

<b><i>Comité des Pêches du Centre Ouest du Golfe de Guinée (CPCO)</i></b>		<b><i>Fisheries Committee for the West Central Gulf of Guinea (FCWC)</i></b>
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**FCWC SECRETARIAT STRUCTURE AND MECHANISMS  
FOR A DURABLE FINANCING CLIMATE FOR THE SECRETARIAT**

## Summary

This Report is in response to the Resolution taken by the Conference of Ministers of the Fishery Committee for the West Central Gulf of Guinea (FCWC) at its Meeting in Cotonou, Benin in November 2007, directing that a study be undertaken to provide the Organization's Secretariat a coherent organigramme and mechanisms for ensuring durable financing climate for the Secretariat.

The secretariat structure provides a framework for the hierarchy, or vertical structure, of the organization. The organizational chart (organigramme) is the visual representation of this vertical structure. The purpose of the organizational chart is to show how responsibility is divided among sections of the secretariat and the formal lines of reporting and communication. Through an analysis of several factors that are known to affect the design and structures of regional fisheries organizations' secretariats, and by identifying possible technical units and human resources needs of FCWC over the next 10 years including the profile, remuneration system and mechanisms for recruiting personnel of FCWC, the Report presents two possible coherent, lightweight, cost-effective secretariat structures for FCWC: one at its Youth Period and the other at the end of its midlife, just before maturity. The Report provides justification for adopting an evolutionary, flexible and process approach in elaborating the secretariat structure and why in our view the Committee could attain maturity within a relatively short period of 10 to 12 years. Proposed Staff Regulations and salary scale for employees of FCWC, based on common practices within the region, are provided as part of the report.

The second part of the Report outlines the fundamental principles inherent in sourcing funding for regional fisheries organizations; succinctly describes a realistic approach the Committee could adopt to ensure contributions are based on the economic benefits derived from the fishery and details the key factors that might impact the scale of contribution (each Member's contribution) and in principle the indicative budget of the Organization. The Report presents a list of aggressive fund raising strategies (Resource Mobilization Strategy) for ensuring a durable financial climate for the Secretariat. The importance of recruiting a competent financial and administrative officer to monitor the budget and financial transactions of the Committee and provide internal oversight, etc is emphasized. Draft Financial Regulations, the need to appoint an Auditor General and suggestions on matters of monitoring and control to ensure effective financial administration and the exercise of economy in the use of funds are also provided.

## I. Introduction

1. A Conference of Plenipotentiaries, which met in Cotonou, Benin, from 5 to 7 November 2007, adopted the Convention establishing the Fishery Committee for the West Central Gulf of Guinea (FCWC)<sup>1</sup>. Pursuant to Article 16, the Convention entered into force on 7 December 2007, thirty days after the fourth signature.

2. At that same Meeting the Conference of Ministers recommended that a study be undertaken to provide the Organization's Secretariat a coherent organigramme/organizational structure as well as

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<sup>1</sup> It should be noted that by Ministerial Declaration of 18 July 2006, at Abidjan, Cote d'Ivoire it had been agreed in principle to the creation of the sub regional fisheries arrangement.

propose appropriate financial mechanisms for the Organization. The present Report responds to the Ministers' resolution and recommendation. The Terms of Reference are provided in Annex 1.

## **PART A. WORKING TOWARDS A COHERENT ORGANIZATIONAL STRUCTURE**

### **II. Definition of and Importance of Coherent Secretariat Structure for Regional Fisheries Organizations**

3. In order to better address conservation and management issues within well defined marine ecosystems and achieve sustainable fisheries development, States and entities have over the years established regional and sub-regional fisheries arrangements/organizations sometimes called Committees or Commissions within their areas of competence. Regional fisheries organizations are institutions<sup>2</sup>, that is, structures and mechanisms of social and technical order to foster cooperation in the governance of fishery resources management and utilization.

4. A pivotal unit in all regional fisheries organizations is the "Secretariat" which is generally housed in the headquarters of the organization. Like all other institutions, regional fisheries organizations and in particular the design, organizational structure and functions of the secretariat are expected to evolve with time taking into account emerging issues and incorporating the principles and provisions of newly developed international instruments and tools, as appropriate to each circumstance. This is why regional fisheries organizations are encouraged to, and several indeed do, review and strengthen their mandates and structures from time to time.

5. Fundamentally the design and structure of the secretariats are affected by several factors; some of the factors are external and others are internal to the organization. The external factors include political, social, technological, environment-wide and economic stimuli outside of the direct control of the organization; while the internal factors relate to the organization's management policies and styles, systems, and procedures, as well as employees and Members' attitudes, all factors that the concerned organization can control if it really wishes to do so.

6. The secretariat structure of a regional fisheries organization is defined by its configuration and interrelationships of positions and units/departments and thus refers to:

- The set of formal tasks assigned to individuals and units/departments
- The formal reporting relationships, including lines of authority, decision responsibility, number of hierarchical levels, and span of managerial control, and
- The design of systems to ensure effective coordination of employees across departments.

7. The Secretariat structure helps to determine how well its employees' make decisions, but it also reflects how well they respond to problems. These responses over time can make or break the organizations. In addition, the structure influences employee's attitudes towards their work. A suitable secretariat structure can minimize costs, as well as maximize the secretariat's efficiency, which increases its ability to respond to the demands of its Members so that the organization effectively contributes to the sustainable development of the fisheries resources covered by its mandate.

8. In summary the secretariat structure provides a framework for the hierarchy, or vertical structure, of the regional fisheries organization. An organizational chart (organigramme) is the visual representation

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<sup>2</sup> The term institution is commonly applied to customs and behavior patterns important to a society as well as to particular formal organizations of government and public service; or regularized practices (or patterns of behaviour) structured by rules and norms of society.

of this vertical structure. The purpose of the organizational chart is to show how responsibility is divided among sections of the secretariat and the formal lines of reporting and communication – or chain of command. Each box depicts an area of management responsibility. The secretariat structure of FCWC would therefore be expected to reflect the Organization’s efforts to respond to changes, integrate new elements, ensure collaboration, and allow flexibility as it takes decisions and implement them to facilitate Members’ efforts in ensuring the sustainable development of fisheries in the committee’s area of competence.

### III. Factors affecting the design and secretariat structures of Regional Fisheries Organizations

9. A number of factors affect the design and structure of secretariats of regional fisheries organizations. They include: the size of the organization, organizational life cycle, strategies adopted by the organization, environment, technology, approach and methods of providing advice and recommendations to the Management Body of the organization, human resource needs as well as other factors (funding, attitude of members, interaction between the secretariat and members, etc).

10. (i) Size of the Organization: The larger an organization becomes, the more complicated its structure. When an organization is small, not only in terms of area covered but in resources (both human and financial) and activities, its structure can be simple. In reality, if the organization is very small, it may not even have a formal secretariat structure. As an organization grows, however, it becomes increasingly difficult to manage and several regional fisheries organizations have found that to remain effective and relevant in responding to Members’ aspirations and demands, more formal work assignments and some delegation of authority to their Secretariats or their staff becomes essential. The structure that develops over time generally permits the organization to operate effectively.

11. (ii). Organizational life cycle: Regional fisheries organizations, like humans, tend to progress through stages known as a life cycle. Like humans most fisheries organizations go through the following four stages: birth<sup>3</sup>, youth, midlife<sup>4</sup>, and maturity. A stage is a clearly distinguishable period in the process; and each stage has characteristics that have implications for improving on the structure, performance and even ensuring the continued existence of the organization. These stages are depicted in Figure 1 and some of the major characteristics are summarized in Table



1.

Figure 1 Phases of the Life cycle of regional fisheries organizations

12. Not all regional fisheries organizations evolve linearly through the four stages. This depends on the dynamism and the potentials of each organization. In some cases an organization may skip a stage or fuse two stages or the boundary between them may not be perceptible. A good example is the Western Central Pacific Fisheries Commission (WCPFC) which is only about 5 years old but is already approaching maturity because of the excellent pre-establishment work undertaken with regards discussing and virtually agreeing on several appropriate systems and practices (Host country agreement, Staff

<sup>3</sup> This is also referred to as Start-up, Establishment, Initial, Formative, or Pioneering stage.

<sup>4</sup> In some cases the youth and midlife stages are combined and referred to as the Growth stage.

Regulations, Financial Regulations, etc) over 8 years of dedicated discussions spread through working groups, task forces and conferences during the Convention negotiating period. However, some fisheries organizations have virtually remained moribund at birth or at the youth stage, existing only in name but not legally and/or with very little products to justify their existence. In other cases the organizations have disappeared or have been abolished.

13. The length of time in each stage cannot be defined a priori with certainty because this is affected by such factors as degree of partnership and collective action within the organization, the political commitment by its Members, the quality of secretariat staff, funding, etc.

14. As the life cycle concept implies, a relationship exists between an organization's size and age. As organizations age, they tend to get larger; thus, the structural changes a fisheries organization experiences as it gets larger and the changes it experiences as it progresses through the life cycle are parallel. In principle two things are possible (i) the older the organization and the larger the organization, the greater it's need for more structure, more sophistication of tasks, and more rules; (ii) the older and larger an organization becomes, the greater the likelihood is that it will move from an organic structure to a mechanistic structure<sup>5</sup>. However, experience has shown that because of the dynamic nature of fisheries and the volatile environment in which regional fisheries organizations operate many of them still maintain organic structures. Examples of such organizations include the General Fisheries Commission for the Mediterranean (GFCM), the Sub Regional Fisheries Commission (SRFC) as well as the International Commission for the Conservation of the Atlantic Tunas (ICCAT)

Table 1. Some major characteristics of development phases of regional fisheries organizations

Phases	Characteristics
Start-up, Initial	Much of the activities are reactive rather than pro-active; the organization is seen as a large family with personal relations being crucial to success. There are few standardized procedures or methods, minimal forward planning and little or no formal management development. After a time members begin to question the validity of the organization and there is call for change. Forward looking organizations initiate processes to put in place systems and procedures and establish good formal communication systems that operate in a number of different forms and permit them to go into the next phase quickly.
Youth	This phase is usually marked by the introduction of systems and procedures. The organization begins to take on a life of its own, even if key people leave, the organization will still continue to function properly. Management has a clearly defined hierarchy, responsibility and authority is vested in Secretariat and other senior staff, with specialists acting in advisory roles; staff strength

<sup>5</sup> In organic systems, the situations are unstable and workers perform their job in light of their knowledge of the tasks of the organization as a whole. Job roles are redefined continuously through interactions with Management and the Secretariat speaking on behalf of the staff. Communication occurs laterally through hierarchical structures. In mechanistic systems the environments tend to be stable, efficiency and predictability is emphasized through specialization, standardization, and formalization. This results in rigidly defined jobs, technologies and processes and there are vertical hierarchies of command.

	increases; organization elaborates long-term programmes or action plans. As things tend to move well the organization will expand and where members are proactive and dynamic the organization will move into the next phase. All organizational change seems to be triggered by events. In some organizations the events may result in crisis but in many they remain just events. The key signs include breakdown of staff/line system, lower productivity, low cash flow (members' contributions), higher labour/staff turn-over, slow reaction to external factors, etc.
Midlife	Systematic approaches are applied where appropriate; procedures and standards are reviewed, trust is based on personal relations and professionalism is highly respected. There is greater specialization of staff, there is good teamwork, systematic approach to planning and controlling, strategic plan initiated in the Youth period is fully developed.
Maturity	This is only a perceived stage because regional fisheries organizations are considered to continue to grow as demands of their members change and demands of the international community become even greater. However at this perceived stage, the consciousness of those in the organization extends both upstream and downstream in the value chain, there is a breadth of view, recognition of network, teamwork tends to significantly extend beyond the boundaries of the organization, and there is systematic approach to planning and controlling that includes both upstream and downstream activities.

15. (iii) Strategy: How a regional fisheries organization positions itself to effectively respond to changes is considered its strategy. In other words it is the means by which an organization intends to accomplish a goal or objective. It summarizes a pattern across policies, programmes, projects, actions, decisions, and resource allocations. Some regional fisheries organizations fulfill exclusively advisory functions. In this case the secretariat structure will be fashioned to meet this objective. In many cases, especially organizations established after the entering into force of the United Nations Convention on the Law of the Sea (UNCLOS), they are management bodies or a combination of advisory and management. Such organizations tend to have secretariat structures that help them attain both their advisory and management functions.

16. (iv) Environment: The environment is the world in which the fisheries organization operates, and includes conditions that influence the organization such as economic, social-cultural, legal- political, technological, and natural environmental conditions. Environments are often described as stable or dynamic. However, fisheries organizations often operate in dynamic environments with emerging issues and pressures from international community affecting the way they operate. Because they operate in volatile and frequently changing environments an organic structure seems to provide the greatest benefits, as the structure allows them to respond to environment change more proactively.

17. (v). Technology: Advances in technology have also influenced the secretariat structure of regional fisheries organizations. The right combination of structure and technology are critical to success; and improvements in technology have generally resulted in greater efficiency and lower costs to these organizations. For example with advances in information technology there are possibilities for better communication between Members, greater possibilities in the management and transformation of information to management advice and recommendations, improvements in monitoring, control and surveillance, etc. Improvement in technology also mean staff strength in some areas can be reduced.

18. (vi). Organizational Approach: Regional fisheries organizations have five choices to make, in terms of the approach to adopt in the design of their secretariat structure, that is, on how to group people together to perform their work. The five common approaches are: functional, divisional, matrix, team and networking. The functional structure groups positions into work based on similar activities, skills, expertise, and resources. In a divisional structure departments are divided according to their outputs (geographical regions, products, services). Matrix structure combines functional specialization with the focus of divisional structure, and thus attempts to use permanent cross-functional teams to integrate functions with a divisional focus. The Team Structure organizes separate functions into a group based on one overall objective (resources, policy and planning, technology and information); while the Network structure relies on other organizations for example consultants or specialists to perform critical or specific functions on a contractual basis.

19. Of the five structures, regional fisheries organizations have not for obvious reasons used the matrix approach but have tended to use a combination of the others with a preferred combination of the functional, divisional and network structures in the design of their secretariats. The functional approach is favored because it is simple; it has well defined channels of communication and authority/responsibility relationships. It also permits the organization to improve productivity by minimizing duplication of personnel and equipment, and affords to employees comfortable and simplified capacity-building processes. The divisional approach fits naturally into the outputs of several regional fisheries organizations. However, even under the best of conditions, using the functional or any other approach, regional fisheries organizations have found that overhead costs are reduced, and better informed reports and products are obtained on critical and specific issues by contracting such activities. As such network approach is commonly used because it provides flexibility, keeps staff size small and operational and overhead costs can be reduced. The combination of the three approaches (functional, divisional and networking) would give the secretariat a coherent and efficient structure to respond in a cost-effective manner to demands by its members.

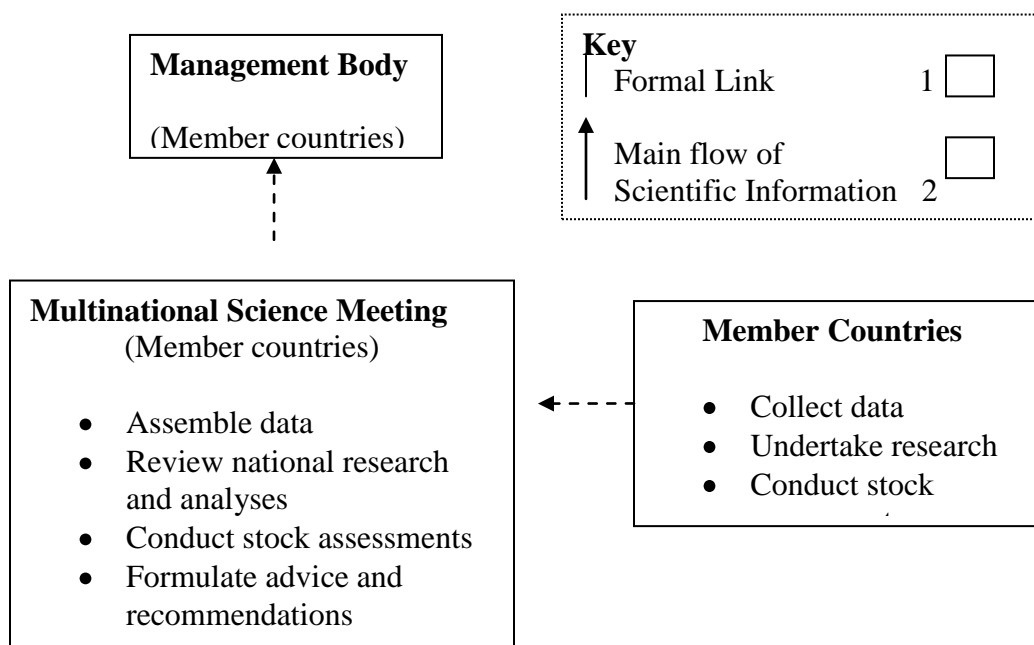
20. (vii). Preferred method for providing advice and recommendations to Management body: Regional fisheries organizations tend to use a standard management procedure in obtaining and utilizing scientific information and advice. It consists simply of a two-tiered structure: a science arrangement providing advice to a fishery management body. The science arrangement relies upon scientists and technical experts to analyze information and to suggest or recommend management options. The adoption of such recommendations is left to the management body which is composed of member Nations and entities as the case may be.

21. There are, however, significant variations in how science arrangements provide management bodies (and nations) with scientific advice. There are two fundamental approaches. One approach is for a “science secretariat” to provide the advice. This means the arrangement has a fully staffed secretariat in terms of numbers and discipline with the required critical mass to study the different subjects, analyze and produce reports and recommendations as appropriate for its Members. This is the approach that was used by the Fishery Committee for Eastern Central Atlantic (CECAF) in its early years when the Committee had the so-called CECAF Project. The International Pacific Halibut Commission (IPHC) and Inter-American Tropical Tuna Commissions (IATTC) are examples of fisheries organizations with science secretariats.

22. The alternative is a “multinational approach” where national scientists meet to develop scientific advice for the management body. The multinational approach relies on national scientists conducting fishery science (research), and its activities are usually facilitated and supported by an “administrative

secretariat". Such facilitation and administrative support by the Secretariat could take the form of organizing meetings of national scientists and technicians to coordinate research and present scientific advice and associated recommendations to the management body, organize meetings of task forces and working groups, and disseminate information, etc. as well as coordinate activities of a regional nature.

23. The graphic representation of the structure (and functions) of the multinational approach to providing scientific advice to the Management Body is shown in Figure 2.



*Note 1 = Science and 2 = Fishery management*

Figure 2 the structure and functions of the multinational approach to providing scientific advice for regional fishery arrangements.

24. Over 75 percent of existing international fisheries arrangements, for example CECAF, ICCAT, the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), has adopted multinational approaches for providing scientific and management advice. The apparent preference for multinational approaches in international arrangements does not necessarily reflect some inherent weakness in science secretariats. It is more that the preponderance of multinational approaches is the result of nations opting for an approach that has low up-front costs and secures their involvement in the fishery's science and management. However an important consideration in such arrangements is the need to balance national interests, such as the need to participate in assessments, against the wider interest of resource management, for example ensuring that management decisions are based on unbiased scientific advice.

