



Position Specification



General Counsel

January 2018

Introduction

This specification should be read in conjunction with information on the Global Fund's website at: <http://www.theglobalfund.org>

The Global Fund intends to appoint a new General Counsel. This person will be a solutions-oriented leader of the legal function and a fully engaged member of the Executive Management Committee of the Fund's Secretariat.

The Global Fund supports implementing partners as they deliver highly complex programs in resource-constrained settings. In its General Counsel, it requires someone who is professionally accomplished, appropriately independent, and committed to the successful delivery of the Global Fund's mission. Achieving this combination will require an exceptional person. S/He will be able to operate as an advisor at the most senior levels of governance and to manage an operationally focussed legal team, on the support of which colleagues across the Secretariat can rely.

The Global Fund

Background

The Global Fund is a 21st-century financing institution and partnership organization designed to accelerate the end of AIDS, tuberculosis and malaria as epidemics. Its mission is to attract, leverage and invest additional resources to end the three epidemics and to support attainment of the SDGs. The Global Fund is agile, responsive and committed to serving affected communities, putting implementing countries in the lead to deliver healthier, productive and stable families, communities and nations. Since its inception in 2002, the Global Fund has saved more than 20 million lives through its innovative partnerships and has disbursed more than US\$30 billion to support programs in more than 150 countries. Programs supported by the Global Fund have provided antiretroviral therapy for HIV for 9.2 million people, anti-tuberculosis treatment for 15.1 million people and 659 million long lasting insecticidal nets for the prevention of malaria.

The Global Fund's Strategy 2017-2022: *Investing to End Epidemics*

The Global Fund's 2017-2022 strategy, *Investing to End Epidemics*, is to invest for maximum impact, supporting the implementation of programs in the most effective way possible. It is aligned fully with partner plans and with the SDGs, and will contribute to the 2030 agenda. It outlines a bold agenda for the six-year period, 2017-2022. It is based on an ambitious vision, mission, and four strategic objectives, which are each underpinned by a number of sub-objectives and supported by two strategic enablers. The core objectives of the Global Fund 2017-2022 Strategy are:

1. **Maximizing the impact of investments for HIV, TB and malaria** requires differentiated approaches for diverse country contexts, increased alignment, and planning for sustainability of programs. Countries must be supported to implement and sustain impactful programs targeting the three diseases from both a programmatic and financial perspective over the

longer term. Successful implementation of this strategy will contribute to progress in the fight against the three diseases aligned with the UNAIDS Fast Track Strategy, the End TB Strategy, and the Global Technical Strategy for Malaria; and to the achievement of the Sustainable Development Goals.

2. **Building resilient and sustainable systems for health** are crucial to ensuring that people have access to effective, efficient, and accessible services through well-functioning and responsive health and community systems. The existence of strong systems for health is essential to making progress against HIV, TB and malaria, and to ensuring that countries can address the varied health challenges they face from reproductive, men's, women's, children's, and adolescent health, to global health security threats, to non-communicable diseases.
3. **Human rights barriers**, stigma and discrimination undermine an effective response to the three diseases. Promoting and protecting human rights is essential to ensure that countries can control their epidemics, scale up where needed, and sustain their gains. **Addressing gender inequality** is essential as it drives increases in infection rates, and contributes to differential access to health services for men, women and transgender people. Gender inequality reduces the ability of women and girls to protect and keep themselves healthy, and access social services like education.
4. **Mobilizing increased resources** is required for successful scale-up of the response to the three diseases. According to the global technical strategies against HIV, TB and malaria, the global health community must front load investments during the next strategy period to maintain the gains made to date and accelerate progress.

Through this strategy, the Global Fund will contribute to the 2030 agenda including the principle of shared responsibility, the approach of inclusive, multi-sectoral participation, and the priorities as outlined in the SDG goals. In particular, financing provided through the Global Fund will be a major contributor to enabling countries to meet Goal 3 and the associated target that seeks to end the epidemics of AIDS, TB, and malaria by 2030.

Global Fund Principles

The work of the Global Fund is based upon four principles – partnership, country-ownership, performance based financing and transparency – empowering implementers to lead the response to the three diseases, supported by a diverse range of partners in the health sector. The Global Fund plays a critically important role, and it is imperative that funding is invested for maximum impact, supporting the implementation of programs in the most effective way possible.

