



International Oil Pollution
Compensation Funds

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Date	14 April 2021
1992 Fund Assembly	●
Supplementary Fund Assembly	

Nomination of candidates for the position of Director of the International Oil Pollution Compensation Funds

As the current Director's second term of office will expire on 31 December 2021, the post of Director of the International Oil Pollution Compensation Funds (IOPC Funds) will become vacant.

The Assembly will appoint a new Director at its 26th regular session in November 2021. States that will be Members of the 1992 Fund at the opening of the 26th session of the 1992 Fund Assembly are listed on page 2.

Due to the ongoing COVID-19 pandemic and the resulting travel and lockdown restrictions, the governing bodies will convene in July 2021 to determine the ballot procedure for the election of the Director, in the event that the November 2021 meeting is held remotely and the established ballot practice cannot be carried out.

Call for nominations and requirements

Nominations of candidates for the position of Director are invited from 1992 Fund Member States and must be received by the Secretariat of the IOPC Funds by **30 June 2021**. Nominations can be sent via email to nominations@iopcfunds.org.

The relevant provisions of the 1992 Fund Convention and details on the responsibilities of the Director as well as desirable experience, skills and competences of the candidates are set out in the Annex. States nominating a candidate should validate the candidate's experience, skills and competences against those set out in the Annex by indicating to what extent the candidate fulfils these attributes.

Depending on the number of candidates, the Assembly may wish to invite candidates to make a short oral presentation of approximately 10 minutes' duration in support of their candidature at the Assembly's November 2021 session.

Candidates should note that nominations received by the deadline will be circulated to Member States in July 2021. Therefore, on submission of their nomination, candidates will be deemed to have given their consent to the IOPC Funds to publish and archive the personal data provided. In view of this, the Secretariat requests that personal details that are not relevant for the consideration by the Assembly, such as contact details, should not be included.

Information on the IOPC Funds and administration by the Director

The IOPC Funds are worldwide intergovernmental organisations, i.e. set up by States, providing compensation to victims of oil pollution damage resulting from spills of persistent oil from tankers. The Funds are financed by levies on certain types of oil carried by sea. The levies are paid by entities that receive oil after sea transport, normally not by States. The Funds are administered by a joint Secretariat located in London with 25 staff

members, headed by a Director appointed by Member States. The relationship between the 1992 Fund and the Host State is governed by a Headquarters Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the 1992 Fund. The Director shall enjoy the diplomatic privileges and immunities granted to them under this Agreement.

The Director of the 1992 Fund is *ex officio* Director of the International Oil Pollution Compensation Supplementary Fund.

The Director has been instructed by the 1992 Fund Assembly to make the necessary preparations for the entry into force of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010 (2010 HNS Convention). These preparations will be carried out on the assumption that the present IOPC Funds Secretariat will also administer the Fund, which will be established under the HNS Convention.

States which will be Members of the 1992 Fund at the opening of the 26th session of the 1992 Fund Assembly on 1 November 2021

Albania	Ecuador	Malaysia	Saint Vincent and the Grenadines
Algeria	Estonia	Maldives	Samoa
Angola	Fiji	Malta	Senegal
Antigua and Barbuda	Finland	Marshall Islands	Serbia
Argentina	France	Mauritania	Seychelles
Australia	Gabon	Mauritius	Sierra Leone
Bahamas	Gambia	Mexico	Singapore
Bahrain	Georgia	Monaco	Slovakia
Barbados	Germany	Montenegro	Slovenia
Belgium	Ghana	Morocco	South Africa
Belize	Greece	Mozambique	Spain
Benin	Grenada	Namibia	Sri Lanka
Brunei Darussalam	Guinea	Nauru	Sweden
Bulgaria	Guyana	Netherlands	Switzerland
Cabo Verde	Hungary	New Zealand	Syrian Arab Republic
Cambodia	Iceland	Nicaragua	Thailand
Cameroon	India	Nigeria	Tonga
Canada	Iran (Islamic Republic of)	Niue	Trinidad and Tobago
China ^{<1>}	Ireland	Norway	Tunisia
Colombia	Israel	Oman	Turkey
Comoros	Italy	Palau	Tuvalu
Congo	Jamaica	Panama	United Arab Emirates
Cook Islands	Japan	Papua New Guinea	United Kingdom
Côte d'Ivoire	Kenya	Philippines	United Republic of
Croatia	Kiribati	Poland	Tanzania
Cyprus	Kiribati	Portugal	Uruguay
Denmark	Latvia	Qatar	Vanuatu
Djibouti	Liberia	Republic of Korea	Venezuela (Bolivarian Republic of)
Dominica	Lithuania	Russian Federation	
Dominican Republic	Luxembourg	Saint Kitts and Nevis	
	Madagascar	Saint Lucia	