25. A third approach that is also used by some regional fisheries organizations is the so called "purchaser-service provider approach" where the management body contracts organizations and private consultants to provide specific science advice. In this case the Secretariat would provide mainly administrative support. Under this arrangement the International Council for the Exploration of the Sea (ICES) the first regional fisheries organization created in 1912 provides scientific advice and



management recommendations to its member Governments for example Canada, United Kingdom, United States of America, Norway, Russia, etc and the European Community and to international regulatory commissions including the International Baltic Sea Fisheries Commission (IBSFC), North Atlantic Salmon Commission (NASCO, and the North East Atlantic Fisheries Commission (NEAFC) for the protection of the marine environment and fishery conservation.

26. The source of staff is therefore the key feature used to distinguish, a science secretariat (independent scientific staff) from multinational approach (national scientists serviced by an administrative secretariat) or the purchaser-service provider approach (firms and consultants). This feature also has implications on the numerical strength and the operating costs of the secretariat.

27. Based on Articles 9 and 10 of the Convention of the Fishery Committee for the West Central Gulf of Guinea it is clear that the Committee has opted for a “multinational approach” where national scientists (Advisory and Coordinating Committee) meet to develop scientific advice for the management body (Conference of Ministers). This implies that the Secretariat as provided for in Article 12 of the Convention, among other things, facilitates and provides administrative support to the work of the Advisory and Coordinating Committee (ACC) and would undertake only limited scientific work although a priori it is not expected to undertake the scientific work of the Committee.

28. (viii). Working methodology adopted by the Organization: Closely linked to the way science advice and recommendations are provided to the Management Body, is the working methodology preferred by the Organization. For organizations that utilize the “Multinational approach” they rely for much of the input to their decisions on the work of “Working Groups or Working Parties” to provide the basic information on which a Committee (Scientific Committee, Advisory and Coordinating Committee, etc) may analyze or validate to make recommendations or give advice. Working Parties/Groups are subsidiary bodies established by the Committee or Commission for specific purposes. The primary purpose of the Working Parties is to analyze in more detail, technical problems related to the management goals of the organization. They could be permanent or they could be ad hoc that is with sunset clause. Ad hoc working parties are usually used to address administrative and institutional issues. The Indian Ocean Tuna Commission (IOTC) has over ten Permanent or Standing Working Parties to address matters related to different species of tuna, while the General Fisheries Commission for the Mediterranean (GFCM) has about 12 permanent working groups together with five Sub Committees on different disciplines.

29. In the case of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in addition to Working Groups the Commission has four Panels, each responsible for keeping under review the species, groups of species, or geographic area under its purview, and for collecting scientific and other information relating thereto. Based on investigations from ICCAT Standing Committee on Research and Statistics, each of the Panels may propose to the Commission recommendations for joint action by the Contracting Parties of ICCAT. Thus whereas in other regional fisheries organizations advice and recommendations for management emanate from the Scientific Committee, in the case of ICCAT it is provided by Panels. It is strongly recommended that FCWC establish working groups to facilitate the work of the Secretariat and to add value to the work of the Advisory and Coordinating Committee.

30. (ix). Human Resources (Staff): Staff or human resources constitute the most important asset for success of regional fisheries organizations. The number but more important the quality in terms of knowledge and competency of the employees add direct value to both the output and services of these organizations. The numerical strength of the secretariat of several regional fisheries organizations ranges from as little as 3 to slightly over 20. Personnel cost could account for or consume over 70 percent of the budget of some organizations. All regional fisheries organizations have at least a

Secretary (Secretary General, Permanent Secretary, Executive Secretary, Executive Director, or just Secretary as is the case with FAO regional fishery bodies) plus at least one or two other staff – a Clerical staff and perhaps a biologist. In other organizations, depending on a number of factors, the staff strength can be extremely large<sup>6</sup>. The Western Central Pacific Fisheries Commission has about sixteen staff, 65 percent of which are scientists and professional staff and the rest support staff. ICCAT also has staff strength of about 20, whereas the Indian Ocean Tuna Commission (IOTC) has a very lean staff of four professionals including the Executive Secretary and six support personnel. Many FAO regional fishery bodies theoretically have only a Secretary but such organizations generally have one or two technical secretaries responsible for facilitating back-stopping from FAO Fisheries Department and other departments of the Organization in particular the Legal Office for the activities of the regional fishery body, as appropriate.

31. With a view to achieve higher levels of staff performance and employee satisfaction on a systematic and sustainable basis, many regional fisheries organizations strive to put in place a comprehensive framework of human resource systems and tools. This involves developing appropriate strategies, policies, and practices including robust staff regulations to ensure a workforce that is balanced in numbers of staff, qualifications and placement. Working to establish links between human resources and fisheries organization's strategic plan<sup>7</sup>, goals, and objectives is another issue that is absorbing the attention of these organizations; because experience has shown that focusing only on the human resources and its other policies and administrative structures and practices without explicitly linking them to the organization's vision/strategy is wasteful. Fisheries organizations are encouraged to ensure they have at some stage of their life cycle, the early the better, a Strategic Plan or at least an Action Plan.

32. (x). Other reasons: Institution building (putting in place a functional secretariat) for regional fisheries organizations is a long-term and costly process and is known to take as many 10 to 15 years or more. Until recently many regional fisheries organizations have not been very effective or have not attained maturity to accomplish their objectives because of several factors including: the lack of funding, a complaisant attitude and lack of commitment by some members, poor participation and low attendance at meetings, inadequate implementation of recommendations, problems of communication and inadequate interaction between the secretariats and members, and in some cases irregular meetings of the Council/Conference of Ministers or the competent management body, the delays in signing headquarters agreement by host countries or even the absence of an agreement, lack of competent and experienced staff at the Secretariat, etc. These factors have directly or indirectly affected the secretariat structures of the organizations.

#### **IV. Identifying Coherent Options for the Secretariat Structure of FCWC**

33. On the basis of the above considerations regional fisheries organizations have put in place a variety of organigramme to respond to their objectives. Some of them are quite elaborate but others are very simple, while some do not even have an organigramme. The question is what type of organigramme will best meet the needs of FCWC, now and in the future?

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<sup>6</sup> In the case of ICES its work involves over 1600 scientists from 20 countries around the North Atlantic and beyond.

<sup>7</sup> Strategic Planning is a systematic, formally documented process to produce fundamental decisions and actions that shape and guide what an organization is, what it will do, how it will do it and why it will do it in order to thrive over the next few years, usually 10 to 15 year. It thus aims at creating a desired future for the organization. The process results in the preparation of a Strategic Plan, a set of statements describing the purpose and ethical conduct for an organization together with specific strategies designed to achieve the targets set for each of these.

34. Mindful of the important role the Fishery Committee for the West Central Gulf of Guinea is expected to play in the sustainable development of fisheries in its geographical area of competence, as defined in Articles 1, 2, 3 and 5 of the Convention, the organizational structure of the Secretariat should while taking into account the factors described under section III above, embody the principles of transparency, inclusiveness, collaboration, accountability and complementarity with existing regional fisheries organizations and arrangements in the Region. In addition the structure should be simple, efficient and practical as well as cost-effective.

35. In view of the nature of the fishery resources in the region, FCWC is expected to fulfill both advisory and management functions. The activities of regional fisheries organizations are usually incremental (both in nature and output) beginning with issues that are of advisory nature and gradually moving into management, as the organization carries out scientific work, experience is acquired and greater trust and confidence is established among its Members. These conditions can be expected to apply to FCWC. And they have implications on the organigramme and staffing requirements of the Secretariat. In addition the fisheries sector is very dynamic. To better address these issues in relation to the type of secretariat structure it should put in place, the Committee is advised to adopt a process approach (evolutionary, coherent and flexible) in the development of lightweight, non permanent secretariat structures, allowing the Secretariat staff to increase in number and specialization progressively as the Committee matures but without sacrificing critical mass and competence.

36. By adopting a Process Approach in the development of its secretariat organigramme, the Committee would have a flexible but sound reference framework that allows the ultimate path to success and end point to be determined by knowledge and experience gathered along the way. It also means that the Committee would improve its performance by managing and improving certain key Committee outcomes that directly impact on its ability to meet the needs of its Members and contribute to the sustainable development of fisheries in the Committee's geographical area of competence.

37. More specifically, the evolutionary and flexible approach encourages the Committee to:

- focus on and promote the needs and interests of its Members (eliminates or minimizes wastes);
- negotiate in a more rigorous way the contents and outcomes of its programmes;
- reflect on and recognize its own progress and achievement, thus increasing the confidence of its Members;
- promote and support informed Members self-assessment, peer assessment and dialogue about achievements;
- recognize and value the achievement of planned objectives and outcomes not specified at the outset.

38. It is envisaged that the development process will consist of four stages or phases: the first stage "Start-up or Initial Phase" will last two years (2006-2008); the second stage is the "Youth Phase" with a life-span of approximately five years (2009-2013) and would lead to the third stage of "Midlife" also approximately five years (2014-2018) and thence "Maturity". This means maturity will be reached in a relatively short time of 10 to 12 years. The underlining reasoning for this is provided below under a dedicated sub-section "Reasons for a possible fast development process for FCWC organigramme" (paragraphs 48 and 49)

## **V. Proposed Technical and Administrative Units of FCWC**

39. It is proposed to use a combination of the functional and networking approach in the initial phase and to gradually introduce the team and divisional approaches as the organization finds its feet. For example, in the near future probably next two to three years, as several Members improve their monitoring, control and surveillance apparatus and the Conference of Ministers lay greater emphasis on efforts at combating illegal, unreported and unregulated (IUU) fishing and the effective implementation of other relevant international instruments within its area of competence, the Conference could consider establishing a Compliance Unit. The need to create a compliance unit is justified on the basis that illegal, unreported and unregulated fisheries is an expanding phenomenon with disastrous socio, economic and biological consequences on the fisheries sector of the sub –region. This phenomenon needs to be put in check through more harmonized and coordinated action among countries with respect to monitoring, control and surveillance and issues related to this very important fisheries management tool.

40. Another suggestion is that the Conference of Ministers gives much greater emphasis to the development of Sustainable Aquaculture with a view to address short-falls encountered in capture fisheries. Aquaculture is probably the fastest growing food-growing sector, and now accounts almost 52 percent of the world's food fish and is perceived to have the greatest potential to meet the growing demand for aquatic food. However, production from the FCWC region is insignificant despite the potentials that exist for the development of responsible aquaculture. Given the projected population growth over the next two decades in the sub-region, and the fact that most of the marine capture fishery resources are either over-exploited or fully exploited, there is a great need to lay emphasis on the promotion of environmentally friendly aquaculture development. It is strongly recommended that the Committee considers embracing aquaculture development as one of the key activities of the Fishery Committee for the West Central Gulf of Guinea. This may thus require an amendment of the Convention and the establishment of an Aquaculture Committee and an Aquaculture Unit within the Secretariat.

41. A third suggestion is that the Conference of Ministers within five years replaces the Advisory and Coordinating Committee with a Science Advisory Committee (SAC) to demonstrate or highlight the emphasis the Fishery Committee for the West Central Gulf of Guinea would like to place on sustainable management of its fisheries resources. However independent of transforming the ACC into SAC, it is suggested that a Fisheries Management Unit be established within the Secretariat structure of the Fishery Committee for the West Central Gulf of Guinea. This is necessary to ensure a more coordinated and harmonized policy with regards fisheries management and conservation, to provide fishery management support, advice particularly with regards to shared aquatic living resources and ensure the production of relevant reports on the fisheries of the sub-region.

42. Lastly, as the Committee finances increases and a more reliable, equitable and sustainable mechanism is agreed upon concerning Members' contribution to an autonomous budget, there will be the need to have a duly constituted Finance and Administration Unit. It is not foreseen that the information, communication and technology (ICT) activities of the Committee would be important to merit the retention of a full time staff. Such activities could be outsourced if and when necessary.

43. Even under the best conditions the Secretariat and subsidiary bodies and in particular the Advisory and Coordinating Committee (ACC), as is the case with almost all other regional fisheries organizations, will be unable to carry out all the work required of them under their terms of reference, whatever the expertise of its members and however dedicated these may be. The annual meetings of ACC are not appropriate for in depth study of analysis of specific problems. The Secretariat and ACC will often rely on working groups supplemented by consultants to provide technical and scientific answers to critical

problems identified by the Committee. Working Groups or Parties should be considered to be of particular importance to the effectiveness of the work of the Advisory and Coordinating Committee.

44. It is therefore strongly suggested that FCWC adopts the use of working groups in undertaking much of its tasks. The ACC should, inter alia devote considerable time at its annual meetings to receiving, reviewing and validating the reports of working groups and consultants and from these reports, as appropriate, make recommendations to the Conference of Ministers. Although working groups and even task forces can be very useful, they could also be a drain to the meager resources of the Organization. Consequently, care must be taken to ensure that they are properly constituted; are made up of experts that are directly involved in and/or may contribute significantly to the proposed work of the Committee. Furthermore, each working group should address a specific subject or theme; have clear terms of reference with sunset clause and must produce reports of their work. The adoption of such an approach will help to keep the secretariat size small.

45. It is recommended that the human resources needs of the Secretariat of the Fishery Committee for the West Central Gulf of Guinea be kept as small as possible initially and even at maturity it should remain lean. Experience in several regional fisheries organizations have shown that while the numerical strength (size) of the secretariat is important the output and efficiency of secretariats is greatly influenced by the quality of staff, their dedication to the Committee/Commission which is very much linked to the human resources development strategy, the working methodology that is adopted by the organization as well as dynamism of the Main Body to remain proactive and adopt the appropriate tools and practices to enable the organization function properly. In addition Members should be willing to implement management advice emanating from its secretariat if not staff tend to be discouraged.

## **VI. Suggested Human Resources (Staff) Requirements for FCWC**

46. As defined in Article 12 of the Convention, the Secretariat shall provide the coordination and operational structure for and the link between the Conference of Ministers and the Advisory and Coordinating Committee as well as, member Countries of the Committee. The corresponding human resources for the technical units that were outlined in paragraphs 39 through 42 are Compliance Coordinator/Manager, Aquaculture Adviser, Fisheries Management Adviser and Financial and Administrative Officer. The suggested numbers and disciplines for staff during the different phases are provided in table 2.

Table 2 Proposed provisional staffing level at the Youth and at Midlife leading to maturity

Staff	Summary of functions	Youth	Midlife
Secretary General	Functions as prescribed in the Convention with suggested fleshing out.	X	X
Fisheries Management Adviser	Provide fishery management planning support, advice and technical reports relevant to the fisheries of the Western Central Gulf of Guinea to the Secretary General and Members of the Fishery Committee. Serve as rapporteur to the Advisory and Coordinating Committee and of working groups meetings as required	X	X
Compliance Coordinator	Provide the Committee with information, technical advice and recommendations relating to the implementation of, and compliance with, monitoring, control and surveillance programmes, including	X	

	observer programmes and coordinate activities of regional compliance schemes.		
Aquaculture Adviser	Provide management and planning advice to Members of the Committee on the development of sustainable aquaculture in the Region. Serve as rapporteur to meetings of working groups as required.	X	X
Finance and Administration Officer	Monitor the budget and financial transactions of the Committee; internal oversight; manage contracts of technical services as necessary; ensure supervisory office administration and personnel management.		X
Total Professional staff		4	5
Administrative/Financial Assistant	The core responsibilities of the role is to provide effective and efficient executive and corporate support to the Secretary General of the Fishery Committee for the Western Central Gulf of Guinea, manage the Office of the Secretary General that is, managing appointments, records, documenting meetings, draft correspondences, manage events and arranging travel logistics, as well as managing financial records of the Committee. Post to be transformed into Administrative Assistant/Secretary later in the life of FCWC.	X	
Administrative Assistant/Secretary	Secretary to Secretary General; maintain records and archives; personnel records; meetings organization; travel and procurement, inventory, reception, secretarial assistance to professional staff		X
Security/Maintenance	Head quarters premises and equipment security; inventory; personnel security; maintenance of premises.	X	X
Driver/maintenance	Official transport; vehicle and general maintenance, deliveries	X	X
Total Support staff		3	3

Notes: The Secretary General is Chief Executive Officer of FCWC (hors cadre)  
Fisheries Management Adviser and Aquaculture Adviser are Senior Professional Staff  
Finance and Administration Officer and Compliance Coordinator are mid-level professional staff.  
Others are General Service personnel.

(This classification is similar to that of the Sub-Regional Fisheries Commission)

47 The suggested profile/qualifications of the Programme Officer/Fisheries Management Adviser, Compliance Coordinator/Manager and Financial and Administrative Secretary are provided in Section VIII. Although not required in the Terms of Reference for this assignment, for the sake of completeness as well as for future use, the proposed qualification requirements and Terms of Reference for the Secretary General outlined in Article 12 of the Convention and in Article 25 of the Rules of Procedure are fleshed out. It is envisioned that consideration be given to recruiting two support staff (Driver/Maintenance) and (Security/Maintenance). The recruitment of the Driver could be on a part-time basis initially as required for specific periods such as field trips to member countries by secretariat

staff. The qualifications and terms of reference of the Financial and Administrative Officer have not been developed in view of the fact that this position is not likely to become operational in the short-term.

## **VII. Reasons for a possible fast development process for FCWC organigramme**

48. To attain maturity within a short time, the Fishery Committee for the West Central Gulf of Guinea would have to work to avoid the weaknesses of some regional fisheries organizations (paragraph 32). Based on the achievements of the Committee within the short period of its existence - the Start-up/Formative Phase -, as shown by the high sense of ownership and accountability by attendance at the first two sessions, the coming into force of the Convention within a relatively short time, the possible signing of the Headquarters Agreement in the coming weeks, the proactive stance shown by the Conference of Ministers on a number of issues including an impressive process for setting priorities as evident by the present initiative to adequately define the secretariat structure on a long term basis as well as seeking to provide the secretariat long-term, reliable financial climate to ensure a strong and healthy organization; we are convinced that the Committee can become a strong and operational mature organization within 10-12 years.

49. Besides the above reasons, our judgment is guided by a number of other factors. The six countries – Members of the Committee - form a homogenous group culturally, in values, customs, norms and even historically. All are developing countries and have similar population growth rates and high levels of dependency on the resources to enable them develop sustainable use patterns. The small number of members (six) in FCWC means collective action can be enhanced, joint commitment can be created less explicitly and through processes that are more extended in time, “free riding” will be easily reduced, collaboration should emerge spontaneously than in larger ones, relative gain per Member will be high, and social pressure and social incentives will operate and the possibility of face-to-face contact will mean success can be achieved in a shorter time-scale. In addition, a special kind of interpersonal commitment, would seem to have developed within the Committee which is manifested by a mindset of “we-intentions” as distinct from the “I-intentions” that animates the actions of persons acting alone augur well for the positive and fast growth of the Committee if political commitment can be sustained.

## **VIII. Profile, Qualifications and Terms of Reference for staff**

### **Qualifications and terms of reference of the Secretary General**

50. The Secretary General is the legal representative and operating officer of the Fishery Committee for the West Central Gulf of Guinea. In keeping with Article 12 of the Convention the Secretary General shall inter alia service the Conference of Ministers and the Advisory and Coordinating Committee as well as other subsidiary bodies created by the Conference of Ministers.

