of ISA Membership

Officials consider that there are no disadvantages to New Zealand becoming a member of the ISA.

Legal obligations which would be imposed on New Zealand by the treaty action, the position in respect of reservations to the treaty, and an outline of any dispute settlement mechanisms

The ISA has no major implications for domestic legislation and there are no requirements to incorporate the treaty into New Zealand law. New Zealand will need to pass an Order in Council under the Diplomatic Privileges and Immunities Act 1968 to provide privileges and immunities to the ISA Secretariat as specified in Article X of the Framework Agreement.

The Framework Agreement does not contain a dispute settlement mechanism or the ability for parties to make reservations upon ratification.

Measures which the Government could or should adopt to implement the treaty action, including specific reference to implementing legislation

The only measure which needs to be adopted will be the passing of Order in Council under the Diplomatic Privileges and Immunities Act 1968 to provide privileges and immunities to the ISA Secretariat.

New Zealand's representation at the ISA and participation in the work programme will be administered by the New Zealand High Commission in New Delhi, in coordination with relevant agencies and stakeholders in New Zealand.

Economic, social, cultural and environmental effects of the treaty action

Membership of the ISA is not expected to have any measurable economic, social, cultural or environmental costs or effects for New Zealand beyond the costs, advantages and disadvantages outlined in other sections of this paper.

Advantages would be gained via knowledge sharing with regard to international developments in the solar energy sector arising from the ISA work programme, including in the Pacific region. The other key economic advantage is the opportunity to support New Zealand's solar energy sector and enhance our commercial competitiveness in the sector.

The costs to New Zealand of compliance with the treaty

There are no financial implications. There are no mandatory financial obligations conferred by membership and there is no membership fee. The ISA is primarily funded through voluntary contributions, with India being a major funder, and through partner international organisations.

There may be servicing costs in relation to policy support and occasional travel, however these are expected to be minimal as the day to day resourcing would be led by MFAT officials seconded to the New Zealand High Commission in New Delhi, in coordination with relevant stakeholders in New Zealand.

Completed or proposed consultation with the community and parties interested in the treaty action

The following agencies were consulted in the preparation of this paper: Department of the Prime Minister and Cabinet, New Zealand Trade and Enterprise, Ministry of Business, Innovation and Employment, and Ministry for the Environment.

Consultation is being undertaken with Tokelau to determine whether New Zealand's accession to the Convention will extend to Tokelau as a non-self-governing territory of New Zealand.

Subsequent protocols and/or amendments to the treaty and their likely effects

Amendments to the Framework Agreement entered into force on 15 July 2020 to expand Membership beyond countries in the Tropics to all Member States of the United Nations.

The process to amend the Framework Agreement is set out in Article XI. Any member may propose amendments to the Framework Agreement after expiry of one year from the commencement of the Framework Agreement. Amendments to the Framework Agreement shall be adopted by the Assembly by two thirds majority of the Members present and voting. The amendments shall come into force when two thirds of the Members convey acceptance in accordance with their respective constitutional processes.

Withdrawal or denunciation provision in the treaty

Withdrawal of the Framework Agreement is set out in Article XI (3). A member may withdraw from the present Framework Agreement by giving a notice of three months to the Depository in advance. Notice of such withdrawal is notified to the other Members by the Depository.