

PROCESS FOR APPOINTMENT OF AN EXECUTIVE DIRECTOR FOR THE COMMISSION

Prepared by the Secretariat

1. The Convention, article 15, paragraph 1 states that the “Commission may establish a permanent Secretariat consisting of an Executive Director and such other staff as the Commission may require.” Paragraph 2 of the same article states that the “Executive Director shall be appointed for a term of four years and may be re-appointed for a further term of four years.” The Executive Director is not only the administrative head of the Secretariat, but also the “chief administrative officer of the Commission,” with specific functions and responsibilities set out in the Convention.
2. If the Commission decides to establish a permanent Secretariat, it will also need to appoint an Executive Director. The Convention is silent as to the procedures that should be adopted to make such an appointment. It will therefore be important for the Commission to agree at an early stage upon the procedures that it will follow.
3. Traditionally, the heads of intergovernmental organizations are appointed, or elected, following a political process. For this reason, the constituent instruments of many intergovernmental organizations, including even the Charter of the United Nations, do not spell out the qualifications expected of the chief administrative officer. Appointment is made in accordance with a political process either explicitly spelt out or developed by custom and usage. In recent times, however, particularly in intergovernmental organizations with an emphatically technical focus there has been a marked trend towards depoliticising the appointment process and making appointments based primarily on merit, determined through a transparent selection process. An example of such a process is that recently adopted by the Indian Ocean Tuna Commission (IOTC) for the selection of an Executive Secretary, where candidates were shortlisted in order of merit on the basis of objective criteria prior to interview and final selection. In such a case, the final selection may be by consensus (desirable where possible) or by some other means, such as secret ballot. In the case of the IOTC, all member countries were given the opportunity to participate in the shortlisting process, which was done by point scoring. An alternative scenario would be to entrust the shortlisting to a smaller group of member countries. Whichever mechanism is chosen, it is often the case that a large number of unmeritorious applications are received (i.e. applicants that obviously do not meet the basic essential criteria) and, prior to shortlisting, it may be necessary to give some consideration to entrusting the Chairman of the Commission, or the Chairman and a small panel of representatives, to draw up a longlist of qualified applicants.

4. The Preparatory Commission may wish to give preliminary consideration to the establishment of a job description for the Executive Director and to a selection and appointment process. An appropriate recommendation could then be made to the first session of the Commission in order to facilitate the early appointment of the first Executive Director of the Commission. As a basis for discussion of this item, a sample job description and outline selection process are attached as annexes I and II to this note.

5. In addition to deciding on the appropriate procedures to be adopted, participants will also need to decide on the timing of the appointment of the first Executive Director of the Commission. Ideally, the first Executive Director would be appointed at the first meeting of the Commission. However, until the new Commission has a budget, and in the absence of any other source of funding, it may not be possible for any such appointment to become effective for a number of months. It may be necessary, therefore, for consideration to be given to interim arrangements, to apply between the inaugural meeting of the Commission and its first substantive session in 2005, or to a deferred appointment, pending the effective operation of the Commission.

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Annex I

Terms of reference: Executive Director

Qualifications:

The incumbent should have university-level qualifications, preferably at post-graduate level, in relevant field, for example, fisheries science or biology, fisheries economics, international law and international relations. He/she should have at least ten years relevant experience in fisheries management, policy formulation and implementation, preferably including multilateral relations. He/she should have the ability to exercise a high degree of professional initiative and autonomy. The incumbent must also be experienced in the organization of international meetings and the preparation of budgets, working documents and reports.

Other essential requirements include competence in the selection of staff; demonstrated ability to supervise professionals in subject field; demonstrated organizational and management ability in the context of international organizations; and familiarity with the use of word processing, spread sheets and database management systems.

Highly desirable requirements include: a high degree of adaptability and ability to cooperate effectively with people of different nationalities and of various social and cultural backgrounds and education levels.

Terms of reference

Pursuant to article 15 of the Convention, the Executive Director is the chief administrative officer of the Commission. The Executive Director shall be responsible for implementing the policies and activities of the Commission and shall report thereon to the Commission. He/she shall also act as Secretary to the subsidiary bodies established by the Commission, as required. The incumbent will have overall responsibility for planning, coordination, financial management and administration of the Commission in accordance with the Convention and the decisions of the Commission and shall be accountable to the Commission therefor.

He/she will in particular:

- (a) receive and transmit the Commission's official communications;
- (b) maintain high level contacts with appropriate government officials, fishery institutions and international organizations concerned with tuna fisheries to facilitate consultation and cooperation between them on information collection and analysis;
- (c) maintain an active and effective network of national focal points for routine communication of progress and results of the activities of the Commission;
- (d) prepare and implement work programmes, prepare budgets and ensure timely reporting to the Commission;
- (e) authorize disbursement of funds in accordance with the Commission's budget;
- (f) account for the funds of the Commission;

(g) stimulate interest among Members of the Commission and potential donors in the activities of the Commission and in possible financing or in implementing of pilot projects and complementary activities;

(h) promote, facilitate and monitor the development of databases for resources assessment of biological and socio-economic research to provide a sound basis for conservation management;

(i) organize sessions of the Commission and its subsidiary bodies and other related ad hoc meetings;

(j) prepare background papers and an annual report on the Commission's activities and the programme of work for submission to the Commission at the regular sessions, and arrange the subsequent publication of the report of the proceedings of the Commission as well as its subsidiary bodies and related ad hoc meetings;

(k) represent the Commission at international meetings and other fora; and

(l) perform other related duties as required.

Annex II

Timeline for appointment process

'A' minus 6 months	Advertisement of post
'A' minus 4 months	Applications to be submitted to Chairman. ¹ Longlisting by the Chairman and heads of 2 other delegations on the basis of objective criteria
'A' minus 3 months	Circulation of longlist to all heads of delegations
'A' minus 2 months	Shortlisting of 3 candidates. Shortlisted CVs to be re-circulated to all delegations.
Appointment session	Interview of each candidate by panel (Day before session)
Appointment	By Commission (consensus if possible)

¹ It is assumed this would be the Chairman of the Commission. For the appointment of the first Executive Director, a possible accelerated procedure would require the Chairman of the Preparatory Conference to fulfil this role.