#### **51. Qualifications**

(a) The incumbent should have university degree qualifications, preferably at post-graduate level, in fisheries biology, fisheries science, fisheries economics, administration, law or related fields. He/she should have at least ten years experience in fisheries management, policy formulation, preferably including bilateral and international relations. He/she should have the ability to exercise a high degree of professional initiative. The incumbent should also be conversant with the preparation of budgets, documents and the organization of meetings. He/she should be proficient in both English and French.

(b) Other essential qualifications include demonstrated managerial ability to supervise/coordinate professional matters in subject field; and familiarity with the use of computers. Experience in training other specialists would be an asset

52. 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;

### 53. Functions

The following terms of reference are proposed.

(a). The Secretary General shall be responsible for the implementation of the policies and activities of FCWC and shall report thereon to the Conference of Ministers. The incumbent shall have overall responsibility for planning, coordination and administration of the Secretariat in accordance with the directives of the Conference of Ministers.

(b) He/she will, in particular:

- i. Receive and transmit the Committee's official communications;
- ii. Maintain contacts with appropriate government officials, fishery institutions and international organizations concerned with the development, conservation, rational management and utilization of resources, in the West Central Gulf of Guinea region, to facilitate consultation and cooperation on all matters pertaining to the objectives of FCWC,
- iii. Maintain an active and effective network of national focal points for routine communication of progress and results of the activities of the Committee,
- iv. Prepare budget estimates and work programmes for review by the Committee, and ensure their implementation and timely reporting to the Conference of Ministers,
- v. Stimulate interest among Members of FCWC and potential donors in the activities of the Organization and in possible financing or in implementing pilot projects and complementary activities;
- vi. Participate, as appropriate, in the oversight of activities of projects carried out under the general framework of the Committee;
- vii. Organize sessions of the Conference of Ministers, the Advisory and Coordinating Committee and other subsidiary bodies as well as other related ad hoc meetings;
- viii. Prepare or arrange for the preparation of background documents and papers and reports on the FCWC's activities and the programme of work for submission to the Conference of Ministers at its regular sessions, and arrange for the subsequent publication of the report and the proceedings of the Conference as well as related meetings;
- ix. Prepare concept, strategy, policy and lessons-learnt papers related to the work of the Committee



- x. Ensure the conduct of and lead the surveys and studies on technical, policy and programme issues
- xi. Participate and represent the FCWC in international conferences and meetings on key issues on regional fisheries organizations and fisheries management
- xii. Perform other related duties as required.

#### **Qualifications and terms of reference of the Fisheries Management Adviser**

54. The primary purpose of this position is to provide fishery management planning support, advice and produce technical reports relevant to the fisheries of the West Central Gulf of Guinea to the Secretary General and Members of the Fishery Committee for the West Central Gulf of Guinea.

#### **55. Minimum requirements**

- ✓ Graduate qualifications in fisheries management or a related field
- ✓ Minimum seven years experience in fisheries management in national or international organizations.
- ✓ Experience in strategic leadership and management of fisheries services including planning, performance, strategy development and policy frameworks
- ✓ Broad knowledge of the fisheries of the Eastern Central Atlantic Region
- ✓ Fluent knowledge (written and oral) of English and French
- ✓ Excellent communication, interpersonal relationship building and customer service skills

#### **56. Other/Desirable skills, qualifications and experience:**

- Ability to write clearly and concisely and to make effective oral presentations
- Computer literacy and ability to effectively use word processing, spreadsheets and other standard software applications and familiarity with large databases and GIS
- Experience in training other specialists would be an asset
- Experience in project formulation and development
- Demonstrated diplomatic and negotiating skills, with sensitivity to cultural and socio-political issues in the sub-region

#### **57. Functions**

The incumbent will be required to perform the following functions:

- ✓ Coordinate exchange of information on fisheries research and management through appropriate channels of communication among participating countries and key regional bodies and institutions
- ✓ Provide assessments of management options for shared stocks in the West Central Gulf of Guinea and their implications for FCWC members
- ✓ Prepare meeting documents and reports for FCWC meetings
- ✓ Ensure project and event planning and execution undertaken on time and within budget
- ✓ Plan, organize and eventually lead a series of meetings on fisheries management on a sub-regional basis and in each participating country, as necessary, to strengthen the cooperation between scientific institutes, governments, and industry and fishers organizations of the West Central Gulf of Guinea Region
- ✓ Identify short and medium term priorities in relation to fisheries management in each participating country and assist in the preparation of comprehensive diagnosis of the current state of fisheries stocks.

- ✓ In close collaboration with personnel of participating countries and experts in the region organize technical meetings, workshops and symposiums, plan and implement common surveys and studies that have priority at national and sub-regional levels
- ✓ Assist FCWC members with the development, implementation and review of sub-regional and national fisheries management plans and policies in accordance with the ecosystem approach to fisheries management
- ✓ Contribute to the formulation of projects for the sustainable development of fisheries for the Committee
- ✓ Provide technical assistance in the implementation of surveys and studies identified in the annual work plan
- ✓ Service meetings of the Advisory and Coordinating Committee
- ✓ Perform other related duties as required

### **Qualifications and terms of reference of Aquaculture Adviser**

58. The primary purpose of this position is to assist member countries to collectively increase aquaculture production in the sub region by making advances at all levels of scales and intensification, develop appropriate strategies and enabling legislative and investment platforms, encourage private sector investment by providing competitive incentives and promote the exchange of experience and know how between member countries.

#### **59. Minimum requirements**

- Advanced University degree in Aquaculture or related discipline applicable to aquaculture development and management
- Seven years of responsible professional experience, including normative and field work on various aspects of aquaculture development with emphasis on commercial aquaculture development and environmental aspects
- Complementary work experience in the area of fisheries both inland and marine
- Proven experience in formulating and implementing projects and programmes
- Excellent understanding of the key issues relating to aquaculture development
- Ability to communicate clearly and concisely, both orally and in writing in English and French

#### **60. Other Desirable Skills, qualifications and experience**

- ✓ Computer literacy and ability to effectively use word processing, spreadsheets and other standard software applications and familiarity with large databases and Global Information Systems (GIS)
- ✓ Experience in training other specialists
- ✓ Demonstrated diplomatic and negotiating skills, with sensitivity to cultural and socio-political issues in the sub-region

#### **61. Functions**

- Provide advice to member countries of FCWC on aquaculture development, and contribute to elaborate various development planning tools,
- Collect information on aspects of aquaculture including socio economic aspects
- Monitor and report on the status, trends and key issues in aquaculture in the sub-region

- Collect, analyze and disseminate new and improved aquaculture technologies to Members
- Assist Members to develop national strategies and enabling legislative and investment platforms
- Encourage and facilitate development of quality control measures for high-value products to increase investment in aquaculture production and processing
- Develop capacity for control, monitoring and environmental management of the rapidly emerging commercial sector.
- Assist Members in project formulation and the canvassing for funds for aquaculture development
- Organize meetings, workshops and training programmes at sub-regional level on key aspects of aquaculture
- Perform any other activities of relevance to aquaculture development and management.

### **Qualifications and terms of reference of Compliance Coordinator/Manager**

62. The primary purpose of this position is to contribute to the Committee's effort in combating illegal, unreported and unregulated (IUU) fishing in the sub-region and also ensure implementation of, and compliance with, conservation and management measures adopted by the Committee. To this end the Compliance Coordinator shall provide the Committee with information, technical advice and recommendations relating to the implementation of, and compliance with, monitoring, control and surveillance programmes including observer programmes and coordinate activities of regional compliance schemes.

### **63. Minimum requirements**

- Extensive experience in monitoring control and surveillance, and managing complex administration programmes related to the administration of natural resources, or similar frameworks.
- Extensive experience in managing activities utilizing sophisticated technology solutions, especially those utilizing satellite communications, and an ability to deliver those activities in a challenging physical environment.
- Demonstrated experience and understanding of modern compliance challenges and solutions (especially with respect to fishing fleets), and in compliance operational planning.
- Understanding of fisheries observer programmes and the challenges presented by their administration.
- Proven ability to develop high-level policies and in providing quality analysis and advice to senior public servants and Ministers.
- Proven ability in relevant project development, management and implementation.
- Excellent verbal and written communication skills in English and French
- Good understanding of the fisheries of the Eastern Central Atlantic Region.
- An ability to work in isolated locations, with minimal support and without detailed directions, and to meet project requirements and deadlines under difficult circumstances.

### **64. Desirable Skills, qualifications and experience:**

- Relevant post graduate qualifications
- Five years direct experience with database administration, Global Information System mapping software, and Vessel Monitoring Systems.
- Operational compliance experience
- Enhanced ability to establish harmonious relationships with government officials, Ministers, and professionals from a variety of disciplines and cultural backgrounds.

#### 65. Functions

The incumbent will be required to perform the following functions:

- ✓ Collaborate with Members of the Committee to ensure effective implementation of measures to combat IUU fishing
- ✓ Provide advice on the requirements and operations of MCS schemes in the area of FCWC
- ✓ Manage and contribute to the design and implementation of relevant training programmes related to FCWC efforts in MCS and related systems
- ✓ Collaborate with relevant staff in FCWC member countries to test new aspects of vessel monitoring systems (VMS) and member services
- ✓ Coordinate the use of ALC units in FCWC VMS
- ✓ Support as requested to FCWC member country maritime operation and prosecution activities
- ✓ Establish and manage: Sub-Regional Vessel Sub-Register, Sub-Regional Register of Good Standing of Vessels; Sub-Regional Vessel Monitoring System,
- ✓ Provide guidance on establishing Minimum Terms and Conditions (MTCs), Common Reporting Format and Procedures and a Sub-regional process/treaty on enforcement and surveillance
- ✓ Cooperate and collaborate with Compliance Units of other sub-regional fisheries organizations in the Eastern Central Atlantic Region, The Fishery Committee for the Eastern Central Atlantic (CECAF) and the Ministerial Conference on Fisheries Cooperation Among African States Bordering the Atlantic Ocean (ATLAFCO) to ensure coordinated responses to issues related to MCS and non-compliance
- ✓ Undertake any other duties as directed.

#### **Terms of Reference for Administrative/Financial Assistant**

66. The core responsibilities of the role is to provide effective and efficient executive and corporate support to the Secretary General of the Fishery Committee for the West Central Gulf of Guinea, manage the Office of the Secretary General that is, managing appointments, records, documenting meetings, draft correspondences, manage events and arranging travel logistics, as well as managing financial records of the Committee.

#### 67. Essential requirements

- Advanced diploma in secretariat studies and office animation processes (BTS)
- Computer literacy skills relevant to the role including word process, spreadsheets and database development and management
- Strong organizational and office management skills
- Excellent coordination skills, managing logistics of events/conference management, duty travel
- Excellent written and verbal communication, interpersonal and stakeholder relationship building skills and experience
- Demonstrated knowledge of accounting process
- Able to periodically work extended periods of time
- Able to work under limited supervision
- Fluent (written and oral) in English and French

#### 68. Desirable requirements

- ✓ Understanding of funding arrangements for regional organizations
- ✓ Experience in development and administration of financial policies and procedures
- ✓ Ability to work effectively in difficult conditions and able to meet deadlines

- ✓ Willing and able to undergo further training

#### 69. Functions

- Provide effective and efficient executive and corporate support to the Secretary General of FCWC
- Facilitate smooth operation of the FCWC Secretariat
- Coordinate and manage input to technical and strategic support on pertinent issues
- Develop and maintain records, management systems as well as logistical support systems, for events and calendar management as well as duty travel
- Develop drafts of communications, document meetings and position papers for execution of decisions
- Develop and maintain a document tracking system or other alternative, for monitoring
- Accurate and timely processing of payments
- Up-to-date and accurate reconciliation of ledger and Bank Statements
- Be the primary point of contact for all communication with the Secretary General of FCWC
- Develop and implement strategies to ensure security of sensitive information
- Undertake other duties as directed from time to time.

### **IX. Mechanism for recruiting personnel of FCWC and Remuneration system for staff**

#### **Mechanism for recruiting personnel of FCWC Secretariat:**

70. The Committee may opt to have professional staff seconded by its Members to the Secretariat or recruit staff for the Secretariat directly; or use both sources to fill positions within the Secretariat. In the case of secondment the Committee may be required to provide reasonable allowances to such staff while the Government of the staff concerned continues to pay their salaries, or the salaries of seconded staff and other remuneration could be supported by the Committee. The Committee would need to have a clear position on this matter so that this can be reflected in the Staff Regulations.

71. Whatever the option (secondment, direct recruitment or both) preferred by the Committee, the paramount consideration in the recruitment and employment or secondment of staff should be the necessity of securing the highest standards of efficiency, competence and integrity. Subject to this consideration, due regard should be paid to the importance of recruiting the staff on an equitable basis between the members of the Committee with a view to ensuring a broad-based Secretariat. As a general principle the Committee should agree that recruitment to positions in FCWC will be restricted or limited to citizens of the Member States without gender bias and will be conducted in a transparent manner.

72. The mechanisms for recruitment of staff of FCWC will depend on whether it is direct employment or secondment. In both cases however the technical phase of such recruitment will be the same and consists of the following steps:

- a clear determination of vacancy as decided by the Conference of Ministers;
- a definition of the profile and qualifications of the staff position, and
- an elaboration of terms of reference.

73. The Procedure will be different for direct recruitment as opposed to secondment. In the case of direct recruitment the suggested process is as follows:

- The Secretary General on the directive of the Chairperson of FCWC would issue a vacancy announcement. Such vacancy announcement will be published with a view to reaching the greatest possible number of candidates. In particular it will be circulated to all the Ministries in-charge of Fisheries and Departments of Fisheries in all the Member countries of the Committee. The vacancy announcement would incorporate the qualifications and terms of reference agreed by the Committee.
- Applications for professional positions will be addressed to the Secretary General of FCWC.
- The applications (professional positions) received will be assessed by a selection panel consisting of the highest Technical Officer in the Ministry of Fisheries of the country which is the current Chairperson of FCWC or the Chairperson of the Advisory and Coordinating Committee and an independent individual/personality appointed by the Chairperson of FCWC. The independent individual if possible should not be from any of the Member countries but preferably a staff of an international organization, such as FAO. The Secretary General of FCWC will serve both as a member and Secretary to the selection panel.
- The Panel would be piloted by the country representative of the Chairperson of FCWC. Should there be a large number of applicants; the panel could request an independent body to make a pre-assessment of the candidates. The assessment of the candidates would be made against the qualifications agreed upon by the Committee, in accordance with such procedures as the panel would develop.
- For cost effectiveness the Selection Panel will undertake its work at the Headquarters of FCWC in Tema, Ghana.
- The Panel would draw up a short-list of not more than five candidates and interview each of them separately by telephone
- The selection panel shall establish a list of 5 questions which shall be posed to all the five candidates during their separate interviews lasting a maximum of 25 minutes each.
- At the end of all the interviews, the panel will rank the three best candidates indicating the strengths and weaknesses that each could bring to the Organization. The Panel would submit that list and evaluation sheets, including those of the candidates not retained, to all Members of the Committee through the current Chairperson of the Committee.
- The Members (Ministers) of FCWC would review the candidatures and indicate within 15 days their ranking of the short-listed candidates, in order of preference, to the current Chairperson of FCWC. The Chairperson would authorize the recruitment of the staff; in accordance with the relevant provisions of the Rules of Procedure of FCWC; and report same at the next Conference of Ministers. Alternatively, applications could be screened by the selection panel, and the Panel Chair would present the outcome at a Conference of Ministers, (during a regular session) for decision.

74. In the case of Secondment, the proposing Member country will ensure that the candidate meets the profile and qualifications for the position and is capable to fulfill the functions detailed in the term of

reference. It may be advisable to suggest two candidates thus allowing the Conference of Ministers to exercise some right of choice.

### **Remuneration System for staff:**

75. The establishment of the remuneration system should reflect the intention already defined in paragraph 71 that is the need to have very competent staff in the Secretariat. If the Committee is to attract the highest quality candidates then the remuneration system should be an important consideration and should be comparable to or even higher than that of similar regional fisheries organizations in the area, particularly the Sub-Regional Fisheries Commission and the Intergovernmental Organization for Marketing Information and Cooperation Services for Fishery Products in Africa (INFOPECHE).

76. In conformity with Article 11(3) of the Convention the base salary of the Secretary General is supported by his/her Government of origin but the incumbent will receive appropriate allowances from the Committee. It is suggested that the Fisheries Management Adviser and Aquaculture Adviser and be classified as senior staff; the Compliance Coordinator/Manager and the Financial and Administrative Officer mid-level Professional Staff, similar to what obtains in the Sub-Regional Fisheries Commission. In view of the important role of the Financial and Administrative Assistant, to manage the financial affairs of the Committee before a Financial and Administrative Officer is recruited when the activities become significant, although classified as a General Service or Support staff, the salary should be substantial.

77. Based on what obtains in other regional fisheries organizations including SRFC and INFOPECHE, the following remunerations (Table 3) are suggested for staff of the Secretariat.

78 The suggested remunerations are close to that of the Sub-Regional Fisheries Commission where:

- For the Executive Secretary besides his/her salary, the incumbent has house allowance of US\$600<sup>8</sup> a month, duty allowance of US\$400 a month as well as a service vehicle provided by the Commission

Table 3 Remuneration for staff of FCWC Secretariat

Remuneration	Secretary General	Senior Professional Staff**	Mid-level Prof. Staff	Financial and Admin. Assistant
Base salary	Home Government*	US\$22000/yr or about US\$1800/month	US\$18000/yr or US\$1500/month	US\$12000/yr or US\$1000/month
Service	US\$450/month	US\$250/month	US\$200/month	US\$100/month

<sup>8</sup> House rents in Accra are significantly higher than in Dakar, and this is the reason for suggesting a slight increase for this particular remuneration item for staff of FCWC.

Allowance				
Family Allowance	US\$10 per child/month; max. of 4 children	US\$10 per child/month; maximum of 4 children	US\$10 per child/month for maximum of 4 children	US\$10 per child/month for maximum of 4 children
Housing	US\$1000/month	30% of salary or US\$550/month	30% of salary or US\$450/month	30% of salary or US\$300/month
Transport	Provided by Committee or US\$200/month	Provided by Committee or US\$150 per month	Provided by Committee or US\$150 per month	US\$100/month
Per diem	15% top up for that approved for senior staff	Based on UN rates for the location concerned	Based on UN rates for the location concerned	Based on UN rates for the location concerned
Domestic Assistance	US\$150/month	NA	NA	NA
Hospitality	US\$600/yr	NA	NA	NA
Utilities	US\$100/month	NA	NA	NA

- It is suggested that the Member seconding the Secretary General to FCWC should ensure that the base salary of the appointee is not lower than the base salary of any of the senior professional staff seconded or recruited to the Committee.

\*\* Professional staff including the Secretary General recruited outside Ghana (non Ghana citizens) benefit from an expatriate allowance of 15% of their salary.

- For senior level professional staff the initial salary is US\$22000 a year and in addition the staff has a Service/duty allowance of US\$200 a month, a housing allowance of US\$400 a month and is provided a service vehicle by the Commission.
- For mid level professional staff (for example Information Technology Officer –Computers- and the Financial and Administrative Officer) the base salary is US\$18000 a year and he/she has the same other allowances as the senior level professional staff. However, whereas the Information Technology Officer has a service vehicle the Financial and Administrative Officer is given a monthly transport allowance of US\$100.
- In the case of the Financial and Administrative Assistant which is close to the “Secrétaire de Direction” of the SRFC, the base salary is US\$12000 a year, in addition to housing allowance of US\$200 a month and US\$100 each month as transport allowance.

