



CODE OF CONDUCT FOR STAFF OF THE INTERNATIONAL OIL POLLUTION COMPENSATION FUNDS (IOPC FUNDS)

**(based on the Standards of Conduct of the International Civil Service
adopted by the International Civil Service Commission of the United Nations)**

1. Policy statement

The International Oil Pollution Compensation Funds (IOPC Funds) expect their staff members to adhere to the highest standards of integrity and conduct. The Code of Conduct clarifies the standards of behaviour that are expected of staff of the IOPC Funds in the performance of their duties. It provides guidance in areas where decisions of a personal or ethical nature might be required. Staff of the IOPC Funds must be committed to the values, principles and standards set out below and are expected to uphold them in a positive and active manner.

2. Applicability

The Code of Conduct applies to all IOPC Funds staff (hereinafter referred to as 'staff members') including short term staff, contracted directly by the organisation, through a recruitment agency or other contractual arrangement.

3. Guiding principles

- 3.1 The concept of integrity embraces the total behaviour of the staff member, including such qualities as honesty, truthfulness, loyalty, impartiality and incorruptibility. These qualities are as important as those of competence and efficiency.
- 3.2 Tolerance and understanding are basic human values. Staff members must respect equally all persons without any distinction whatsoever, whether on the basis of race, gender, religion, colour, national or ethnic origin, marital status, sexual orientation, age, or any other distinguishing characteristic. This respect fosters a climate and a working environment sensitive to the needs of all. To achieve this in the IOPC Funds multi-cultural setting calls for a positive affirmation going way beyond passive acceptance.
- 3.3 As international civil servants, staff members are required to demonstrate an international outlook. Staff members should respect different languages, cultures, customs and traditions and be tolerant of different points of view. Staff members must demonstrate a willingness to work without bias with persons of all nationalities, religions and cultures; it calls for constant sensitivity as to how words and actions may look to others. Any behaviour/expressions that could be interpreted as biased or intolerant in a particular cultural context should be avoided.
- 3.4 Working methods can be different in different cultures. Staff members should not be wedded to the attitudes, working methods or work habits of their own country or region.

- 3.5 Freedom from discrimination is a basic human right. Staff members are expected to respect the dignity, worth and equality of all people without any distinction whatsoever. Assumptions based on stereotypes must be assiduously avoided.
- 3.6 Impartiality and independence of staff members is paramount. They must remain independent of any authority outside the IOPC Funds, and their conduct must reflect that independence. In keeping with their Oath, staff members should not seek nor should they accept instructions from any government or from any authority external to the IOPC Funds, nor are they proponents of their policies.
- 3.7 Impartiality implies tolerance and restraint, particularly in dealing with political or religious convictions. While their personal views remain inviolate, staff members do not have the freedom of private persons to take sides or to express their convictions publicly on controversial matters, either individually or as a member of a group, irrespective of the medium used. This can mean that, in certain situations, personal views should be expressed only with tact and discretion.
- 3.8 Staff members at all levels are accountable and answerable for all actions carried out, as well as decisions taken, and commitments made by them in performing their functions.
- 3.9 Staff members should in their official capacity always conduct themselves in a manner that is in the best interest of the IOPC Funds. Also in their private capacity staff members should avoid behaviour which is contrary to the best interest of the IOPC Funds.

4. Working relations

- 4.1 Managers and supervisors are in positions of leadership and it is their responsibility to ensure a harmonious workplace based on mutual respect. They should be open to all views and opinions and make sure that the merits of staff are properly recognised.
- 4.2 Managers need to support their staff, especially when they are subject to criticism from outside the organisation arising from the carrying out of their duties, and are responsible for guiding and motivating their staff and promoting their development.
- 4.3 Managers and supervisors serve as role models and they have therefore a special obligation to uphold the highest standards of conduct. It would be improper for managers to solicit favours, gifts or loans from their staff; they must act impartially and free of intimidation and favouritism. No staff member should try to influence colleagues for personal reasons.
- 4.4 It is incumbent on managers and supervisors to communicate effectively with their staff and share information with them. Staff members have a reciprocal responsibility to provide all pertinent facts and information to their managers or supervisors and to abide by and defend any decisions taken, even when these do not accord with their personal views.
- 4.5 It is the duty of staff members to report any breach of the IOPC Funds' policies, rules and regulations to a higher officer, whose responsibility it is to take appropriate action. A staff member who makes such a report in good faith has the right to be protected against reprisals or sanctions.
- 4.6 Harassment in any shape or form is not acceptable and must be avoided. Staff members should not engage in any form of harassment and must endeavour to avoid any suspicion of it.
- 4.7 Staff members must not abuse their authority or use their power or position in a manner that is offensive, humiliating, embarrassing or intimidating to another person.