The Role

Job Title	General Counsel
Grade Level	F
Contract Type	Open
Reporting to	Executive Director
Division	Legal Department
Department	Legal Department

Introduction

The General Counsel is a senior strategic adviser and counselor to key decision makers at the Secretariat, OIG and Board. As the General Counsel of the Global Fund, the incumbent is responsible for the provision of legal services to stakeholders within the organization, including its grant management operations and leadership of the Legal Department staff.

The Legal Department’s objective is to provide solution-oriented legal advice and services to the Executive Director, Global Fund Divisions/Departments, the Board and the Office of the Inspector General to fully support the mission of the organization. The General Counsel and Legal Department staff will achieve this by placing a strong emphasis on relationship management and partnership with all stakeholders and ensuring the services provided are collaborative, independent, legally correct, solution-orientated, authoritative and timely.

The staff of the Legal Department must adhere to the highest standards of professional ethics and integrity. As General Counsel, the incumbent ensures that the Legal Department meets this standard, cooperating with stakeholders and colleagues to ensure compliance of proposed activities with applicable national and international laws, Board mandates, and contractual obligations, promoting effective legal risk management, assisting in ensuring that the Global Fund’s rights and assets are properly protected and cooperating with other Global Fund Divisions and Departments to facilitate innovative and appropriate approaches and solutions.

The duties of the General Counsel are broad-ranging and complex in nature and the incumbent will need to be prepared to adapt and respond quickly and effectively to new demands on his/her expertise and experience.

The General Counsel will manage a team of about 15-20 staff and will have strong leadership qualities and will act as a role model to the rest of the Legal Department.

Key Responsibilities

Reporting to the Executive Director (ED) the incumbent will closely collaborate with his/her peers and provide technical expertise, leadership and management as follows:

- Provide the ED and Management with strategic advice and recommendations on the management of legal risks arising in the Global Fund’s operations and in potential new initiatives, the legal status and privileges and immunities of the organization and its staff, and other legal matters;

- Advise the Board, Board Committees and other bodies of the Global Fund on legal matters as necessary; review and revise proposed decisions of the Board; review and advise in relation to Board and Board Committee papers and reports;
- Build strong, collaborative and effective relationships primarily with peers, but also with other key internal and external stakeholders and leverage this to navigate workplace conflicts;
- Manage legal risks as well as oversee legal advice and counsel for grant management operations;
- Assist internal stakeholders in ensuring compliance of proposed activities with applicable national and international laws, Board mandates and contractual obligations;
- Advise on the application and interpretation of the Bylaws, Board Operating Procedures, and other instruments of the Global Fund and on the application and interpretation of the decisions of the Board of the Global Fund;
- Advise and assist in the negotiation and drafting of agreements, contracts and memoranda of understanding to be entered into by the Global Fund;
- Advise senior and executive management on complex and sensitive issues relating to the activities of the organization;
- Advise on administrative and financial rules and procedures, and on legal correspondence;
- Advise on legal aspects of employment and human resources policies and regulations, including the application and amendment of the Employee Handbook, Regulations and Policies and on disputes related thereto, and where appropriate, represent the Global Fund in mediations and disputes involving Secretariat employees;
- Advise on and lead prosecution or defence of claims by or against the Global Fund, including arranging representation before tribunals and other bodies;
- Represent the Global Fund before regulatory authorities, where applicable;
- Provide legal advice to the Global Fund Ethics Officer as appropriate;
- Represent the Global Fund in international meetings and liaise with representatives of member states, international organizations and other entities on legal matters;
- Advise on the development and adherence to internal operational and decision-making processes, including relevant documentation;
- Advise on the development and adherence to internal operational and decision-making processes, including relevant documentation; and
- Advise on procurement arrangements, advising on compliance with applicable law and internal policies/regulations, and identifying and addressing legal risks.

In providing leadership of the Legal Department the incumbent will:

- Lead the communication of Global Fund Mission, Vision and Values, connecting them with department priorities to make them personal and inspiring to others;
- Drive the department objectives, strategy and planning processes;

- Create a strategic vision and the right culture and environment to inspire others to succeed by drawing the best out of staff and empowering them;
- Provide technical leadership to staff, ensuring the attainment of expected outcomes;
- Manage the budgetary resources based on agreed needs and priorities;
- Oversee, co-ordinate and monitor the work of the department to ensure cost effectiveness and performance against results;
- Behave constructively during difficult times, addressing employee concerns supportively, and encouraging constructive discussion; and
- Have an inclusive approach and invite input, share ownership where possible and motivate staff by making them feel valued for their contribution and drive staff skills development.