79. It is also suggested that the Conference of Ministers consider providing to the Chief Executive Officer (Secretary General) hospitality allowance, an allowance for Domestic assistance as well as for utility charges (water, electricity, local telephone etc) as is the practice in other regional fisheries organizations. Furthermore in keeping with standard practice the Secretary General should have a 15% top up for per diem approved for senior staff.

80. In the event the Conference of Ministers prefers that staffs of the Secretariat are seconded by their respective governments then the concerned staff will only receive appropriate allowances agreed by the Committee. A salary grill for professional staff of FCWC is provided in Table 4.



81. Although a suggested salary scale is proposed for support staff (Drivers, maintenance etc), the Committee may opt to align their salaries to those applied to locally recruited personnel by organizations similar to FCWC in Ghana. They will also benefit from transport (US\$50) and housing allowances of US\$50 a month as well as overtime if required, which is the practice in the Sub Regional Fisheries Commission.

Table 4: Salary Scale Monthly Basic salary in US\$; Exchange Rate of 1US\$ =550FCFA)

Staff	I	II	II	IV	V	VI	VII	VIII	IX	X	XI	XII
Secretary General	2500	2550	2600	2800	2850	2900	2900	3000	3100	3150	3200	3300
Senior Professionals	1800	1850	1900	2100	2150	2200	2300	2400	2450	2500	2550	2600
Mid-level Professionals	1500	1550	1650	1700	1800	1850	1900	1950	2000	2050	2100	2200
Admin. Secretary	1000	1050	1100	1200	1250	1300	1350	1400	1450	1500	1550	1600
Support Staff	180	185	190	195	200	205	210	215	220	225	230	235

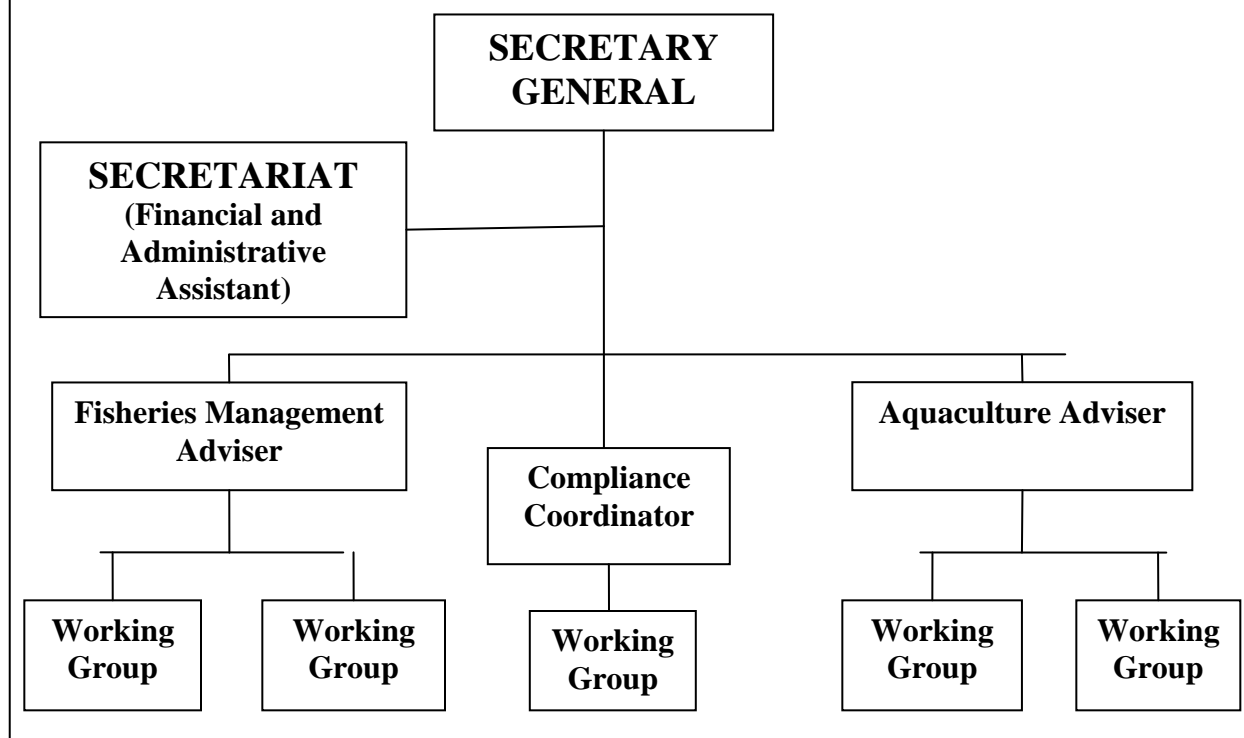
NB: Non National Professional staff recruited outside Ghana benefit from an expatriate allowance of 15 percent of salary

#### **X. Proposed Secretariat Structure at Youth Phase and at end of Midlife Phase**

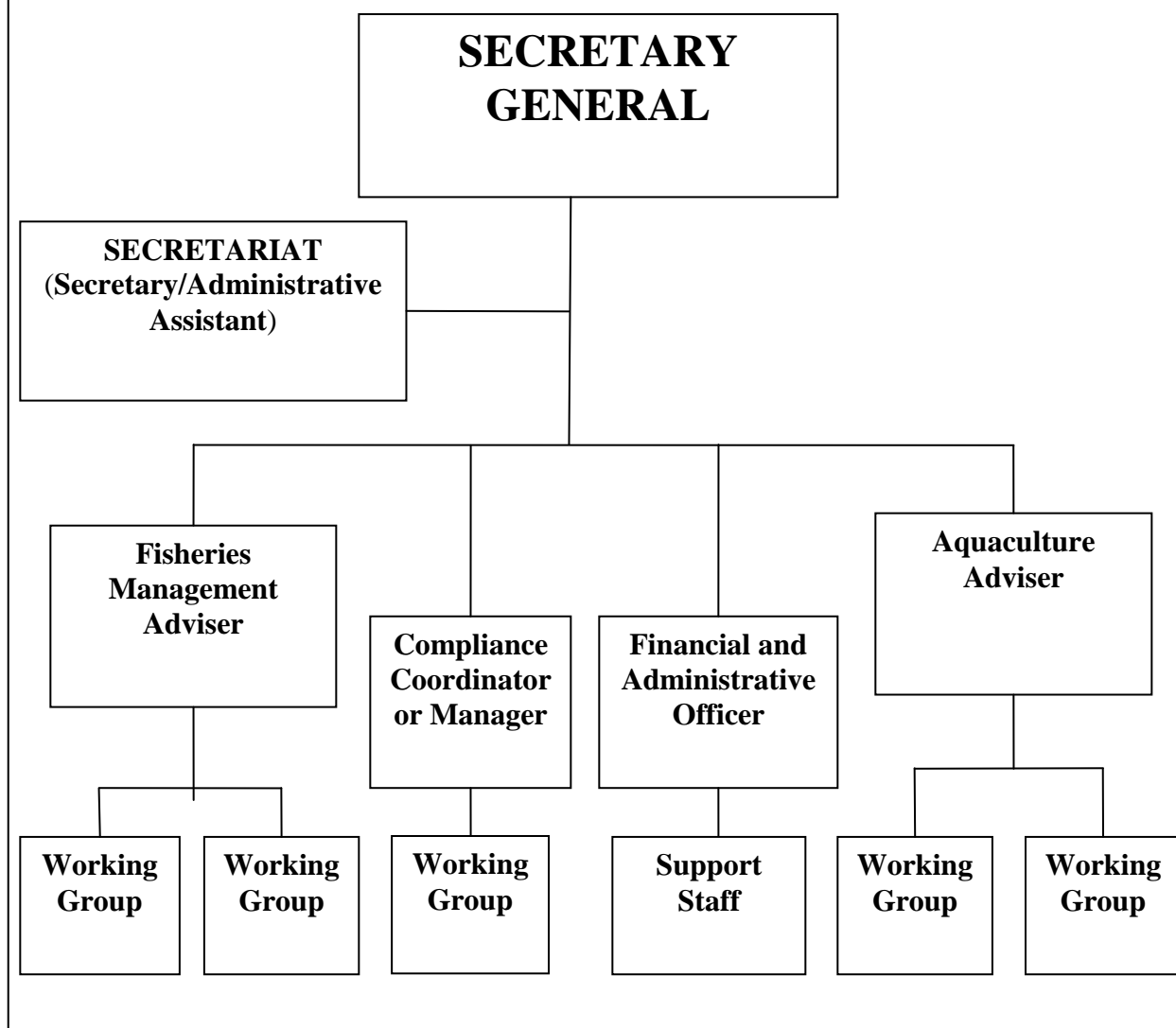
82. On the basis of the above analysis it now possible to propose below two coherent organigramme for the Secretariat, one that could be operational during the Youth period of the Organization (figure 3) and the second could come into operation within the next five years or during FCWC's Midlife (Figure 4).

**Working  
Group**

**Figure 3 Proposed Organigramme of Secretariat at Youth Stage**



**Figure 4 Proposed Organigramme of Secretariat at end of Midlife Stage**



### **Draft Staff Regulations**

83. In most intergovernmental organizations, the relationship between the staff and the employing organization, including the terms and conditions of service, is governed by a set of Staff regulations, established by the members of the organization and elaborated through administrative directions and rules established by the chief executive officer of the organization. The proposed Staff Regulations based on common practices within the region are provided in Annex 2.

## **PART II Mechanisms for Ensuring a Durable Financing Climate for the Fishery Committee for the West Central Gulf of Guinea**

### **A. Introduction**

84. Article 13 of the Convention identifies the source of funds for the Committee to be mandatory contributions from Members as well as other voluntary contributions from members and donors. It further specifies that the mandatory contributions by members will be shared equally among the Parties. At its Meeting in Cotonou in November 2007, the Conference of Ministers agreed that “Without prejudice to the provisions which are in force in the Convention, notably the principle that the mandatory contributions by members will be shared equally among the Parties and the principle that the base salary of the Secretary General is supported by his/her country of origin”, the Secretariat should undertake a study suggesting mechanisms to ensure durable financing of the Secretariat and its activities. The report should also identify potential financial sources, resource mobilization strategies, personnel requirement, contain a draft Financial Regulations and provide guidance for internal monitoring and control of expenditure.

### **B. Mechanisms for Ensuring a Durable Financing Climate**

#### Fundamental Principles

85. Experience has shown that in order for regional fisheries organizations to operate optimally their actions on financial matters should be guided by a number of principles which include:

- (a) The Committee should, as far as possible be self-reliant with respect to funding.
- (b) The Committee Secretariat must be independent and adequately resourced in order to ensure an efficient and cost-effective organization.
- (c) Services procured by the Committee should be sourced at market rates and subject to clear standards and specifications.
- (d) Every effort should be made to avoid duplication in the provision of services, ensure compatibility and maintain cost-effectiveness.

The Fishery Committee for the West Central Gulf of Guinea may wish to take into account these principles as it discusses ways to improve the financial situation of the Committee and execute its budget.

86. There are possibilities to obtain financial resources from other sources, as explained in paragraphs 103, 104 and 105. However, long-term, predictable and consistent funds can only be provided by members of the Committee. In this respect a general understanding in regional fisheries organizations is that assessed contributions of Members should be shared to the extent by which Members receive economic benefit out of the fisheries and that the level of economic development of the Members should be taken into account.

87. The Convention of the Fishery Committee for the West Central Gulf of Guinea (FCWC) calls for equal sharing of such assessed contributions; but this principle may not in fact reflect the economic benefit each Member is deriving from the fisheries. To compensate for this, the Committee could adopt the so-called “Consensus Approach” in which some members voluntarily agree because of their economic status and/or importance of their fishery sector, or for some other reason, to foot a higher proportion of the budget. This method is used by the Sub Regional Fisheries Commission (SRFC) with headquarters in

Dakar, Senegal. In the Sub- Regional Fisheries Commission, for the portion of the budget<sup>9</sup> that has to be met by the seven countries, Members of the Commission, three member Countries have agreed to provide 60 percent of the budget (20% each) while the other four member Countries, contribute to 40 percent (10% each).

88. While a few fisheries organizations use the Equal Sharing approach and a couple the Consensus Approach, most regional fisheries organizations have realized that to more realistically meet or approach the two cardinal criteria concerning members contributions, that is, economic benefit derived from the fishery and economic wealth of the member, these organizations need to rely on a “Scheme of Contribution” based on each member being assessed

- an equal basic fee,
- a fee based on national wealth, reflecting the state of development of the member concerned and its ability to pay, and
- another variable fee based on the member’s fish production.

89. While organizations agree on the principle outlined in paragraph 88, they differ in:

- (a) the methodology for calculating the two variable components (national wealth and fish production) of the contributions formula, and
- (b) the relative weighting to be applied to each three components based on the particular circumstances of the region concerned.

#### Scheme of Contribution and its Application

90. The three components are briefly elaborated below, but the process and methodology of undertaking the calculations and arriving on a “Scale of Contribution” which is the percentage of the budget that each member would be expected to contribute is provided in the Annex 3. The putting into operation of this system usually takes a couple of or several years as members need to fully understand the process and agree on the “Scheme of Contribution”, which is the algorithm or procedure to be used to determine the contribution of each member in relation to the two variable components of the formulae. Generally, the scheme of contribution is agreed on once, but the scale of contribution varies principally depending on the extent to which the particular Member participates in the fishery.

91. It is strongly suggested that Members of FCWC keep under review the possibility of adopting this approach possibly during the “midlife period” of the Committee’s existence. It will be essential that between now and the time the approach is operational in FCWC, if the Conference of Ministers consider this a more realistic approach to determining members’ contribution, the Advisory and Coordinating Committee devote time to study the procedure at one of its two annual meetings, provided for in Article 9(5) of the Convention.

92. (a) Basic Fee: The most straightforward component of the contributions formula is the basic fee, or fixed component. In general, this element is shared equally among all members of the Committee and is paid in a lump sum at the beginning of each financial year. All organizations that follow this approach have always attempted to keep the basic fee as low as possible, especially where the membership of the organization is made up of both developing and developed countries, while ensuring that the base fee accounts for a substantial proportion of the total contribution by each member in order to promote cost-effectiveness in the budget process.

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<sup>9</sup> In the Sub Regional Fisheries Commission the budget consists of two major sections that funded by its Members through the Consensus Approach and a Project Section funded by donors.

93 (b) National wealth: The national wealth component reflects the state of development of the member concerned and its ability to pay. It is usually based on a three year average of per capital Gross National Product (GNP) or income (GNI) as published by the World Bank. The last year of the three year average is the calendar year occurring three years prior to the year in which the budget is adopted. For example a budget for the year 2010, adopted in 2009, the calculation will be based on data for the years 2003, 2004, and 2005. Incidentally according to the recent World Bank classification all the countries of the Fishery Committee for the West Central Gulf of Guinea are in the same category, low income countries. It will therefore not be realistic for the Committee to take the national wealth criteria into account, if it decides to adopt the Scheme of Contribution Approach.

94 (c) Fish production: The catch component is the total fish production on a three year average from FAO Statistics (STATLANT 34A DATABASE) calculated using the period ending two to three years prior to that for which the budget will apply. There is no objective ways of accurately assessing the economic benefits which Members desire from fisheries. One of the best methods appears to use values of landed fishery products. This is the criteria used by all regional fisheries organizations that have adopted the Scheme of Contribution. Each regional fisheries organization has devised ways to harmonize the value of their landings which is then termed the specific regional fisheries organization Catch/Tonnage; which means any ton of fish from its area of competence expressed in that organization's tonnage is as valuable to any other ton of fish - irrespective of species – expressed in its tonnage. Put differently the value of a ton of fish from Country A expressed in FCWC Tonnage is the same as a ton of fish from country B expressed in FCWC Tonnage. The suggested process to arriving at "FCWC Catch/Tonnage" is explained in Annex 3.

95. From the above analysis it is apparent that the Committee will be concerned with only two components, namely the fixed Base fee and variable Catch component. This simplifies the calculation in that the key considerations will be agreement on the method of calculation of the FCWC Tonnage and the relative weighting to be given to each of the two components. A similar situation is found with the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) in that there is no provision within their contributions formulae to differentiate between members on the basis of development status. In that case (CCSBT) 30% of the budget is divided equally among all the Parties (Base fee); and 70% of the budget divided in proportion to the nominal catches of the southern Bluefin tuna among all the Parties.

96. A number of scenarios using different weightings of the basic fee and fish production component and on the basis of an annual indicative budget of US\$250000 is provided in Annex 3 to this report.

### **C. Factors that Impact the Scale of Contribution**

97. A number of factors will impact on the Scale of Contribution and therefore in principle the indicative budget of the organization. These factors are summarized below as guidance to the Committee to facilitate its work or deliberations:

98 (i) Remuneration of Staff: As was suggested under "Mechanism for recruitment and remuneration of staff of the Secretariat", a paramount consideration is to secure staff of the highest standards of efficiency, competence and integrity. The establishment of the remuneration system should reflect this intention. If the Committee is to attract the highest quality candidates then the remuneration system should be comparable to or even better than that of similar organizations in the region. At least in the

early years, the largest component of the budget of FCWC is likely to be staff costs, including salaries, allowances and the costs of recruitment. In terms of salaries, in conformity with Article 11(3) of the Convention, The Government of Cote d'Ivoire is responsible for the base salary of the Secretary General and the Committee would need to provide the Secretary General allowances commensurate with that in other organizations. As far as the other staff is concerned the suggestion is for their remuneration (salaries and allowances or just allowances) to be aligned to that of INFOPECHE and the Sub-regional Fisheries Commission. A suggested salary scale is provided in table 4 and allowances in table 3.

99. (ii) General operating expenses: In addition to staffing costs, the Committee will also have to meet the ongoing general operating expenses of the Secretariat. These would include official staff travel on missions, consultancy, maintenance of capital assets (vehicles, computers etc.), communications, electricity<sup>10</sup>, office supplies, printing, general maintenance and security, library acquisitions and subscriptions, external printing, audit fees and bank charges.

100 (iii) Purchase and maintenance of capital assets: It is assumed that the Committee will not own real estate assets. It is not known if office accommodation will be provided by the host Government (Ghana) free of charge or at a nominal cost, and whether the Committee would be required to pay for normal maintenance. Decision need to be sought on this as early as possible. However, particularly as FCWC is entering its Youth period and hopefully will increase its Secretariat staff strength to remain relevant to its Members, there will be a need to acquire capital assets. These include, for example, vehicles, office furniture, photocopiers, library books and supplies and computers (network server, web server etc.). These would have to be reflected in the indicative budget.

101 (iv) Meeting costs: The cost of convening meetings of the Committee and its subsidiary bodies depends to a great extent upon where those meetings take place<sup>11</sup>. However, it is understood that countries hosting meetings of the Committee would provide meeting space, photocopiers, computers, sound systems and other essential equipment, temporal secretarial staff and logistics. The Committee's Secretariat would need to prepare documents for the sessions and for working groups etc, provide interpreters and produce reports of meetings as well as travel costs and per diem for participants. So far these costs have been borne by FAO through the Secretariat of the Fishery Committee for the Eastern Central Atlantic (CECAF). The estimated amount for each session is said to be **US\$ YYY**. This amount is likely to increase substantially when Working Group meetings are held and travel costs and per diem of participants are factored in.