5. Conflict of interest and outside activities

- 5.1 Conflicts of interest includes circumstances in which staff members, directly or indirectly, would appear to benefit improperly, or allow a third party to benefit improperly, from their association in the management or the holding of a financial interest in an enterprise that engages in any business or transaction with the IOPC Funds.
- 5.2 The primary obligation of staff members is to devote their energies to the work of the IOPC Funds. It is therefore improper for staff members to engage, without prior authorisation by the Director, in any outside activity, whether remunerated or not, that interferes with that obligation or is incompatible with their status or conflicts with the interests of the IOPC Funds.
- 5.3 Staff members should avoid assisting private bodies or persons in their dealings with the IOPC Funds where this might lead to actual or perceived preferential treatment. This is particularly important in procurement matters or when appointing persons to work for the IOPC Funds.
- 5.4 Staff members should disclose in advance possible conflicts of interest that may arise in the course of carrying out their duties and seek advice from the Director on mitigation and remediation. Staff members should perform their official duties and conduct their personal affairs in a manner that preserves and enhances public confidence in their integrity and that of the IOPC Funds.
- 5.5 Staff members on leave, whether with or without pay, should bear in mind that they remain officials of the IOPC Funds and are still subject to the organisation's rules. They may, therefore, only accept employment, paid or unpaid, during their leave with prior authorisation by the Director.
- 5.6 Staff members are not expected to give up their national sentiments or their political or religious convictions, and they may exercise their right to vote. However, in view of the independence and impartiality which they must maintain, staff members should not participate in political activities such as standing for or holding local or national political office. This does not, however, preclude participation in local non-partisan community or civic activities or membership of a political party, provided that such participation is consistent with the Oath of loyalty. It is necessary for staff members to exercise discretion in their support for a political party or campaign, and they should not accept or solicit funds, write articles or make public speeches or make statements to the press on political issues. Staff members shall avoid any action, and in particular any kind of public pronouncement or political activity, which may adversely reflect on their position as international civil servants, at all times bearing in mind the reserve and tact incumbent upon them by reason of their international status. In case of doubt as to whether or not a certain activity is acceptable, the matter should be referred to the Director.

6. Gifts, honours and remuneration from outside sources

- 6.1 Staff members should not accept any gift, hospitality or consideration as an inducement or reward for doing, or not doing, anything in his or her official capacity, or showing favour or disfavour to any person in his/her official capacity.
- 6.2 To protect them from any appearance of impropriety, staff members must not accept, without authorisation from the Director, any honour, decoration, favour or gift or remuneration from any source external to the IOPC Funds, including governments and commercial firms.
- 6.3 Any gift or hospitality accepted by a staff member must be declared in writing to the Director.

7. Personal conduct

- 7.1 The private life of staff members is their own concern. There can be situations, however, when the behaviour of a staff member in his or her private life can reflect on the IOPC Funds. They must set themselves a high standard of personal conduct bearing in mind that their conduct and activities outside the workplace, even if unrelated to official duties, can compromise the image and the interests of the IOPC Funds. This can also result from the conduct of staff members' households, and it is the responsibility of staff members to make sure that their households are fully aware of this.
- 7.2 Any privileges and immunities accorded to the IOPC Funds are conferred in the interests of the Funds. No such privileges and immunities shall excuse staff members from the performance of their private legal or financial obligations or from the observance of laws and regulations otherwise applicable to them. Any incident giving rise to controversy on the applicability of any privilege or immunity shall immediately be reported by the staff member concerned to the Director, with whom alone it rests to decide whether such privilege or immunity shall be waived.
- 7.3 A conviction by a national court will usually, although not always, be persuasive evidence of the act for which the staff member was prosecuted. Acts that are generally recognised as offences by national criminal laws will normally be considered violations of the IOPC Funds Code of Conduct. However, the IOPC Funds remains free to take no account of convictions of staff members for trivial offences which are generally held not to reflect on integrity, or of convictions made without observance of the generally recognised requirements of due process of law.