As a member of the Executive Management Committee (MEC) the General Counsel is expected to:

- Role-model the values of the organization and take an active role in strengthening the organizational culture;
- Actively participate in rapid and effective decision-making in a collaborative manner;
- Demonstrate thought-leadership by determining and skillfully convincing others to take a course of action at department and organizational level;
- Ensure organizational coherence, coordination, cooperation and effective communication by working with MEC colleagues to agree, articulate and communicate the performance goals and strategic direction of the organization;
- Effectively handle risk, uncertainty, ambiguity and change, whilst continuing to lead with confidence and resilience; and
- Think globally and broadly and have wide interest in how the Global Fund works.

Subject to change by the Executive Director at any time at their sole discretion.

Key Internal Relationships

- Management Executive Committee Members and predominantly the Head of Grant Management and CFO, CRO and Ethics Officer;
- Board of Affairs;
- The Board of the Global Fund; and
- Inspector General

Key External Relationships

- Legal bodies and institutions; and
- Regulatory Authorities

Candidate Profile

Qualifications

Essential:

- Advanced university degree in Law.
- Admission to the bar or other lawyer association in at least one jurisdiction.

Experience

Essential:

- At least 12 – 15 years of relevant experience;
- Relevant experience in an international financing institution and experience in international law;
- Broad experience at General Counsel level, including governance, transactions, human resources, contracting, litigation, real estate, ethics, finance, investigations/audit, strategy development and public international law experience required;
- Sound knowledge of international public law, as well as the general principles of finance, administrative and commercial law, and of legal structures, texts and principles;
- Experience in managing the delivery of complex legal services;
- Experience of managing staff from diverse backgrounds;
- Has a successful track record in negotiation and influencing within complex and challenging environments.

Desirable:

- Knowledge and experience with multilateral, intergovernmental, public-private, non-governmental or private institutions;
- Knowledge of legal policies/practices of non-government and private institutions;
- Working and managing in multi-stakeholder organizations or environments, with in-house experience, as well as private law firm practice;
- Knowledge or experience at management level in health or international development;
- Knowledge of the 3 pandemics: AIDS/HIV, TB and Malaria.

Competencies

The Global Fund has a “[core competency framework](#)” the elements of which are outlined below. The selected candidate would be expected to demonstrate adequate levels across all 5 core competencies. In addition, there are a number of technical competencies which are requisite in the General Counsel.

Languages:

An excellent knowledge of English and preferably a good working knowledge of French or one of the following: Arabic, Chinese, Russian, and Spanish. Knowledge of other languages would be an asset.

Technical Competencies:

- Leadership and management capabilities leading diverse teams in relevant areas;
- Strong ability to work effectively at all levels of complexity;
- Advocacy with ability to bring credibility in leadership of the Global Fund at the highest levels;
- Sound judgement with ability to provide high-quality legal advice and identify alternatives or options in planning and decision making;
- Outstanding interpersonal skills including negotiation skills;
- Tact, diplomacy and discretion in dealing with sensitive issues;
- Excellent communication skills in legal writing and presentation of legal matters.

Core Competencies:

- Working with Others: Builds effective internal and external relationships and partnerships, involves others collaboratively to solve problems and treats others with consideration and respect;
- People Leadership: Effectively motivates, influences and develops others, drives high performance, inspires people to follow and acts as a role model;
- Project Management: Able to organize and track progress for self and others, to structure and manage process, plans, stakeholders, budgets and resources to achieve scope, quality, cost and time goals efficiently; to remain effective and resourceful when priorities and demands change;
- Personal Effectiveness: Proactively finds innovative and creative solutions, is decisive, resilient and acts with integrity;
- Core Expertise: Passion for building and developing core skills for the role and contributes knowledge outside of their immediate role;
- Global Fund Mind-set: Passionate about the Global Fund's mission, contributes to the good of the institution, and exercises sound judgment to identify, then correctly balance and manage impact with risk mitigation.

Location

The General Counsel will be based at the Global Fund's Secretariat in Geneva.

The working language of the Global Fund is English, with many other languages spoken.

How to apply

To apply, please send a full CV together with a supporting statement, briefly highlighting your experience and skills against the requirements of the role, to responses@russellreynolds.com including the reference number 1712-028L and job role in the subject title. All applications will be acknowledged.

The closing date for the receipt of applications is **9 February 2018**.

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