102 (v) Provision of External Services: The Secretariat like all other regional fisheries organizations would need to out-source a number of its activities. The cost for such activities will depend on a number of factors including the type of work, its importance in terms of size or area, the quality and number of experts, etc, factors that are not readily available as the Committee is yet to elaborate its Action Plan or detail Programme of Work. This particular issue would remain relevant for more intensive consideration at virtually all sessions of the Committee devoted to discussing the Programme of Work and Budget of the Committee.

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<sup>10</sup> Much will also depend on whether the Government of Ghana would provide the permanent premises of the Headquarters free of charge or at a nominal rent to FCWC and also if some of the other utility charges such as water and electricity, etc as well as security of the premises will be borne by the Host Government or the Committee.

<sup>11</sup> Article 11(7) of the Convention stipulates that meetings of the ACC shall be held alternatively at Tema, Ghana, and in the country hosting the annual meeting of the Conference of Ministers. This however does not preclude the possibility of technical meetings of working groups, seminars and workshops organized by the Secretariat from being held in other countries considered appropriate for the subject matter being treated.

103 (vi) Possible assistance from external sources: Another factor that would affect the scale of contribution is the amount of assistance the Committee is able to mobilize from external sources and the number of viable and strategic projects implemented by the Committee. It is important to point out that some of the services could be provided by FAO and other international organizations but this need to be discussed with the appropriate organization during the preparatory phase of the programme of work. It is strongly advisable that FCWC has both a Resource Mobilization Strategy and a Plan of Action.

#### **D. Resource Mobilization Strategy**

104. The financial resources the Committee may receive from its Members as mandatory contribution may be modest in relation to the scale of the problems for sustainable fisheries development in the West Central Gulf of Guinea. Hence it is advisable that the Committee has a Resource Mobilization Strategy (RMS) to seek additional resources for expanded activities. To this end, FCWC should consider to:

- Broaden its source of funding to include local development banks, the European Community, the Global Environment Facility, and international nongovernmental organizations such as the Worldwide Fund for Nature (WWF) and the International Union for the Conservation of Nature (IUCN), as well as Distant Water Fishing Nations fishing in the area
- Lay emphasis on the elaboration of feasible projects targeting such donors as distant water fishing nations operating in the region, international nongovernmental organizations, regional development banks, and the Embassies of several advanced countries in FCWC member Countries
- Establish contacts with Embassies of advanced Nations in the member Countries of the Committee. These embassies usually have resources, small amounts that could be useful to organize group meetings on specific subjects. In addition the embassies could put the Secretariat in contact with potential funding sources in their respective countries;
- Work individually to close the gap within Member institutions between their stated policy commitments and their approaches to operational activities so that defaulting in the financial obligations of Members is kept as low as possible. In this respect there is a need to establish in each member country a strong link between the Ministries in-charge of Fisheries and that in-charge of Economy and Finance.
- Be resolute in creating and nurturing a lightweight governance structure which enables the organization to be both efficient and cost effective
- Explicitly consider in the short-term the need to lay emphasis not just on marine capture fisheries but also on sustainable and environmentally friendly aquaculture development to address issues of food security and poverty. The possibilities of obtaining financial assistance for well elaborated aquaculture projects are likely to be higher than would be the case for capture fisheries.
- Elaborate as soon as possible a Plan of Action with well defined Vision Statement for FCWC. The Plan of Action should in addition consist of time-bound, short-term and medium-term targets, focusing on the attainment of specific opportunities. Such a document has several advantages.



In the present circumstance it could be used to attract donor funding to areas that resonate with the aspirations of fishers in the region. Such activities could be in the form of long-term programmes which are coherent and closely linked with the vision and long-term goals that have been agreed for the Committee. In the absence of such a document (Plan of Action) donors are often reluctant to commit resources in support of an organization.

105. While the putting into operation the Resource Mobilization Strategy should be the concern of all Members of FCWC, and in particular the Focal Points in each country; it is suggested that the Conference of Ministers mandates the Secretary General of the Fishery Committee for the West Central Gulf of Guinea to embrace the RMS as one of his major tasks.

#### **E. Financial Personnel Requirements**

106. The Committee would need an experienced and competent Financial and Administrative Officer to monitor the budget and financial transactions of the Committee; provide internal oversight; manage contracts for technical services as necessary; perform supervisory office administration and personnel management. In the immediate, the finances of the Committee do not seem to warrant the presence of a Financial and Administrative Officer and it is being suggested that a competent Administrative and Financial Assistant would suffice. The terms of reference for the latter has been provided in Part I of this Report. It is not considered prudent to elaborate at this stage the terms of reference for the Financial and Administrative Officer. In view of the fact that the Administrative and Financial Assistant may not have the requisite competence in finance, it is suggested that the incumbent be someone who is willing to learn and that the Committee make the appropriate investment to provide such training to the potential staff.

#### **F. Financial Regulations, Monitoring and Control of Expenditure**

107. In addition to a Financial and Administrative Officer or a Financial and Administrative Assistant, as the case may be, there is the need to have regulations to govern the financial administration (generally referred to as Financial Regulations) of the Fishery Committee for the West Central Gulf of Guinea. A draft of these regulations have been prepared (Annex 4) taking into account the situation in other regional fisheries organizations in particular the Sub Regional Fisheries Commission, INFOPECHE, the Lake Victoria Fisheries Organization and ICCAT. Provisions are made in the Draft Financial Regulations concerning internal Control, the maintenance of Accounts and External Audit, for which the appointment of a General Auditor will be necessary. In keeping with the terms of reference for this assignment suggestions (Rules and Procedures) on matters of monitoring and control to ensure effective financial administration and the exercise of economy in the use of funds are provided as Annex 5 to this Report.

### **Annex 1. Terms of Reference du consultant**

Afin d'engager et de superviser le travail de l'étude organisationnelle et du mécanisme de financement permanent du CPCO, permettant de mieux cibler et organiser efficacement le Secrétariat et le financement de ses Activités, il est convenu de conduire la présente étude, comprenant :

- Recherche documentaire
- Préparation d'un projet de rapport
- Discussions et validation des propositions du Consultant.

Le consultant international, Bio-économiste travaillera en collaboration avec le Secrétaire General, sous la supervision générale du Technical leader de la FAO.

- Organiser et revoir les orientations et activités requises pour la préparation de ce diagnostic ;
- Concevoir une méthodologie et un format pour la rédaction du document ;
- Sur la base des informations disponibles, identifier l'organisation type du Secrétariat, de même que les possibilités de son extension ou sa consolidation avec le développement de la structure.
- Proposer un mécanisme de financement du Comite, a la fois précis et adapté aux réalités des Etats membres de la région et facile a mettre en œuvre la fois réaliste
- Participer à la réunion d'adoption par les Ministres prévue en Côte d'Ivoire ;

### **Résultats attendues**

- Un organigramme détaillé et opérationnel
- Règlement du personnel et de procédure
- Une grille salariale
- Règlement financier pour l'exécution des dépenses
- Un mécanisme de financement

## **Annex 2 DRAFT STAFF REGULATIONS**

### **FISHERY COMMITTEE FOR THE WEST CENTRAL GULF OF GUINEA**

The Conference of Ministers of the Fishery Committee for the West Central Gulf of Guinea meeting at \_\_\_\_\_, Republic of \_\_\_\_\_, during its \_\_\_\_\_ordinary session from \_\_\_\_ to \_\_\_\_ 20\_\_.

Having regard to Article 18 of the Convention for the establishment of the Fishery Committee for the West Central Gulf of Guinea which provides that the Contracting Parties may adopt protocols to this Convention that they consider appropriate to further the attainment of the objectives of the Convention

Having regard to Article 24 of the Internal Rules of Procedure of the Fishery Committee for the West Central Gulf of Guinea which gives the Secretary General of the Fishery Committee for the West Central Gulf of Guinea the authority to administer personnel of the Secretariat

Wishing to define the working conditions, policies and practices for staff of the Committee with a view to achieve higher levels of staff performance and employee satisfaction on a systematic and sustainable basis

Have agreed as follows:

#### **PART I: SCOPE AND APPLICATION**

##### **Regulation 1: Scope and application**

- (a) These regulations set out the mutual obligations and rights of employees of the Fishery Committee for the West Central Gulf of Guinea (FCWC). They are administered by the Secretary General whose decision on the interpretation of the Regulation is final.
- (b) Where the interpretation affects the Secretary General, the decision will rest with the Chairperson
- (c) When the Secretary General is absent from the Secretariat, he or she may delegate his or her authority under these Regulations.
- (d) These Regulations will apply to all professional and support (General Service) staff on appointment to the Committee. They remain in effect until amended by the Conference of Ministers.
- (e) They do not apply to temporary or short-term staff, casual workers or consultants unless the contrary is specified in their employment agreement, or where other conditions have been agreed in writing.
- (f) If any part of these Regulations becomes contrary to the laws of the Republic of Ghana, or where they are silent, the laws of the Republic of Ghana will apply.
- (g) These Regulations may be supplemented or amended by the Conference of Ministers without prejudice to the existing contracts of staff members except where the staff member has consented to vary his or her contract in accordance with the amendments.
- (h) The Secretary General may supplement these Regulations with Staff Instructions not inconsistent with these Regulations or with any decisions made by the Conference of

Ministers and further, may issue such Staff Instructions necessary to render these Regulations effective.

## **PART II: DEFINITIONS**

### **Regulation 2: Definitions**

In these Regulations, unless the context otherwise requires:

“Allowances” means remuneration other than base salary but does not include money received to meet expenses incurred by an employee in the course of duty.

“Chairperson” means the person elected to the position of chairman as provided for in Article 7(3) of the Convention for the Fishery Committee for the West Central Gulf of Guinea.

“Conference of Ministers” means the supreme body of the Committee as defined in Article 7(1) of the Convention for FCWC.

“Committee or FCWC” means the Fishery Committee for the West Central Gulf of Guinea as established under Article 4(1) of the Convention.

“Dependent” means the financially dependent spouse(s) or minor child/children of an employee.

“Employee” is a general term which according to the context may mean support staff, professional staff, temporary staff or all three.

“Expert” means a person performing short term or temporary projects or missions on behalf of the Committee, but does not include staff members of FCWC.

“Headquarters” means the location of the principle office of the Secretariat as provided for in Article 4(4) of the Convention for the Fishery Committee for the West Central Gulf of Guinea.

“Home” means the location agreed between the Committee and an employee as the principle place of residence, for recruitment, repatriation and leaves purposes for the employee and stipulated in the employment contract.

“Professional staff” means an employee who is recruited by FCWC or seconded from a FCWC Member Government Public Service and appointed by FCWC to undertake specific functions within the Committee.

“Contract staff” means employee recruited by the Committee to undertake specific tasks within the Committee.

“Remuneration policy” means the basis for financial compensation approved by the Conference of Ministers of FCWC.

“Staff or staff member” means a support or professional appointed to an established position.

“Staff member’s family” means the staff member, his spouse(s) and dependent children; or the staff member, her spouse and dependent children.

“Support staff” is staff engaged under a fixed term contract to undertake non professional tasks.

“The Act” means the 1961 Vienna Convention on Diplomatic Relations.

## **PART III: DUTIES AND OBLIGATIONS**

### **Regulation 3: Source and Categories of staff**

- (a) There shall be two main sources of staff to the Committee. Civil servants of Member States of the Fishery Committee for the West Central Gulf of Guinea who are seconded

to the Committee to undertake specific functions; and Contract officers recruited directly by the Committee. Such contract officer could be either professional staff or General Service (Support) staff.

- (b) There shall basically be three categories of staff within FCWC: the Secretary General who is the Chief Executive Officer (CEO/hors cadre). Professional staff (Personnel cadre) and General Service or Support personnel.

#### **Regulation 4: Status as International Civil Servants**

The Secretary General and all members of the staff of the Committee are international civil servants. Their responsibilities are but exclusively international. On accepting appointment, they shall pledge themselves in writing to discharge their functions and to regulate their conduct with the interests of FCWC only in view.

#### **Regulation 5: Responsibility of the Committee**

The Secretary General is responsible for the proper functioning of the Committee. Staff members are subject to the authority of the Secretary General and shall not seek or receive, in the performance of their duties, any instructions from any external authority.

#### **Regulation 6: Privileges and Immunities**

Under Articles 12, 13, 14 and 15 of the Headquarters Agreement between Republic of Ghana and FCWC on Diplomatic privileges:

- (a) The Secretary General shall have the like privileges and immunities as are accorded a diplomatic agent under the Act and in conformity with international law.
- (b) The members of the family of the Secretary General forming part of his or her household shall have the like privileges and immunities as are accorded the members of the family of a diplomatic agent under the Act and in conformity with international law.
- (c) Staff of the Committee other than the Secretary General shall have the like privileges and immunities as are accorded to members of the administrative and technical staff of a mission under the Act and in conformity with international law.
- (d) Members of the family of staff of the Committee other than the Secretary General forming part of the household shall have the privileges and immunities as are accorded to

members of the family of a member of the administrative and technical staff of a mission under the Act and in conformity with international law.

#### **Regulation 7: Disclosure of Information**

Staff shall exercise the utmost discretion in regard to all official business. They shall not communicate to any person or to the press any unpublished information known to them by reason of their official position, except in the course of their duties or by authorization of the Secretary General. All rights in, and title to, the results of any work performed by staff in the course of their duties shall be the property of the Committee.

#### **Regulation 8: Conduct**

Staff shall avoid any action, and in particular any kind of public pronouncement or activity, which may adversely reflect on their positions as international civil servants. They are not expected to give up their national sentiments or their political and religious convictions, but they shall at all time bear in mind the reserve and tact incumbent upon them by reason of their international status.

#### **Regulation 9: Outside Activities**

- (a) No staff may accept, hold or engage in any office or occupation which, in the opinion of the Secretary General, is incompatible with the proper discharge of their duties with the Committee, unless explicit approval is granted by the Secretary General.
- (b) Staff member shall inform the Secretary General in writing when his/her spouse is gainfully employed so that steps may be taken to protect the interest of the Committee, as appropriate.
- (c) Staff member who is the object of judicial pursuit for crime(s) or misdemeanor shall inform, in writing, the Secretary General

#### **Regulation 10: Candidacy for Public Office**

Any staff member who becomes a candidate for a public office of a political party shall resign from the Committee.

**Regulation 11: Acceptance of Honours, Decorations, Favours, Gifts or Fees**

- (a) No staff shall accept in respect of their work for the Committee any honour or decoration from any government or organization or, except with the approval of the Secretary General, any favour, gift or fee from any government, organization or person during the period of their appointment.
- (b) With respect to the Secretary General, the approval of the Conference of Ministers is required.

**PART IV: APOINTMENT AND PROMOTION****Regulation 12: Appointment Policy**

- (a) Candidates seeking employment in the Committee shall fulfill the following conditions:
  - Be a national/citizen of one of the member States of the Committee;
  - Be at least 18 years of age;
  - Have their full civil rights and of good moral standing;
  - Be of good legal standing concerning the laws and regulations of his/her country of origin;
  - Be physically apt and medically fit as certified by a medical practioner after appropriate examination
  - Fulfill or meet the required qualification and experience
  - Demonstrate the necessary competence
  - Have and exhibit excellent personal integrity
- (b) Subject to Regulation 12(a) above, and the principle of open competition, the Secretary General shall, in the selecting of professional staff, give due consideration to the desirability of obtaining equitable national representations.
- (c) When a support staff vacancy occurs the vacancy will be advertised in the Ghana media.  
When a professional staff vacancy occurs the vacancy will be advertised internationally.
- (d) When two applicants for a support staff position are rated equally suitable, and one is a FCWC employee, preference shall be given to the existing staff member.
- (e) For directly recruited professional staff appointment shall be made at a level within the designated salary grade, based on qualifications and experience.
- (f) Men and women are equally eligible for all posts in the Committee.

### **Regulation 13: Appointment Procedure**

- (a) No appointment is valid unless it is the subject of a written offer of employment signed by either the Chairperson of the Conference of Ministers or the Secretary General; and a written acceptance signed by the appointee. Every offer of employment shall be in a standard format and shall contain a statement of duties, all the terms and conditions of employment and a copy of these staff Regulations.
- (b) An appointment is either temporary or on a fixed or short term contract. The length of appointment of a temporary or contract staff member is set by the Secretary General according to the requirements of the work programme and available funding.
- (c) The term of appointment of a support staff member shall not exceed a maximum of four (4) years. Such period may be extended for a term or terms of up to the same duration, subject to the work programme requirements and available funding and provided the employee's work performance has been satisfactory.
- (d) A temporary appointment may not exceed a period of six (6) months.
- (e) A fixed term appointment for professional staff shall not exceed a maximum of four (4) years. A short term appointment for professional staff is for any period less than four (4) years and is subject to such terms and conditions as the Secretary General determines, but within the salary scale applicable to the Committee. Subject to Regulation 13(g) a short term appointment may be renewed for a further term or terms.
- (f) Subject to Regulation 13(g), a fixed term appointment of four (4) years for professional staff is renewable, based on the needs of FCWC, and the merit and performance of the employee, for a further period not exceeding four (4) years.
- (g) When an aggregate period of eight (8) years has been served by professional staff it shall be mandatory for the position to be re-advertised. The incumbent is eligible to apply and could be re-appointed on merit by the Conference of Ministers.
- (h) The length, terms and conditions of appointment may be varied by mutual agreement in writing of the Secretary General and the employee subject to the establishment and remuneration policy set by the Conference of Ministers.



- (i) Duties of staff may be revised at any time by the Secretary General in accordance with changes in work priorities.
- (j) Appointment is provisional until confirmed. Appointment is subject to a satisfactory medical examination by a designated medical practitioner and a probationary period of six (6) months' service which may be extended or reduced by the Secretary General. During the probationary period the employee shall confirm his/her professional ability, good character and physical fitness to perform the duties to which he/she aspires. At the end of the probationary period the Secretary General shall in writing
  - (ii) Confirm the appointment; or
  - (iii) Extend the probationary period; or
  - (iv) Terminate the appointment.
- (k) The appointment of:
  - I. A professional staff runs from the date of leaving home to take up appointment with the FCWC
  - II. A local employee from the date of taking up duties with the Committee.
- (l) Salary is earned for a professional staff from the date set in accordance with Regulation 13 (K) (i) and for a local employee from the date set in accordance with Regulation 13(K) (ii).

**Regulation 14: Appointment of Secretary General and staff**

- a. The Secretary General is appointed by the Conference of Ministers under such terms and conditions as it determines and in conformity with Article 11 (2 and 3) of the Convention.
- b. When the position of Secretary General is vacant, the Secretary General's functions and powers shall be exercised according to the instructions of the Conference of Ministers and in the absence of such instructions, by the senior professional staff of the Committee appointed by the Chairperson.
- c. When the Secretary General is absent from Headquarters, he or she will designate a senior professional staff member as the Officer-in-Charge.
- d. The power of appointment of directly recruited professional and seconded professional staff rests with the Secretary General on the instructions of the Chairperson of the Conference of Ministers.

- e. The appointment of support rests with the Secretary General.
- f. When appointing staff the Secretary General shall comply with the Committee's recruitment procedure and will ensure that these processes are transparent, equitable and based on merit.