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^{<1>} The 1992 Fund Convention applies to the Hong Kong Special Administrative Region only.

ANNEX

JOB SPECIFICATION FOR THE POST OF DIRECTOR

OVERVIEW

There are two Fund Organisations: the International Oil Pollution Compensation Fund 1992 (1992 Fund), established under the 1992 Fund Convention and the International Oil Pollution Compensation Supplementary Fund (Supplementary Fund), established under a Protocol adopted in 2003.

The IOPC Funds are worldwide intergovernmental organisations, i.e. set up by States, providing compensation to victims of oil pollution damage resulting from spills of persistent oil from tankers. The Funds are financed by levies on certain types of oil carried by sea. The levies are paid by entities that receive oil after sea transport; normally not by States. The Funds are administered by a joint Secretariat located in London.

The Director of the 1992 Fund is *ex officio* Director of the Supplementary Fund.

It is possible that the IOPC Funds Secretariat will, in a few years' time, also administer the Fund to be established under the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 2010 (2010 HNS Convention).

ROLE OF THE DIRECTOR

The role of the Director is defined in Article 29 of the 1992 Fund Convention, and corresponding provisions apply in respect of the Supplementary Fund. Article 29 states:

1. The Director shall be the chief administrative officer of the Fund. Subject to the instructions given to them by the Assembly, they shall perform those functions which are assigned to them by this Convention, the Internal Regulations of the Fund and the Assembly.
2. The Director shall in particular:
 - (a) appoint the personnel required for the administration of the Fund;
 - (b) take all appropriate measures with a view to the proper administration of the Fund's assets;
 - (c) collect the contributions due under this Convention while observing in particular the provisions of Article 13, paragraph 3;
 - (d) to the extent necessary to deal with claims against the Fund and carry out the other functions of the Fund, employ the services of legal, financial and other experts;
 - (e) take all appropriate measures for dealing with claims against the Fund within the limits and on conditions to be laid down in the Internal Regulations, including the final settlement of claims without the prior approval of the Assembly where these Regulations so provide;
 - (f) prepare and submit to the Assembly the Financial Statements and budget estimates for each calendar year;
 - (g) prepare, in consultation with the Chair of the Assembly, and publish a report of the activities of the Fund during the previous calendar year; and
 - (h) prepare, collect and circulate the papers, documents, agenda, minutes and information that may be required for the work of the Assembly and subsidiary bodies.

RESPONSIBILITIES

The Director is the legal representative of the IOPC Funds and has overall responsibility for all aspects of the IOPC Funds' activities and for the operation of the Secretariat, pursuant to Article 29 above. They have the primary responsibility to ensure that the joint Secretariat of the two Funds carries out its functions in accordance with the Fund Conventions, the Internal and Financial Regulations and the decisions of the governing bodies.

The Director's responsibilities can be grouped into four broad categories:

- settlement of compensation claims;
- management of the Secretariat;
- management of the IOPC Funds' assets, including the levying of contributions; and
- preparation of the sessions and decisions of the Assembly and the Executive Committee as well as the implementation of these decisions.

