

On behalf of:



of the Federal Republic of Germany

## **Fact Sheet Consortium Agreement Requirements for the Consortium**

In a consortium more than two actors of international climate protection (e.g. implementing agencies, NGOs, business enterprises, universities and research institutes, international and multinational organisations and institutions, development banks and United Nations bodies and programmes) work together in an alliance for the purpose of a successful and efficient implementation of an IKI programme. This does not include independent third parties for an exchange of services (subcontracted work). Working in a consortium encourages the collaboration of several actors in the field of international climate protection, to synergize their expertise and to maximize the use of existing capacity.

The successful implementation of a programme demands a trustful collaboration and a respectful interaction between the consortium members. The members of a consortium shall therefore conclude an internal agreement (“consortium agreement”). The consortium agreement will set the framework for the cooperation and should regulate the rights and obligations of the participants. Moreover, the members of a consortium appoint a coordinator who adopts the internal organisation and the external representation.

The consortium agreement shall be negotiated and finalized before the decision on funding. It should complement the grant agreement and must not contain any provision contrary to it.

The consortium agreement is a private agreement between the members of the consortium and they are fully responsible for it. The parties to the agreement should seek professional legal advice if needed. There will be no legal advice, liability or contractual review to ensure correctness from the Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU).

Prior to the funding decision, the parties have to stipulate a consortium agreement on the following points:

- Members of the consortium (legal form, seat and representation of the members)
- Coordinator of the consortium
- Intended programme start and duration, programme schedule, internal organisation

Furthermore, the consortium agreement shall cover matters such as:

- Reporting and information obligations between the members
- Liability of the members inter alia and towards the grant donor
- Rights of use and copyright
- Procedure for amendments during the programme
- Visibility of the members
- Methods for settling internal disputes

INTERNATIONAL CLIMATE INITIATIVE (IKI)