### **Regulation 15: Maintenance of Personnel Files**

On appointment all staff member shall provide the Secretary General within 48 hours of assumption of service a complete dossier consisting of:

- 1. Certificate of nationality;
- 2. Curriculum Vitae;
- 3. Civil Status certificate;
- 4. Medical certificate of the medical examination done in connection with the employment;
- 5. A non conviction Certificate;
- 6. Certified copies of Diplomas, degrees and certificates
- 7. Detailed analysis of his/her family status (Spouse(s) and children and ages of children;
- 8. Any other documents that the Secretary General may require

### **Regulation 16: Increments and Performance bonus**

- I. All staff shall be advanced on the basis of a favourable assessment of performance.
- II. The Secretary General shall review the performance of staff annually. The Mark sheets of seconded staff shall be forwarded to the respective governments by the Secretary General.
- III. The annual review of the performance of the Secretary General shall be done by the Conference of Ministers
- IV. Advancement in incremental position within a class shall depend on the favourable assessment of the staff. As a general rule staff member shall receive an increment at the completion of each year of service based on the staff member's performance assessment and where he/she has not reached the maximum of the salary grade for his/her position.
- V. In exceptional case, as a result of the rewards provided for in Regulation 29, the Secretary General may authorize increment for a staff member after one (1) year.

- VI. Where the staff member's performance has not been considered satisfactory, the Secretary General or higher delegate will explain to the staff member why he/she will not receive an increment. Unless the staff member's performance is considered poor, in which case his/her appointment may be terminated, increments shall be withheld only for one (1) year.
- VII. Where a support staff has reached the maximum salary point in his/her approved salary scale and where that employee's work performance is assessed as having been highly satisfactory on completion of a particular year's service, the Secretary General may grant a fixed sum performance bonus payment to that staff, provided that any such bonus
1. Is not made as a permanent increase in the salary of the staff;
  2. Can be fully financed from available budgetary provision in that year; and
  3. Shall not exceed 5% of the staff's current salary.

## **PART V: REMUNERATION, ALLOWANCES AND RELATED BENEFITS**

### **Regulation 17: Remuneration Policy, Determination and Currency of Payment**

- a) Staff shall in respect of service rendered be entitled to remuneration comprising a basic salary corresponding to his/her step in the salary scale, family allowances and, where applicable various allowances and benefits.
- b) The remuneration policy and conditions of service of FCWC employees are determined by the Conference of Ministers
- c) The remuneration of all FCWC staff shall be expressed in United States Dollars ((US\$) and paid in local currency based on United Nations Official exchange rates.
- d) For the same type of work, equivalent professional qualification and output, the remuneration shall be the same for all staff and contract employees, irrespective of their nationality, sex, age or rank.
- e) Staff and employees of FCWC receive the remuneration attached to the position they fill in the Committee. This remuneration is on a monthly basis and is paid only after the service is rendered.
- f) Absence from work for any fraction of the day shall be sanctioned by a deduction whose amount shall be equal to the corresponding fraction of the basic salary.

- g) Service shall be considered as not rendered if: the staff member is absent for all or part of the working day; or the staff, though present at work, does not carry out all of the duties relating to his/her job position as defined by his/her terms of reference or as defined by the competent authority.

### **Regulation 18: Salaries**

- a. Current salary scales approved by the Conference of Ministers at its \_\_\_\_ session are set out in Schedule1 to these Regulations and shall be incorporated annually to the Committee's Work Programme and Budget.
- b. The remuneration of a staff member includes the base salary, and related benefits, family allowance and as the case may be any other expressively agreed and approved allowances.
- c. The remuneration of staff member of FCWC is exempted from of all taxes, except for staff members serving in their countries of origin.
- d. The following categories or types of allowances and benefits are established within FCWC:
  - Allowance attached to function
  - Family allowances
  - Allowance for inventory and store keeping
  - Compensatory Allowance for preavis
  - Allowance for dismissal
  - Compensatory allowance for home leave
  - Housing allowance
  - Allowance for management of funds
  - Allowances for over time
  - Housing assistance
  - Seniority allowance

These allowances, on the approval of the Conference of Ministers, are paid at the same time as salaries at the end of the month.

- (e) The base salary, allowances and benefits, family allowances and other allowances as well as those in kind to be attributed to staff members are determined by the Conference of Ministers on the proposition of the Secretary General.
- (f) These allowances and advantages in kind attributed to staff members of FCWC are defined in Annex 2 of these Regulations. They shall be modified as appropriate by the Conference of Ministers at its annual meetings.
- (g) The salary of Staff members of the General Service category or support staff may be subject to the conditions defined in the Labour Code of the State in which a structure of FCWC is implanted

### **Regulation 19: Secretary General's Entitlements**

In addition to any other allowances provided for elsewhere in these Regulations the Secretary General shall be entitled to the following:

- i. Rent-free accommodation up to a rental limit to be specified by the Conference of Ministers;
- ii. Utility charges for accommodation (e.g. electricity, water, local phone charges and gas);
- iii. A vehicle or an amount in lieu of a service vehicle;
- iv. 15% top up of per diem;
- v. A domestic assistance allowance; and
- vi. Reimbursement for all reasonable expenses up to (determined annually) for expenses incurred in association with representational duties for FCWC and which are properly incurred and receipted in the course of his/her employment.

## **PART VI: CONDITIONS OF SERVICE - LEAVE – PERMISSIONS**

### **Regulation 20: Positions and Normal Working Hours**

- (a) The position of a staff shall refer to the precise administrative situation at a given moment of his/her career in FCWC in relation to a job position.
- (b) Staff members shall during their period of employment in FCWC be in active service, on leave, on permission, or on suspension. An employee in active service is one who effectively carries out the duties that are attributed to him/her. He/she fills an established position in the Committee.

- (c) A staff member placed in one of the following situations shall also be considered as being in active employment: those on casual or special leave, those on annual, sick or maternity leave, and those on leave for training.
- (d) The Secretary General has the right to call upon the services of staff to the extent considered reasonable. The Secretary General shall determine the normal office hours from Monday through Friday, making a total of xxx hours per week. Staff members shall observe official holidays declared in the Member State in which the Committee has operations to a maximum of ten (10) days a year. Two of the ten (10) days will be considered floating days, days which the staff member has the liberty to take at will.

### **Regulation 21: Leave**

- (a) Leave is defined as a period of interrupted service. Leave shall be of three types, Annual leave, sick leave and others (Maternity, compassionate, paternity and special leave).
- (b) The annual leave entitlement for professional staff is 30 normal days not including travel time. For General Service/support staff the leave entitlement is that specified in the Labour Code in the country where he/she is employed.
  - 1. For each staff member the leave year runs from the date of appointment to its anniversary and thereafter from the anniversary to anniversary. Leave accumulates with the passing of leave year with the full entitlement, minus any leave taken, falling due on the anniversary of appointment
  - 2. If a Republic of Ghana public holiday is observed on a normal working day while a staff member is on annual leave or duty travel that day shall be added to his or her entitlement on condition that the total public holidays do not exceed ten (10) days a year.
  - 3. Applications for leave should, where possible, be received by the Secretary General 30 days before the leave applied for begins.
  - 4. Annual leave does not carry over from one leave year to the next without written approval from the Secretary General. Subject to this provision, annual leave may be accrued up to forty (40) working days at each anniversary appointment. In considering application to carry over annual leave, the Secretary General will

have regard both to the requirements of the Committee and the situation of the staff member.

5. The Committee will not pay salary in lieu of unexpended leave.
6. The Committee will pay or provide transportation to enable a staff member spend his/her annual leave, once every two years, in his home country once every two years. Staff member may take his annual leave in another country but the Committee will only pay the equivalent amount if the staff member spent his leave in his/her country of origin.
7. All non-justified days of absence from duty may be deducted from the annual leave.

#### **Regulation 22: Sick Leave**

- 1) Sick leave is granted on the presentation of a medical certificate delivered by recognized medical practioner; and will cover the period of incapacity to when the staff member resumes work or is dismissed from FCWC.
- 2) Sick leave would include the period of rest or of hospitalization.
- 3) The Secretary General may at anytime withdraw the dispensation from the requirement to furnish a medical certificate, or require a staff member to undergo a medical examination from a designated medical practioner, when certified sick leave appears to be excessive.
- 4) If a staff member is taken sick or is injured while on annual leave and produces a medical certificate to that effect, the period of sickness shall be recorded as sick, not annual, leave.
- 5) Sick leave may not be used by a staff member to meet his or her extended family responsibilities, or for any reason other than personal sickness of the employee.

#### **Regulation 23: Other Leave**

##### **Maternity Leave**

- (a) A female staff member shall, at her request and on presentation of a certificate that she is in the sixth month of pregnancy, be entitled to maternity leave in conformity with the Social Security Regime and the regulations in force concerning maternity leave of the Member state of FCWC where she is working.

### Compassionate and Paternity Leave

- (b) Staff member may be granted paternity, and as appropriate, compassionate leave by the Secretary General on an individual basis, but will not exceed five (5) per situation or a maximum of seven (7) days in any year. Compassionate leave may not be used by a staff member to meet his/her extended family responsibilities.
- (c) Specific situations when such leave may be granted include: the confinement of a legitimate spouse, the death of a spouse or the death of a first degree descendant or ascendant, or collateral.
- (d) Entitlement to paternity or compassionate leave shall lapse ten days following the event.

### Special Leave without Pay

- (e) Requests for special leave without pay shall be submitted in advance. Special leave requires the approval in writing of the Secretary General. Special leave may be granted for cases of extended illness or other exceptional or urgent reasons as decided by the Secretary General.
- (f) Special leave without pay shall be granted only after accrued annual leave has been expended. No leave accruals shall be earned or granted during periods of special leave without pay.

## **PART VII: SOCIAL SECURITY. MEDICAL INSURANCE, WORK SAFETY, PENSION AND OTHER SOCIAL ADVANTAGES**

### **Regulation 24: Social Security**

- i. Staff member shall be affiliated to the Social Providence Fund of his/her country of origin
- ii. The Committee shall pay into the concerned Social Providence Funds the patronale and salaried portion of the pension due the staff member in conformity with the rules in force.

### **Regulation 25: Work Safety**

- i. Accident at work is defined as any accident that a staff member shall encounter at or during service rendered to the Committee. It includes accident on his/her way to or from work from his residence as long as there is no interruption or a diversion from the course



or route for personal interests or matters not related to the service; as well as accidents that staff member shall encounter while on duty travel.

- ii. The Committee shall declare all work accidents encountered by staff. And in conformity with the Labour Law or Legislation that is applicable to the staff's country of origin in the case of seconded staff.

### **Regulation 26: Medical Insurance**

- 1) The Committee shall cover part of the cost of medical care, pharmaceutical products, evacuation, hospitalization, functional reeducation and fittings for employee; his/her spouse and legitimate or recognized children less than 18 years old. To this end, medical consultations of staff members and members of their family shall be undertaken by certified medical practioners of FCWC. Similarly medical analyses and hospitalization, etc shall be provided by certified medical installations of the Committee.
- 2) Consultation fees, expenses for laboratory and other analyses as well as hospitalization shall be reimbursed to a maximum of eighty (80) percent; and prescribed pharmaceutical products at fifty (50) percent to the staff member.
- 3) The Secretary General and senior professional staff shall be entitled to be hospitalized in first category medical installations.
- 4) The Committee shall cover the full cost of medical evacuation for a staff member as well as members of his family, and if necessary of an accompanying nurse, if so determined by recognized medical practioners.

## **PART VIII: EXPENSES**

### **Regulation 27: Duty Travel**

- i. Any travel by a staff member on behalf of the Committee shall be approved in writing by the Secretary General.
- ii. The Committee shall meet the travelling expenses necessarily incurred by staff members as well as of persons duly authorized to accompany a staff member, to travel on Committee's business. When the Committee is not in a position to provide transportation, the staff member and others involved shall be reimbursed by the Secretary General on the basis of receipts presented.

- iii. The Secretary General is entitled to travel business class for air travel greater than seven (7) hours. All other staff will travel economy class except that the Secretary General may authorize business or executive class if considered justified.
- iv. There shall be two categories of travel namely temporary and definitive travel. Temporary travel means the staff member will return to his/her the post after the travel. Definitive travel implies a change of residence of the staff member.
- v. Staff members on temporary travel will receive a per diem at current UNDP rates to cover accommodation, meals and incidentals. The per diem shall only be paid on the presentation of a duly signed Mission Order. The Mission Order shall be initialed by the Secretary General or his representative at the start of the travel and the staff member shall endeavour to have the Mission Order validated by competent Administrative Authorities in the Member States of FCWC, as appropriate.
- vi. The following shall be considered definitive travel
  - a. Travel to assume duty in a new post
  - b. Travel by a seconded staff member to the capital of his/her country of origin following his/her recall;
  - c. Travel by a staff member back to the Capital City of his/her country of origin as a result of retirement or separation/dismissal from FCWC
  - d. Travel by the spouse(s) and legally recognized children back to the Capital City of the staff member's country of origin following the death of the staff member. In this case the spouse(s) and children shall undertake the travel within one (1) year from the date of death of the staff member.
- vii. Staff member undertaking definitive travel shall be entitled to:
  - a) Transport for him/her self and the recognized members of his/her immediate family
  - b) Transport of household and personnel effects to the amount of 4m<sup>3</sup> in respect of the staff member, 2m<sup>3</sup> in respect of a dependent spouse and 1m<sup>3</sup> in respect of each dependent child.

- c) When a staff member takes up appointment at the Committee, he/she shall be entitled to installation lump sum equivalent to two (2) months of his/her base salary as well as two days in a middle class hotel paid for by the Committee.
- d) Travel by staff member for health reasons shall be considered to be official travel on behalf of the Committee if it is explicitly approved by the Secretary General. In such a case the staff member will be entitled to his/her remuneration and transportation. He/she will also be entitled to medical and surgical fees; pharmaceutical products and hospitalization fees in conformity with Regulation 26 of these Staff Regulations.

## **PART IX: DISCIPLINE**

### **Regulation 28: Offences and Penalties**

1. An offence may be professional or non-professional. A professional offence shall in particular be an advertent, inadvertent or negligent dereliction of the duties and obligations binding the employee. A non-professional offence shall in particular be a dereliction, an attitude or behaviour which jeopardizes professional ethics or is such that it is a breach of public morals or honourability of the Committee. An employee commits an offence who:
  - I. Willfully disobeys a lawful order of the Secretary General or of any other officer to whom the employee is formally responsible or non-compliance with duties owed to the role or with the Committee's policy;
  - II. Willfully disregards the Regulations
  - III. is negligent, inefficient or incompetent in the exercise of his or her duties;
  - IV. Commits gross and willful misconduct, dishonesty or insubordination;
  - V. Willfully acts without regard to the Committee's interest;
  - VI. Behaves disgracefully or improperly either in an official capacity or otherwise;
  - VII. Is convicted of a criminal offence which affects the staff member's ability to perform the role satisfactorily;
  - VIII. Steals or misappropriates the funds or property of the Committee;
  - IX. Becomes bankrupt; or

- X. Undertakes any activities that bring the Committee into disrepute.

## 2. Penalties

Depending on the gravity of the offence, penalties for indiscipline shall be of two categories namely First degree penalties and Second degree penalties.

(a) First degree penalties shall include;

- 1) An official reprimand
- 2) A warning
- 3) A fine of 1 to 7 days work without pay
- 4) A blame that is filed in the staff member's personal file

(b) Penalties of second degree include:

- i. A fine of 8 to 15 days of work without pay;
- ii. Deferment or hold back of increment for one (1) year;
- iii. Demotion to a lower step in the grade of the offender's position;
- iv. Provisional suspension without pay for a maximum of one (1) month;
- v. Returning the seconded staff (by decision of the Conference of Ministers) to the administration of his/her country of origin
- vi. If the offence is theft or misappropriation of the Committee's funds or property the staff member shall be dismissed without notice. In this case the staff member shall be placed on provisional suspension by the Secretary General and the decision of summary dismissal shall be taken by the Conference of Ministers.
- vii. Before dismissing or giving notice to a staff that is seconded from a member government the Secretary General shall inform the government in question.

## 3. Procedures

1. The grounds for a sanction must be stated under pain of its being declared null and void. It must be kept in the file of the employee concerned.
2. No employee suspected of committing an offence shall be penalized under Regulation 28 unless guilt is confirmed by:
  - a. The employee's own admission; or
  - b. The outcome of criminal proceedings; or

- c. The findings of an internal inquiry conducted as soon as practicable, usually not more than one week after the offence was committed, by the Secretary General (or in his/her absence by the staff member designated by the Secretary General to serve in this role) and two other staff members, one of whom may be nominated by the suspected employee.
- 3. The same disciplinary offence may not receive more than one sanction.
- 4. Suspension
  - a. In the event of serious offence by an employee relating to a breach of professional duty, an ordinary law offence or a breach of professional ethics, the author of such offences may be provisional suspended from his/her duties for no more than two (2) months by the Secretary General. The Secretary General shall forthwith inform the Chairperson of the Conference of Ministers and if the author of the offence(s) is a seconded staff the Minister in charge of Fisheries of the author's country of origin within a period of fifteen (15) days.
  - b. Suspension from duty is a measure of conservation which produces a definitive effect only after a sanction has been taken by the Secretary General or the Committee, as appropriate.
  - c. The employee in question will stop coming to work during the period of suspension.
  - d. If no decision has been taken at the expiry of the period referred to in (i) above, the suspended employee shall automatically resume his/her post.
  - e. The employee suspended shall not be entitled to his/her basic salary or other allowances during the period of suspension. However he shall retain, where applicable, all his family allowances.
  - f. If the offence is not established or if no sanction is taken at the expiry of the period prescribed in Regulation 29.4(a) above, the Secretary General shall re-establish all the benefits due to the employee with retroactive effect.
  - g. This omission shall automatically constitute a disciplinary offence against the Secretary General if it is established that he/she acted with undeniable malicious intentions.

- h. The suspension must be terminated either through a disciplinary measure for the offence, or for non-establishment of offence, and whatever the case, at the expiry of the period prescribed in Regulation 28.4(a) above.

## **PART X: REWARD**

### **Regulation 29: Reward**

1. An employee who, in the performance of his/her duties has particularly distinguished him/herself through his/her dedication to the interest of the Committee and through his/her special contribution to increasing the output and efficiency of the service may receive one of the following rewards:
  - a. Letter of encouragement
  - b. Letter of congratulations;
  - c. Official testimony of satisfaction;
  - d. Honourable mention;
  - e. Diploma of excellence;
  - f. Honorary status.
2. The Committee may create other rewards as and where necessary. The Committee may also attribute any rewards to persons that in its judgment have made significant contribution to the work of the Fishery Committee for the West Central Gulf of Guinea.
3. The letter of encouragement or congratulations shall be awarded by the Secretary General of FCWC. All other rewards shall be awarded by the Chairperson or the Conference of Minister, on the reasoned proposal of the Secretary General of FCWC, supported by a detailed report.
4. All instruments granting a reward shall be notified to the beneficiary, placed in his/her file and, if need be, published in the local press in the country of origin of the employee.
5. The official testimony of satisfaction shall give entitlement to an advancement of 1 (one) incremental position whenever it is awarded twice to an employee within a period of 3 (three) consecutive years.
6. The Honourable mention shall give entitlement to an advancement of 2 (two) incremental positions.