8. Role of the Secretariat

- 8.1 The IOPC Funds are constituted by Member States and the joint Secretariat has the responsibility for administering the international regimes of liability and compensation for oil pollution damage. The Director is the legal representative and Chief Executive Officer of the IOPC Funds and is responsible for directing and controlling the work of the Secretariat. Accordingly, when submitting proposals or advocating positions before the governing bodies or outside the IOPC Funds, staff members are presenting the position of the Director, not that of an individual or unit.
- 8.2 In providing services to the governing bodies staff members should serve only the interests of the IOPC Funds. It would not be appropriate for staff members to prepare for government or other official representatives any speeches, arguments or proposals on questions under discussion. It could, however, be quite appropriate to provide factual information, technical advice or assistance with tasks such as the preparation of draft resolutions or to make proposals for editorial or linguistic amendments to documents to be presented by delegations, if this furthers the effective functioning of the IOPC Funds or the governing bodies.

9. Relations with Member States

- 9.1 It is the duty of all staff members to maintain the best possible relations with governments of Member States and avoid any action which might impair this. It is unacceptable for staff members, either individually or collectively, to criticise or try to discredit a government.
- 9.2 Staff members are not representatives of their countries, nor do they have authority to act as liaison agents between the IOPC Funds and their governments. The Director may, however, request a staff member to undertake such duties; a unique role for which loyalty to the IOPC Funds and integrity are essential.

10. Relations with the public

- 10.1 For an international organisation to function successfully, it must have the support of the public. All staff members therefore have a continuing responsibility to promote a better understanding of the objectives and work of the IOPC Funds. This requires them to be well informed and to provide information to the public within the scope of their authority.
- 10.2 There is a risk that on occasion staff members may be subject to criticism from outside the IOPC Funds; in keeping with their responsibility staff members should respond with tact and restraint. Staff members have the right to be defended by the IOPC Funds against criticism for actions taken in fulfilment of their duties.
- 10.3 It would be improper for staff members to air personal grievances or criticise the IOPC Funds in public; such behaviour would not be conducive to a positive image of the staff member and would not be compatible with the spirit of the Oath of loyalty.

11. Relations with the media

- 11.1 Openness and transparency in relations with the media are effective means of communicating the IOPC Funds' message. The Director, the Deputy Director/Head of the Claims Department, the Head of the Administration Department and/or any other staff member with delegated authority from them, may give press conferences and interviews and/or meet with individual journalists as appropriate. Other staff members are not permitted to disclose information to the media or give interviews unless specifically instructed to do so. The Director should be consulted in advance.
- 11.2 Staff members should regard themselves as speaking in the name of the IOPC Funds and avoid personal references and views and in no circumstances should they use the media to further their own interests, to air their own grievances, to reveal unauthorised information or to attempt to influence the IOPC Funds' policy decisions.
- 11.3 In major incidents it may be appropriate to engage a firm in the country concerned, specialised in media relations, to advise the Fund(s) in handling contacts with the media (e.g. in drafting press releases, monitoring the press and organising interviews and other contacts with the media).

12. Use and protection of information

- 12.1 The disclosure of confidential information may seriously jeopardise the efficiency and credibility of the IOPC Funds. Staff members are responsible for exercising the utmost discretion in all matters of official business and must not divulge confidential information without prior authorisation. They must not use to private advantage information which has not been made public and is known to them by virtue of their official position. These obligations do not cease upon separation from service.
- 12.2 The IOPC Funds' policy and instructions regarding the use and protection of confidential information must be strictly respected. However, this does not affect established practices governing the exchange of information between the Secretariat and Member States which ensures the fullest participation of Member States in the activities of the IOPC Funds.

13. Security and safety

- 13.1 While the Director must remain free to assign staff members in accordance with the exigencies of the service, it is the responsibility of the IOPC Funds to make sure that the health, wellbeing and lives of staff members will not be subject to undue risk, and staff members have the right to expect that measures will be taken to protect their safety and that of their family members. On the other hand, it is incumbent on staff members to respect all instructions issued to protect their safety.

14. Misconduct and disciplinary measures

- 14.1 Violations of any of the standards of conduct set out above may be subject to disciplinary action.

SIGNED

Gaute Sivertsen
Director
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