



GREEN
CLIMATE
FUND

GLOBAL
NDA 
CONFERENCE

SESSION 4

GCF PRIVILEGES & IMMUNITIES AGREEMENTS

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LEGAL STATUS & GOVERNANCE

ESTABLISHMENT

194 countries party to the United Nations Framework Convention on Climate Change (the UNFCCC)

LEGAL STATUS

Legal personality and capacity under international law (paragraph 7 of the Governing Instrument)

GOVERNANCE

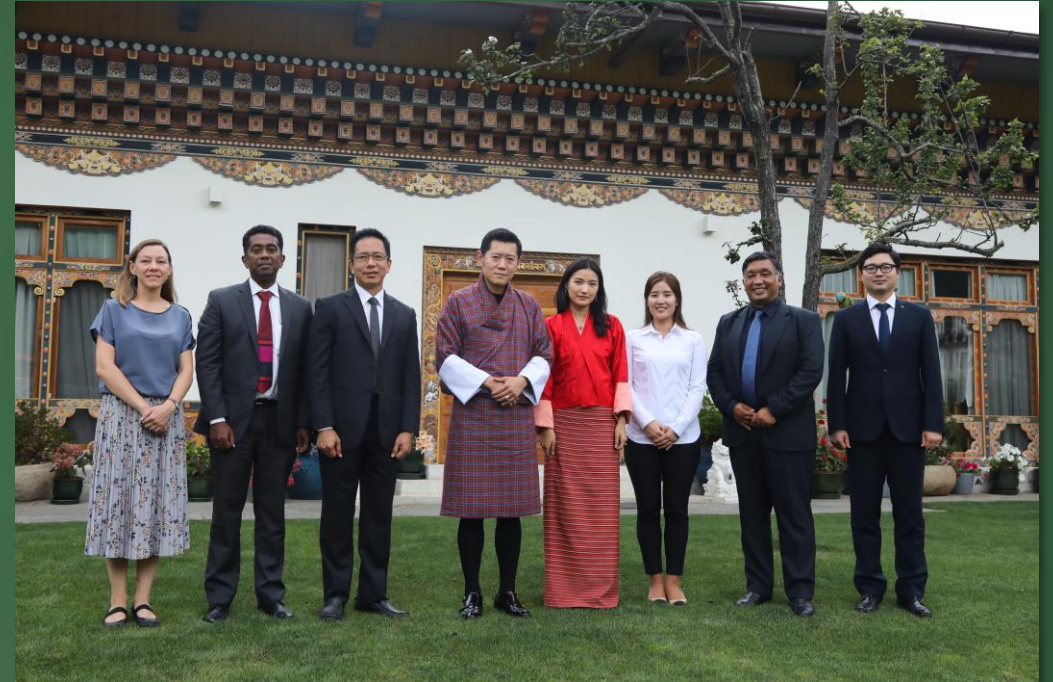
24-member Board, equally representing developed and developing countries

MAIN Ps & Is

- Immunity of the GCF and its personnel from jurisdiction in connection with the exercise of their official functions
- Immunity of GCF property and assets
- Facilities in connection with access and sojourn of GCF personnel in countries where GCF operates

GCF OFFICIAL MISSIONS

- Guaranteeing the safety of GCF personnel on mission
- Facilitating access and sojourn of GCF personnel in the country
- Guaranteeing the possibility for GCF personnel to perform their official functions effectively and independently



GCF EVENTS

- Facilitating access and sojourn of participants in the country hosting the event
- Guaranteeing the safety of the premises where GCF events are held
- Guaranteeing safety and freedom of speech of participants: Board members, observers, as well as NDA representatives



GCF OPERATIONS

- Immunity of GCF property and assets in countries where GCF operates (e.g. direct investment)
- Tax exemption for GCF's property and assets in countries where the GCF operates

MANDATE TO CONCLUDE Ps &Is AGREEMENTS

- At its 20th session in 2014, the UNFCCC Conference of the Parties (COP) “[u]rge[d] developing country Parties to enter into bilateral agreements with the Green Climate Fund based on the template to be approved by the Board of the Green Climate Fund, in order to provide privileges and immunities for the Fund, in accordance with Green Climate Fund Board decision B.08/24, paragraph (b)” (Decision 7/CP.20).
- At its 10th meeting in July 2015, the Board “authorized the Executive Director to negotiate and sign bilateral agreements with countries on the P&I of the GCF” (Decision B.10/12)

TEMPLATE Ps & Is AGREEMENT

- Basis for negotiation with countries
- Reflects the Ps & Is guaranteed by countries to the United Nations (UN) and the UN Specialized Agencies

STATUS OF Ps & Is

- Signed Ps & Is agreements (as of April 2018): 17 countries
- At its 23rd meeting in 2017, the UNFCCC Conference of the Parties:
 - Expressed concern with the low level of bilateral agreements concluded between the GCF and Country Parties
 - Encouraged Country Parties to enter into agreements to grant the Ps & Is needed for the effective and efficient operationalization of the GCF (Decision 9/CP.23)

CONTACTS

- Questions or clarifications of Ps & Is
- Information on the template Ps & Is agreement
- Negotiation of Ps & Is agreements
- Contact:
 - Team of the Office of the General Counsel
 - Email: **ogc@gcfund.org**



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