## **PART XI: SEPARATION AND CESSATION OF WORK**

### **Regulation 30: Separation from or Termination of Service**

- (a) The termination of service means exclusion from FCWC list of personnel and the loss of the title of staff member of the Committee.
- (b) An appointment of a staff member other than the Secretary General is terminated
  - I. By resignation of the staff member
  - II. As a disciplinary measure by dismissal with or without notice under Regulation 28.2(vi)
  - III. When the staff member exercises his right to retirement
  - IV. When a seconded staff is returned to his/her country of origin
  - V. By death of the staff member
- (c) The Secretary General may terminate in writing the appointment of a staff member without prejudice of legal pursuits in the following cases:
  - I. Of redundancy, retrenchment or restructuring;
  - II. The work performance of the staff member is considered unsatisfactory;
  - III. if, as a result of mental or physical illness, a staff member is rendered incapable, in the Secretary General's opinion, of proper performance of duties under the Agreement;
  - IV. If the staff member commits a grave offence such as steals or misappropriates the funds or property of the Committee;
  - V. If the staff member is convicted of a criminal offence which affects the staff member's ability to perform the role satisfactorily;
  - VI. If the staff member for whatever reason loses his civil rights;
  - VII. If the staff member fails to resume service in excess of one (1) week after the completion of a training programme.
- (d) In the case of either resignation or dismissal, the notification period shall take effect from the date the letter was received and shall not be shorter than one (1) month and not greater than three (3) months.
- (e) In the case of seconded staff the notification period is that which is applicable in his/her national legislative text.

- (f) If, due to the continuing effects of illness or injury, medical opinion indicates that the staff member will remain unable to perform normal job requirements for a period in excess of four (4) months in any one (1) year, the Secretary General reserves the right to exercise suspension, awaiting medical opinion as to the staff member's capacity to return to normal duties.

### **Regulation 31: Resignation**

- I. Resignation involves a staff member informing the Secretary General in writing of his/her unqualified desire to separate him/her self from FCWC.
- II. A resignation takes effect only when it is accepted by the Secretary General. The Secretary General shall make his/her intention known within one (1) month of receiving the letter of resignation. Beyond this date it shall be taken that the resignation is accepted. Once a resignation has been accepted the said act shall not be withdrawn by the Secretary General or the concerned staff member.
- III. Any resignation accepted following the procedure outlined above shall entail the payment of the rights of the resigning employee. The Committee shall also support the cost of the staff member repatriation.
- IV. The introduction of a letter of resignation or resignation from FCWC shall not prevent disciplinary action to be taken against a staff member if this is considered appropriate. Similarly, resignation shall not release the employee from responsibility for personal, professional or non-professional offences committed in the performance or course of performance of his/her duties.
- V. The employee concerned shall remain bound by the obligation of reserve and professional discretion in respect of all facts, documents and information of which he /she had knowledge as an employee of FCWC, under pain of being prosecuted in accordance with laws in force.

### **Regulation 32: Retirement**

- a. Retirement shall mark the normal end of the active employment of an employee and shall entitle him/her to pension paid by the Committee or his/her administration of origin in the case of seconded staff.



- b. This definitive separation from the Committee shall be decided upon automatically when the employee:
  - i. has put in at least twelve years of service in the Committee or is sixty (60) years old, whichever comes first for those directly recruited by the Committee;
  - ii. has attained the mandatory age of retirement in his/her administration of origin or the staff member opts for early retirement on the basis of resignation from the staff member's administration of origin.
  - iii. However, on the account of the nature and specificity of certain duties or because of certain circumstances, the Secretary General with the expressed agreement of the Chairperson of the Conference of Ministers, may waive the provisions of Regulation 32.b (i) above, and this for a maximum of one (1) year.
- c. The retirement of an employee shall be decided by Order of the Secretary General, and for staff directly recruited by the Committee; the said order shall settle the payment of the pension rights of the retired staff member.
- d. A retired Staff member shall be entitled to transportation to his/her country of origin by the Committee.

**Regulation 33: Death of staff Member and/or Members of Family**

- i. The duties of an employee shall cease with death.
- ii. The Committee shall bear the costs relating to the confinement and transportation of the corps from the place of posting to the place of burial chosen by the family. The place of burial shall be in one of the Member states of FCWC.
- iii. If the death of the staff member occurs when he/she is on duty travel, the Committee shall ensure the repatriation of the corps by the fastest means possible to the place of burial chosen by the family.
- iv. The Committee shall also be responsible for the transportation of the legitimate spouse(s) and minor children as well as their belongings from the place of posting of the deceased employee to the declared place of residence.
- v. The rightful claimants of the deceased employee shall, upon presentation of the statutory file within a period of three (3) months, be granted a death benefit and a revisionary pension.

- vi. In the case of death resulting from an accident due to service or occurring because of or during service, the legal beneficiaries of the deceased shall be paid a Death Lump Sum equivalent to one (1) year gross salary increased by twenty (20) percent per child with regards to family allowance.
- vii. The conditions and modalities for the payment of revisionary pension and the Death Lump Sum shall be most favourable of the existing regulations in the Member states of the Committee.

## **PART XII; MISCELLANEOUS AND FINAL PROVISIONS**

### **Regulation 34: Dispute Resolution**

- I. Staff may designate/elect annually a member to represent their views and may be consulted by the Secretary General on general and specific questions relating to staff issues and welfare.
- II. If the Secretary General is dissatisfied with a staff member's performance at any stage throughout the duration of their contract, the Secretary General shall discuss the matter with the staff member with a view to resolution. If the matter remains unsolved, it must be submitted to an agreed mediator for the purpose of conciliation.
- III. During the dispute resolution process, work shall continue in the normal manner unless there is a bona fide safety issue involved.
- IV. This Regulation does not apply to decision to terminate in connection with an employee who steals or misappropriate the funds or property of the Committee.

### **Regulation 35: Notice of contract expiry or renewal**

The Secretary General shall ensure that staff receive notice approximately three (3) months prior to the expiration of their contracts of the decision either to renew the contract or that the contract is to expire in accordance with its terms. If no such notice is given prior to contract expiry there is no implied or explicit indemnity payable.

### **Regulation 36: Letter of Service**

A staff member shall, on leaving the service of FCWC, and at his/her request, be given a letter relating to the nature of his or her duties, the length of service, the amount of emoluments, and other relevant information.

**Regulation 37: Retention of Pay**

1. Upon leaving the service, any debts of a staff to the Committee shall be deducted from any money due to the said staff from the Committee.
2. The Secretariat may retain, for three (3) months from the final working day, up to US\$YYY of payment due to the staff upon termination for any reason and to pay out of that any debts of the staff left outstanding for which FCWC might become liable with appropriate advice in writing being given to the said staff.
3. In the case of seconded staff the Secretary General shall inform the administration of origin of the staff concerned in order to recover any unpaid debts.

**Regulation 38: Human capacity building and training**

The Secretary General shall, where deemed necessary in the interests of the Committee, provide for the training of staff members in areas directly related to their duties and advancement. Priority shall be given to support staff.

**Regulation 39: Interpretation and Maintenance of Records**

- i. In the case of difficulty in the interpretation of these Regulations, the most favorable interpretation shall be applied to staff member.
- ii. The Secretary General shall maintain up-to-date documentations detailing the establishment, grading system, salary scales and conditions of service of the Committee as approved by the Conference of Ministers.
- iii. Any amendments to these Regulations can only be made by the Conference of Ministers.
- iv. The Secretary General is responsible for the administration of these Regulations.

Done at \_\_\_\_\_, the \_\_\_\_\_

**Annex 3 Procedure for Elaborating the Scheme and Scale of Contribution to an Autonomous Budget of the Fishery Committee for the West Central Gulf of Guinea**

There is general understanding among regional fisheries organizations that assessed contributions of Members should be shared to the extent by which Members receive economic benefit out of the fisheries and that the level of economic development of the Members should be taken into account.

It has been determined from World Bank data that there is no significant differences in the level of economic development among Members of FCWC .It has also been shown that the Scheme and Scale of Contribution Approach based on each Member being assessed an equal basic fee and a variable fee based on the Member's fish production offers the most realistic way to ensure Members contributions to the autonomous budget reflects the economic benefits they derive from the fisheries and permit the Organization to have a durable financial climate.

The Scheme of Contribution refers to the algorithm to be used to calculate the contribution of each member in relation to the variable component of the formula.

The Scale of Contribution is the percentage of the budget that each Member contributes.

The Scheme of contribution is usually agreed on once but the scale of contribution varies principally depending on the extent to which the particular Member participates in the fisheries.

Basic Fee: The most straightforward component of the contributions formula is the basic fee, or fixed component. In general, this element is shared equally among all members of the Committee and is paid in a lump sum at the beginning of each financial year. All organizations that follow this approach, especially when the membership comprises developed and developing countries, have always attempted to keep the basic fee as low as possible, while ensuring that the basic fee accounts for a substantial proportion of the total contribution by each member in order to promote cost-effectiveness in the budget process.

Fish Production/Catch component: The catch/production figures to be used are those published by FAO in STATLANT 34A DATABASE and to be precise Division 3.3.3 (Sherbro), 34.3.4 (Western Gulf of Guinea) and 34.3.5 (Central Gulf of Guinea). A three-year average is calculated using the period ending two years prior to that for which the budget will apply. Due to different values of small pelagic and other species, the "FCWC catch/tonnage" for purposes of determining the scale of contribution is calculated by applying a factor of 4 to all fish produced by Members, except for small pelagics..

Relative weighting of components: The Committee needs to agree on the relative weight of the Basic fee and fish production components of the budget. For example, the Committee could agree that each of the components would represent 50%, or 80/20 %.

Determination of FCWC Catch/Tonnage: Next the Committee will agree on the procedure and calculate its FCWC Tonnage.

- Classify production into two categories: small pelagic species and all other species. This latter category thus includes demersal fin fish, crustaceans, molluscs, and large pelagic species.
- Give to all species the same "value" that is by modifying and harmonizing the volumes by assigning the factor 1 to small pelagics and 4 to all other species

- Multiply the volume of all other species by 4 (which in effect mean that on the average “all other species” are four times more valuable than “small pelagic species”).
- The volume which is obtained after the application of this conversion factor is the “FCWC Catch/Tonnage”.

Using FAO data for the different Member Countries for the years 2003, 2004 and 2005 the FCWC Tonnage and proportion of each country to total production is provided in the Table below.

	Small	Pelagics	Other	Fish	Total		% of Total
	Metric tons	FCWC tons	Metric tons	FCWC tons	Metric tons	FCWC tons	
Benin	5414	5414	6796	27184	11210	32598	1.8
Cote d'Ivoire	24926	24926	22060	88240	46986	113166	6.0
Ghana	176815	176815	135473	541892	312288	718707	39.0
Liberia	1508	1508	5099	20396	6607	21904	1.2
Nigeria	102190	102190	201234	804936	303424	907126	49.2
Togo	10394	10394	10086	40344	20480	50738	2.8
Total	321247	321247	380748	1522992	701995	1844239	100

Scale of contribution: Having agreed on the Scheme of contribution by determining (a) the Basic fee (b) the FCWC Catch/Tonnage or fish production, it is now possible to determine each Member's share of the budget. The process is simple

Assume that the indicative budget of FCWC for 2009 is US\$250000 and that the weightings are 50% basic fee and 50% fish production. This means the Basic fee component (50%) is \$125000; and each Member's share of the Basic fee component will be  $125000/6 = \$20833$

The fraction of the budget to be covered by catch/production component (50%) is \$125000.

Each Member's share will be in proportion to its production as shown in the table above. For example in the case of Benin it will be 125000 multiplied by 1.8 and divided by 100 which is US\$2250 and the country's total would be 20833 plus 2250 = 23083

Scenarios of Members' Contributions based on different weightings of Basic Fee and Fish Production components and an indicative Budget of US\$ 250000 are provided in the following tables.

#### **Scenarios of Members' Contributions based on different weightings of Basic Fee and Fish Production and an indicative Budget of US\$ 250000**

Country	80% Basic Fee	20% Fish Production	<b>Total</b>	70% Basic Fee	30% Fish Production	<b>Total</b>	60% Basic Fee	40% Fish Production	<b>Total</b>
Benin	33333	900	<b>34233</b>	29166	1350	<b>30516</b>	25000	1800	<b>26800</b>
Cote d'Ivoire	33333	3000	<b>36333</b>	29166	4500	<b>33666</b>	25000	6000	<b>31000</b>
Ghana	33333	19500	<b>52833</b>	29166	29250	<b>58416</b>	25000	39000	<b>64000</b>
Liberia	33333	600	<b>33933</b>	29166	900	<b>30066</b>	25000	1200	<b>26200</b>
Nigeria	33333	24600	<b>57933</b>	29166	36900	<b>66066</b>	25000	49200	<b>74200</b>
Togo	33333	1400	<b>34733</b>	29166	2100	<b>31266</b>	25000	2800	<b>27800</b>
<b>Total</b>	199998	50000	<b>249998</b>	174996	75000	<b>249996</b>	150000	100000	<b>250000</b>

Country	50% Basic Fee	50% Fish Production	<b>Total</b>
Benin	20833	2250	<b>23083</b>
Cote d'Ivoire	20833	7500	<b>28333</b>
Ghana	20833	48750	<b>69583</b>
Liberia	20833	1500	<b>22333</b>
Nigeria	20833	61500	<b>82333</b>
Togo	20833	3500	<b>24333</b>
<b>Total</b>	124.998	125000	<b>249998</b>

Country	40% Basic Fee	60% Fish Production	<b>Total</b>	30% Basic Fee	70% Fish Production	<b>Total</b>	20% Basic Fee	80% Fish Production	<b>Total</b>
Benin	16666	2700	<b>19366</b>	12500	3150	<b>15650</b>	8333	3600	<b>11933</b>
Cote d'Ivoire	16666	9000	<b>25666</b>	12500	10500	<b>23000</b>	8333	12000	<b>20333</b>
Ghana	16666	58500	<b>75166</b>	12500	68250	<b>80750</b>	8333	78000	<b>86333</b>
Liberia	16666	1800	<b>18466</b>	12500	2100	<b>14600</b>	8333	2400	<b>10733</b>
Nigeria	16666	73800	<b>90466</b>	12500	86100	<b>98600</b>	8333	98400	<b>106733</b>
Togo	16666	4200	<b>20866</b>	12500	4900	<b>17400</b>	8333	5600	<b>13933</b>
<b>Total</b>	99996	150000	<b>249996</b>	75000	175000	<b>250000</b>	49998	200000	<b>249998</b>

**Annex 4 DRAFT FINANCIAL REGULATIONS OF THE FISHERY COMMITTEE FOR WEST CENTRAL GULF OF GUINEA**

These Regulations shall govern the financial administration of the Fishery Committee for the West Central Gulf of Guinea (hereinafter referred to as “the Committee”) established under article 8(h) of the Convention for the Establishment of the Fishery Committee for the West Central Gulf of Guinea (hereinafter referred to as “the Convention”).

#### **REGULATION 1 FINANCIAL YEAR**

The financial year shall be for 12 months, commencing 1 January and ending 31 December, both dates inclusive.

#### **REGULATION 2 THE BUDGET**

1. A draft budget comprising estimates of receipts by the Committee from all sources and of expenditures by the committee shall be prepared by the Secretary General for the ensuing year.
2. The draft budget shall be divided into parts, sections and, as appropriate, programme support. It shall be accompanied by such information, annexes and explanatory statements as may be requested by the Committee, including a statement on the main changes in comparison with the budget of the previous year, and such further annexes or statements as the Secretary General may deem necessary and useful. The Committee (Conference of Ministers) may establish guidelines as to the format which the draft budget is to be presented.
3. The draft budget shall be accompanied by details of the appropriations made for the previous year and the expenditure against those appropriations.
4. The draft budget shall include a statement of the significant financial implications for subsequent financial years in respect of any proposed work programmes presented in terms of administrative, recurrent and capital expenditure.
5. The Secretary General shall submit the draft budget for the following year to all members of the Committee at least **YY days** prior to the annual meeting of the Committee.
6. The draft budget and the forecast budget shall be presented in United States dollars.
7. At each annual meeting, the Committee shall decide upon its annual budget.

#### **REGULATION 3 APPROPRIATIONS**

1. The appropriations adopted/voted by the Conference of Ministers shall constitute an authorization for the Secretary General to incur obligations and make payments for the purposes for which the appropriations were adopted and up to the amounts so voted.
2. Appropriations shall be available for obligation during the financial year to which they relate. Available funds remaining at the end of the financial year will be applied to the working capital fund.
3. The Secretary General may authorize the transfer of up to 10 per cent of appropriations between sub-items of an item. The Chairperson of the Conference of Ministers may authorize the Secretary General to make transfers of up to 10 per cent of appropriations between items. All such transfers must be reported by the Secretary General to the next annual meeting of the Committee.
4. There shall be established a working capital fund for the purpose of accommodating normal operating expenditures prior to receipt of assessments from members of the Committee and to accommodate extenuating circumstances, as approved by the Conference of Ministers. The source of monies for the working capital fund shall be any surplus appropriations to the annual budget and, if necessary, any voluntary advances made by members of the Committee. Income derived from investments of the working capital fund shall be credited to miscellaneous income.
5. The Secretary General may incur obligations against the working capital fund when such obligations are necessary for the continued effective functioning of the Committee, provided such obligations are restricted to administrative requirements of a continuing nature not exceeding the scale of such requirements as authorized in the budget of the current financial year, until assessments are received from members of the Committee.
6. The Secretary General may also enter into obligations for future financial periods when such obligations are for programme activities which have been approved by the Committee and are expected to continue beyond the end of the current financial year.
7. The Conference of Ministers shall prescribe the conditions under which unforeseen and extraordinary expenses may be incurred.
8. The Secretary General shall prudently manage the appropriations, taking into account the availability of cash balances. The Secretary General shall be accountable to the Committee for the proper management of the financial resources in accordance with these Regulations.

#### **REGULATION 4 PROVISION OF FUNDS**



1 The funds of the Committee shall include:

(a) assessed contributions made by members of the Committee in accordance with article 13 of the Convention;

(c) such other funds as the Committee may receive from the Contracting Parties or any other donors.

2. Each member of the Committee shall contribute to the budget in accordance with article 13 of the Convention. Pending the receipt of such contributions, the appropriations may be financed from the working capital fund.

3. On approval of the budget for a financial year, the Secretary General shall send a copy thereof to all members of the Committee informing them of their contributions and requesting them to remit their contributions due.

4. Annual contributions shall be considered as due and payable in full within 60 days of the receipt of the communication of the Secretary General referred to in regulation 4.3 above, or as of the first day of the February of the year to which they relate, whichever is the later.

5. Annual contributions shall be assessed and paid in United States dollars.

6. The Secretary General shall submit to each regular session of the Committee a report on the collection of annual assessed contributions from Members of the Committee, any voluntary contributions received, any investment income and other income received, and any advances made from the working capital fund.

#### **REGULATION 5 FUNDS**

1. (a) There shall be established a General Account for the purpose of accounting for the income and expenditure of the Committee.

(b) Contributions paid under Regulation 4.2, miscellaneous income and any advances made from the working capital fund to finance general administrative expenditure shall be credited to the General Account.

(c) Any cash surplus in the General Account at the close of a financial year that is not required to meet undischarged commitments will be credited to the working capital fund in accordance with Regulation 3.

