



International Oil Pollution
Compensation Funds

Agenda Item 7	IOPC/OCT19/7/3	
Date	21 August 2019	
Original	English	
1992 Fund Assembly	92A24	●
1992 Fund Executive Committee	92EC73	
Supplementary Fund Assembly	SA16	

APPOINTMENT OF MEMBERS AND SUBSTITUTE MEMBERS OF THE APPEALS BOARD

Note by the Director

Summary:	This document contains a proposal by the Director to revise the practice for replacing Appeals Board members who resign before the end of their term of office. It also contains the Director's proposed composition of the Appeals Board for the period October 2019 to October 2021.
Action to be taken:	<u>1992 Fund Assembly</u> <ul style="list-style-type: none"> (a) Decide whether to follow the new proposed practice for filling vacant posts on the Appeals Board when a member resigns before the end of their term of office, as set out in paragraph 3.1; and (b) appoint members and substitute members of the Appeals Board for a term of two years, i.e. until the October 2021 session of the 1992 Fund Assembly, as set out in paragraph 3.4.

1 Introduction

- 1.1 The 1992 Fund has an Appeals Board with the mandate to settle disputes between staff members or former staff members and the Director concerning individual decisions applying to persons in these categories who base their case on the non-observance of the Staff Regulations, the Staff Rules or the conditions of employment, including the contract or letter of employment (Staff Regulation 29 (c) and paragraph I (a) of Annex II to the Staff Regulations).
- 1.2 The Appeals Board consists of three nationals of different Member States, appointed by the 1992 Fund Assembly. In addition, three substitute members from three other Member States are appointed. The members and substitute members may be named individuals or the holders for the time being of any senior government office and residing in or near London. They shall not be members of the Secretariat. At least one member and one substitute member shall have legal qualifications. The members and substitute members are appointed for a term of two years and may be reappointed. In the event of the death or resignation of a member or substitute member, the 1992 Fund Assembly shall appoint a replacement for the unexpired portion of his/her term. Pending such appointment, the member or substitute member shall be replaced by his/her successor in office.

- 1.3 The composition of the Appeals Board appointed by the 1992 Fund Assembly at its session in October 2017 was as follows:

Members		Substitute members	
Ms Nicole Taillefer	(France)	Mr Argyris Madella	(Cyprus)
Mr Jotaro Horiuchi	(Japan)	Ms Ana Aureny Aguirre O. Sunza	(Mexico)
Sir Michael Wood	(United Kingdom)	Mr Park Jun-Young	(Republic of Korea)

2 Developments since the October 2017 session of the 1992 Fund Assembly

- 2.1 At its October 2018 session, the 1992 Fund Administrative Council was informed that one member, Mr Jotaro Horiuchi (Japan), and one substitute member, Mr Park Jun-Young (Republic of Korea), had been replaced by their respective successors in office in London. Their successors, Mr Iwao Shimizu (Japan) and Mr Song Sang-Keun (Republic of Korea), have kindly accepted to serve on the Appeals Board, as a member and substitute member, respectively, until the October 2019 session of the 1992 Fund Assembly.
- 2.2 In June 2019, the Director was informed that Ms Nicole Taillefer (France) was leaving her post in London and could therefore no longer serve as a member of the Appeals Board. Ms Taillefer's successor, Ms Geneviève Jean-van Rossum (France), has kindly accepted to serve on the Appeals Board.
- 2.3 In July 2019, the Director was informed that Mr Argyris Madella (Cyprus), was leaving his post in London and could therefore no longer serve as a substitute member of the Appeals Board. Mr Madella's successor, Mr Marios Stephanides (Cyprus), has kindly accepted to serve as a substitute member of the Appeals Board.

3 Proposed composition of the new Appeals Board

- 3.1 The Director suggests that when a member of the Appeals Board leaves before the end of their term of office, rather than their successor assuming the role of member, they instead assume the role of substitute member, and one of the existing substitute members would instead be invited by the Director to assume the member's role. The Director hopes this new practice would assist newcomers to the Appeals Board by giving them time to become familiar with the workings of the Fund and would facilitate a degree of rotation in the post holders of the Board.
- 3.2 Should the 1992 Fund Assembly agree with this suggestion, the Director proposes to reflect this new practice when proposing the composition of the Appeals Board for the next two years.
- 3.3 With the new proposed practice in mind, Ms Nicole Taillefer's successor, Ms Geneviève Jean-van Rossum (France), has kindly accepted to serve as a substitute member of the Appeals Board, and existing substitute member, Ms Ana Aureny Aguirre O. Sunza (Mexico), has kindly accepted to now serve as a member of the Appeals Board.
- 3.4 The Director, therefore, proposes the following composition of the Appeals Board for a term of two years, i.e. until the October 2021 session of the 1992 Fund Assembly:

Members		Substitute members	
Mr Iwao Shimizu	(Japan)	Mr Marios Stephanides	(Cyprus)
Ms Ana Aureny Aguirre O. Sunza	(Mexico)	Ms Geneviève Jean-van Rossum	(France)
Sir Michael Wood	(United Kingdom)	Mr Song Sang-Keun	(Republic of Korea)

4 **Action to be taken**

1992 Fund Assembly

The 1992 Fund Assembly is invited to:

- (a) decide whether to follow the new proposed practice for filling vacant posts on the Appeals Board when a member resigns before the end of their term of office, as set out in paragraph 3.1 above; and
 - (b) appoint members and substitute members of the Appeals Board for a term of two years, i.e. until the October 2021 session of the 1992 Fund Assembly, as set out in paragraph 3.4 above.
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