These responsibilities can be described in more detail as follows:

a. Strategy and policy

Within the parameters laid down by the governing bodies, the Director deals with matters of strategic importance, policy issues, long-term planning and high-level contacts with governments, non-governmental organisations and private entities, as well as deciding the position to be taken by the Funds on important legal, financial and technical matters. They endeavour to provide consistency in the interpretation of the 1992 Civil Liability and Fund Conventions and transposes the decisions of the governing bodies into Fund policies.

b. Leadership/general management

In view of the small size of the Secretariat (at present 35 established posts) and the characteristics of the two Funds, the Director is personally involved in all significant substantive aspects of the operations of the Secretariat.

The Director ensures that the Secretariat is organised and managed in accordance with best practices in similar organisations so as to enable it to function effectively and efficiently and to ensure that staff members are well-motivated and committed. They take the necessary steps to develop the Secretariat function so as to enable the Secretariat to adapt to developments. They are also responsible for the operations of local offices set up in Member States where major oil pollution incidents have occurred and for the management of a considerable number of experts engaged by the Organisations to deal with various aspects of incidents and compensation claims.

c. Claims handling

The Director ensures that the claims-handling procedure is efficient and of high quality, and that claims are dealt with in accordance with the Conventions, Internal Regulations and the policy laid down by the governing bodies. They consider issues relating to the admissibility of claims which give rise to questions of principle or are of a sensitive nature and decides whether claims should be submitted to the governing bodies for consideration. They conduct ministerial or other high-level negotiations in Member States where important incidents have occurred.

d. Financial matters

The Director considers and approves the draft Financial Statements for submission to the External Auditor and the draft budget for submission to the governing bodies. They ensure that there are adequate financial controls. Within the mandate given by the governing bodies, they decide on the levying of contributions, on what measures should be taken when States fail to submit oil reports and on what steps should be taken against contributors in arrears. The IOPC Funds handle significant amounts of money and hold considerable assets. Within the parameters laid down by the governing bodies, they are responsible for the management of the IOPC Funds' assets and decides on the investment of these assets. The Director attends the meetings of the Funds' Audit Body and Investment Advisory Body.

e. Meetings and documentation

The Director convenes sessions of the governing bodies and ensures that the appropriate documents are prepared for these sessions.

f. Representation

The Director represents the Funds at the policy level at meetings with governments of Member and non-Member States as well as at meetings of other intergovernmental organisations. They represent the Funds at conferences, seminars and workshops, giving speeches and presentations. They also represents the Funds in relation to the media.

CANDIDATE PROFILE

The successful candidate will have extensive administrative and management experience at senior level, demonstrated leadership experience and a strong track record in dealing with public and private sector organisations at a senior level. They need to be a highly effective communicator, with demonstrable skills in negotiation and diplomacy, and the ability to deal credibly and authoritatively with governments and other parties in the shipping, insurance and oil industries, as well as with victims of oil pollution.

1. Knowledge/professional experience

The successful candidate would ideally have the following knowledge and professional experience:

- expert knowledge of the 1992 Civil Liability and Fund Conventions and other related conventions;
- experience in handling complex legal issues relevant to the work of the Funds and ability to understand various legal systems;
- experience of claims-handling matters;
- ability to assess and take decisions on expert advice in legal and other matters;
- experience in financial matters, general management and handling of staff matters;
- experience of the public sector and grasp of decision processes and reasoning of governments;
- familiarity with high-level negotiations;
- experience of working with governments at all levels as well as with public and private bodies;
- experience of international conferences and intergovernmental meetings;
- experience in dealing with the media;
- excellent oral and written communication skills including ability to draft complex documents.

2. Personal attributes

The successful candidate would be expected to have the following personal attributes:

- objectivity and integrity;
 - fairness;
 - diplomacy;
 - sensitivity to political issues related to the work of the Funds;
 - excellent decision-making skills;
 - flexibility and openness to change;
 - excellent interpersonal skills;
 - organisational and management skills;
 - ability to set priorities;
 - ability to delegate and to motivate staff and others who work on behalf of the Funds;
 - attention to detail; and
 - fluency in one of the official languages of the Funds (English, French and Spanish) and a good working knowledge of one of the other two official languages, bearing in mind the working environment of the Secretariat and related organisations.
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