(e) Advances made by Members shall be carried over to the credit of the Members which have made such advances.

2. Trust funds, reserve and special accounts may be established by the Secretary General and shall be reported to the Committee.

3. The purpose and limits of each trust fund, reserve and special account shall be clearly defined by the Committee. Unless otherwise provided by the Committee, such funds and accounts shall be administered in accordance with the present Regulations.

#### **REGULATION 6 OTHER INCOME**

1. All income other than contributions to the budget under Regulation 5 and that referred to in Regulation 6.3 below, shall be classified as miscellaneous income and credited to the General Account. The use of miscellaneous income shall be subject to the same financial controls as activities financed from regular budget appropriations.

2. Voluntary contributions above and beyond assessed contributions may be accepted by the Secretary General provided that the purposes for which the contributions are made are consistent with the policies, aims and activities of the Committee. Voluntary contributions offered by non-members may be accepted, subject to agreement by the Committee that the purposes of the contribution are consistent with the policies, aims and activities of the Committee.

3. Voluntary contributions accepted for purposes specified by the donor shall be treated as trust or special funds under Regulations 5.2 and 5.3.

4. Moneys accepted in respect of which no purpose is specified shall be treated as miscellaneous income and reported as “gifts” in the accounts of the financial period.

#### **REGULATION 7 CUSTODY AND INVESTMENT OF FUNDS**

1. The Secretary General shall designate the bank or banks in which the funds of the Committee shall be kept and shall report the identity of the bank or banks so designated to the Committee.

2. (a) The Secretary General may make short-term investments of moneys not needed for the immediate requirements of the Committee. Such investments shall be restricted to securities and other investments issued under Government guarantee. The details of investment transactions and income derived shall be reported in the documents supporting the budget.

(b) With regard to moneys held in trust or special funds for which use is not required for at least 12 months, longer-term investments may be authorized by the Committee provided such action is consistent with the terms and conditions under which the moneys were lodged with the Committee.

## REGULATION 8 INTERNAL CONTROL

### 1. The Secretary General shall:

- (a) establish detailed financial rules and procedures to ensure effective financial administration and the exercise of economy in the use of funds. These rules and procedures shall be brought to the Committee for its consideration;
- (b) cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the goods or services have been received and that payment has not previously been made;
- (c) designate the officers who may receive moneys, incur obligations and make payments on behalf of the Committee;
- (d) maintain and be responsible for internal financial control to ensure:
  - (i) the regularity of the receipt, custody and disposal of all funds and other financial resources of the Committee;
  - (ii) the conformity of obligations and expenditures with the appropriations adopted by the Committee, or with the purposes and rules relating to trust and special funds; and
- (e) make every effort in the course of custodial and investment activity to avoid excessive transaction cost, minimize default and exchange rate risks and otherwise secure the economic use of the resources of the Committee.

2. No obligations shall be incurred until allotments or other appropriate authorizations have been made in writing under the authority of the Secretary General

3. The Secretary General may make such ex gratia payments as he or she deems to be necessary in the interest of the Committee, provided that a statement of such payments shall be submitted to the Committee with the accounts.

4. The Secretary General may, after full investigation, authorize the writing-off of losses of cash, stores and other assets, provided that a statement of all such amounts written off shall be submitted to the Auditor with the accounts together with the justifications attached thereto. Such losses shall be included in the annual accounts.

5. Substantial purchases of equipment, supplies and other requirements as specified in the detailed financial rules and procedures shall normally be by tender, except:

- (a) where it has been ascertained that only a single supplier exists and that fact is so certified by the Secretary General;
- (b) in case of emergency, or where, for any other reason, these rules would not be in the best financial interests of the Committee and that fact is so certified by the Secretary General.

## **REGULATION 9 THE ACCOUNTS**

1. The Secretary General shall ensure that appropriate records and accounts are kept of the transactions and affairs of the Committee and shall do all things necessary to ensure that all payments out of the Committee's moneys are correctly made and properly authorized and that adequate control is maintained over the assets of, or in the custody of, the Committee and over the incurring of liabilities by the Committee.

2. The Secretary General shall submit annual financial statements. The annual financial statements shall show, for the financial year to which they relate:

- (a) the income and expenditure relating to all funds and accounts;
- (b) the situation with regard to budget appropriations, including:
  - (i) the original budget appropriations;
  - (ii) the approved expenditure under or in excess of the original budget appropriations;
  - (iii) any other income;
  - (iv) the amounts charged against these appropriations and other income;
- (c) the financial assets and liabilities of the Committee;
- (d) investments;
- (e) losses of assets proposed in accordance with Regulation 8.4.

The Secretary General shall also give such other information as may be appropriate to indicate the financial position of the Committee.

3. The accounts of the Committee shall be presented in United States dollars. Accounting records may, however, be kept in such currency or currencies as the Secretary General may deem necessary.

4. Appropriate separate accounts shall be kept for all special, reserve and trust funds.

5. The annual financial statements shall be submitted by the Secretary General to the Auditor not later than 31 March following the end of the financial year.

#### **REGULATION 10 EXTERNAL AUDIT**

1. The Committee shall appoint an external auditor who shall be the Auditor-General or equivalent statutory authority from a Member of the Committee or an internationally recognized independent auditor with experience in the audit of international organizations. The Auditor shall be appointed for a period of two years and may be reappointed. The Committee will ensure respect for the Auditor's independence of the Committee, any subsidiary bodies established under the Convention and the Committee's staff, and shall make provision for appropriate funds to the Auditor.

2. The Auditor shall be completely independent and solely responsible for the conduct of the audit.

3. The Auditor or a person or persons authorized by him or her shall be entitled at all reasonable times to full and free access to all accounts and records of the Committee relating directly or indirectly to the receipt or payment of moneys by the Committee or to the acquisition, receipt, custody or disposal of assets by the Committee and may make copies of or take extracts from any such accounts or records.

4. The Auditor shall conduct his or her examination of the financial statements in conformity with generally accepted auditing standards and shall report on all relevant matters, including:

- (a) whether, in his or her opinion, the statements are based on proper accounts and records;
- (b) whether the statements are in agreement with the accounts and the records;
- (c) whether, in his or her opinion, the income, expenditure and investment of moneys and the acquisition and disposal of assets by the Committee during the year have been in accordance with these Regulations; and
- (d) observations with respect to the efficiency and economy of the financial procedures and conduct of business, the accounting system, internal financial controls and the administration and management of the Committee.

5. The Secretary General shall provide the Auditor with the facilities he or she may require in the performance of the audit.

6. The Auditor shall, within 90 days of the date upon which the annual financial statements are submitted by the Secretary General, issue a report on the audit of the financial statements and relevant schedules relating to the accounts for the financial period, which shall include such information as the

Auditor deems necessary with regard to matters referred to in Regulation 10.4 as appropriate. The Secretary General shall provide to the Committee a copy of the audit report and the audited financial statements within 30 days of their receipt.

7. The Committee may request the Auditor to perform certain specific examinations and issue separate reports on the results.

#### **REGULATION 11 ACCEPTANCES OF ANNUAL FINANCIAL STATEMENTS**

.1. The Committee shall, following consideration of the audited annual financial statements and audit report submitted to it under Regulation 10.6 of these Regulations, signify its acceptance of the audited annual financial statements or take such other action as it may consider appropriate.

#### **REGULATION 12 INSURANCE**

1. The Committee may take out suitable insurance with a reputable financial institution against normal risks to its assets.

#### **REGULATION 13 GENERAL PROVISIONS**

1. These Regulations shall become effective on the date they are approved by the Committee and shall apply to the financial year 20-- and to subsequent financial periods. Subject to the provisions of the Convention, these Regulations may be amended by the Committee in accordance with the Rules of Procedure.

2. Where the Committee or any of its subsidiary bodies is considering matters which may lead to a decision which has significant financial or administrative implications, it shall have before it an evaluation of those implications from the Secretary General.

Done in \_\_\_\_\_ on \_\_\_\_\_

### **Annex 5: Guidance (Rules and Procedure) for Effective Financial Administration and Economy in the Use of Funds Fishery Committee for the West Central Gulf of Guinea**

The terms of reference required that guidance be provided on matters of monitoring and control to ensure effective financial administration and the exercise of economy in the use of the Committee's funds. These notes are intended to provide Rules and Procedures to complement the provisions outlined in Financial Regulations 8.1.

### **Access to Funds, Certification and Approval**

#### **Rule 1 – Access to funds**

The utilization of all funds requires the prior authorization of the Secretary General. Such authorization may take the form of:

- a. An allotment of funds or other authorization to commit, obligate and expend specified funds for specified purposes during a specified period; and/or
- b. An authorization to employ staff against an approved staffing table.

#### **Rule 2 – Certification and Approval**

Notwithstanding assigned bank signatory functions, all commitments, obligations and expenditures require at least an authorizing signature, in either conventional or electronic form. All commitments, obligations and expenditures must first be signed ("certified") by a duly designated certifying officer. Following certification, a duly designated approving officer must sign to "approve" the establishment of obligations, the recording of expenditures in the accounts and the processing of payments. Expenditures properly recorded against an established, certified obligation do not require additional certifications, provided that they do not exceed the amount obligated by more than 10 per cent.

### **Designation of powers**

#### **Rule 3 - Funds Management**

(a) One or more officials may be designated by the Secretary General as the certifying officer(s) for the account(s) pertaining to a section or subsection of an approved budget. Certifying authority and responsibility is assigned on a personal basis and cannot be delegated. While it is not preferable for a certifying officer to also exercise the approving functions assigned in accordance with Rule 2, Committee staffing arrangements may make this impractical at times.

(b) Certifying officers are responsible for managing the utilization of resources, including posts, in accordance with the purposes for which those resources were approved, the principles of efficiency and effectiveness, and the Financial Regulations and Rules of the Committee. Certifying officers must maintain detailed records of all obligations and expenditures against the accounts for which they have been delegated responsibility. They must be prepared to submit any supporting documents, explanations and justifications requested by the Secretary General at any time or should it be requested and adequate advance is provided to the Committee's auditor.

#### **Rule 4 –Accounting Responsibilities**

Approving officers are designated by the Secretary General to approve the entry into the accounts of obligations and expenditures relating to contracts, agreements, purchase orders, and other forms of undertaking, after verifying that they are in order and have been certified by the duly designated

certifying officer. Approving officers are also responsible for approving the making of payments once they have been received in accordance with the contract, agreement, purchase order or other form of undertaking by which they were ordered and in accordance with the purpose for which the relevant financial obligation was established. Approving officers must maintain detailed records and must be prepared to submit any supporting documents, explanations and justifications required by the Secretary General or the Committee's auditor at any time.

## **Obligations**

### **Rule 5**

(a) Apart from the employment of staff against an authorizing staffing table and consequential commitments under the staff Regulations and Rules and allocations made, no undertaking including by contract, agreement or purchase order, for an amount exceeding US\$1000 shall be entered into until the appropriate credit(s) has (have) been reserved in the accounts. This shall be done through the recording of the obligation(s) against which relevant payments or disbursements, made only in fulfillment of contractual and other obligations, shall be recorded as expenditure. An obligation shall be recorded in the accounts as unliquidated until such a point as it is reobligated, liquidated or cancelled as appropriate.

(b) If, in the time that elapses between the establishment of an obligation and the processing of final payment, the cost of the relevant goods or services has, for whatever reason, increased by less than US\$1000 or 10 per cent of the obligation, whichever is lower, no change need be made to the amount of the original obligation. If, however, the increase in costs exceeds \$1000 or 10%, the original obligation must be revised to reflect this increase in requirement and further certification is required. All increases in obligations, including those resulting from currency fluctuations, shall be subject to the same procedure as apply to the incurring of original obligations.

### **Rule 6**

Outstanding obligations must be reviewed periodically by the responsible certifying officer(s) to determine if an obligation is determined to be valid. Obligations that are not longer valid shall be cancelled from the accounts forthwith and the resulting credit surrendered. When any obligation previously recorded in the accounts is for any reason reduced (other than by payment) or cancelled, the certifying officer shall accordingly ensure that appropriate adjustments are recorded in the accounts.

### **Rule 7**

An obligation must be based on a formal contract, agreement, purchase order or other form of undertaking, or on a liability recognized by the Committee. All obligations must be supported by an appropriate obligating document.

## **Reimbursements**

### **Rule 8**

The payment of reimbursements may be made only by the Secretary General.



#### Rule 9 Recoverable services

(a) Management and other support services may be provided to external parties on a reimbursable, reciprocal or other basis as are consistent with the policies, aims and activities of the Committee as approved by the Secretary General.

(b) Each management and support services arrangement shall be covered by a written agreement between the Committee and the entity on whose behalf the services are to be provided. Such agreements shall inter alia; specify the services which the Committee is to provide in return for full reimbursement to the Committee of any costs incurred by it in providing these services.

#### Rule 10 Ex gratia payments

The personal approval of the Secretary General is required for all ex gratia payments.

### **Procurement**

#### Rule 11

(a) No procurement contract shall be entered into on behalf of the Committee unless the contractual process complies with an instruction from the Secretary General, who shall establish all Committee procurement systems and shall designate the officials responsible for performing procurement functions.

(b) For contracts valued over US\$ 5000 the Secretary General may establish a Contract Committee to render written advice to the Secretary General on procurement actions leading to the award or amendment of the procurement contracts, which for purposes of these Regulations and Rules include agreements or other written instruments such as purchase orders and contracts that involve income to the committee. The Secretary General shall establish the composition and terms of reference for any Committee established for this purpose.

(c) Where the advice of a Committee is required, no final action leading to the award or amendment of a procurement contract may be taken before such advice is received. In cases where the Secretary General decides not to accept the advice of the Committee, he or she shall record in writing the reasons for that decision.

#### Rule 12

Consistent with the Principles of

- Best value for money
- Fairness, integrity and transparency
- Effective competition
- The interests of the Committee, and

Except as otherwise provided in rule 12, procurement contracts shall be awarded on the basis of effective competition, and to this end the competitive process shall, as necessary, include

- (a) Acquisition planning for developing an overall procurement strategy and procurement methodologies
- (b) Market research for identifying potential suppliers
- (c) Consideration of prudent commercial practices

- (d) (d) Formal methods of solicitation, utilizing invitations to bid or requests for proposals on the basis of advertisement or direct solicitation of invited suppliers, or informal methods of solicitation, such as requests for quotations.
- (e) (e) Public bid openings.

#### Rule 13

- (a) When a formal invitation to bid has been issued, the procurement contract shall be awarded to the qualified bidder whose bid all factors considered, is the most responsive to the requirements set forth in the solicitation documents, substantially conforms to the requirements set forth in the solicitation documents, and is evaluated to be the best value for money for the Committee.
- (b) The Secretary General may, in the interests of the Committee, reject bids or proposals for a particular procurement action, recording the reasons for rejection in writing. The Secretary General shall then determine whether to undertake a new solicitation, to directly negotiate a procurement contract or to terminate or suspend the procurement action.

#### Rule 14

- (a) The Secretary General may determine, for a particular procurement action, that using formal methods of solicitation is not in the best interest of the Committee:
  - I. When there is no competitive marketplace for the requirement, such as where a monopoly exists, where prices are fixed by legislation or government regulation or where the requirement involves a propriety product or service;
  - II. When there is a previous determination or there is a need to standardize the requirement;
  - III. When the proposed procurement is the result of cooperation with other organizations;
  - IV. When offers for identical products and services have been obtained competitively within a reasonable period and the prices and conditions offered remain competitive;
  - V. When, within a reasonable prior period, a formal solicitation has not produced satisfactory results;
  - VI. When the proposed procurement contract is for the purchase or lease of real property and market conditions do not allow for effective competition;
  - VII. When there is an exigency for the requirement;
  - VIII. When the proposed procurement contract relates to obtaining services that cannot be evaluated objectively;
  - IX. When the Secretary General otherwise determines that a formal solicitation will not give satisfactory results;
  - X. When the value of the procurement is below the monetary threshold established for formal methods of solicitation;
- (b) When a determination is made pursuant to subparagraph (a) above, the Secretary General shall record the reasons in writing and may then award a procurement contract, either on the basis of informal method of solicitation, or on the basis of a directly negotiated contract, to a qualified vendor whose offer substantially conforms to the requirement at an acceptable price.

#### Rule 15

a) The Secretary General may cooperate with other organizations to meet the procurement requirements of the Committee, provided that the regulations and rules of those organizations are consistent with those of the Committee. The Secretary General may, as appropriate, enter into agreements for such purposes. Such cooperation may include carrying out common procurement actions together, or the Committee entering into a contract in reliance on a procurement decision of another organization, or requesting another organization to carry out procurement activities on behalf of the Committee.

b) The Secretary General may cooperate with a government, non-governmental organization, or other intergovernmental organizations, in respect of procurement activities, and as appropriate, enter into agreements for such purposes.

#### Rule 16

a) Written procurement contracts shall be used to formalize every procurement transaction for a monetary value over US\$1000 or other amounts as established by the Secretary General from time to time. Such arrangements shall, as appropriate, specify in detail:

- i. The nature of the products or services being procured;
- ii. The quantity being procured;
- iii. The contract or unit price;
- iv. The period covered;
- v. Conditions to be fulfilled, including the Committee's general conditions of contract and implications for non-delivery;
- vi. The terms of delivery and payment;
- vii. Name and address of supplier

b) The requirement for written procurement contracts shall not be interpreted to restrict the use of any electronic means of communication.

#### Rule 17

(a) Except where normal commercial practice or the interest of the Committee so requires, no contract or other form of undertaking shall be made on behalf of the Committee which requires a payment or payments on account in advance of the delivery of products or the performance of contractual services. Wherever an advance payment is agreed to the reasons there-for shall be recorded.

(b) In addition to subparagraph (a) above, the Secretary General may, where necessary, authorize progress payment.

### **Voluntary Contributions, Grants, Gifts and Donations**

#### Rule 18

(a) In cases other than those approved by the Committee, the receipt of any voluntary contribution, grant, gift or donation to be administered by the Committee requires the approval of the Secretary General.

- (b) Gifts or donations are to be administered as voluntary contributions to the General Accounts Fund.
- (c) Voluntary contributions and grants are to be administered in accordance with their respective instruments or deeds.

### **Miscellaneous Income – General Fund**

#### **Rule 19**

- (a) Within the same financial period, reimbursements of actual expenditure incurred may be credited to the accounts against which they were originally charged; reimbursements of actual expenditure incurred in prior financial periods shall be credited as miscellaneous income.
- (b) Adjustments which arise subsequent to the closing of a trust fund, reserve or special account shall be debited or credited as miscellaneous income or miscellaneous expenditure if after reasonable attempts the adjustments cannot be settled otherwise.
- (c) Proceeds from any revenue-producing activities financed from the General Account Fund shall be credited as miscellaneous income.

### **Official Receipts: Contributions and other Income Received**

#### **Rule 20**

- (a) An official receipt shall be issued within two business days of receipt for all cash and negotiable instruments received.
- (b) Only officials designated by the Secretary General shall be authorized to issue official receipts. If other officials receive money intended for the Committee, they must immediately convey this money to an official authorized to issue an official receipt.
- (c) All moneys received shall be deposited in an official bank account as soon as possible and in any case within two (2) business days of receipt.
- (d) An official receipt shall be issued for all deposits made direct to a Committee account except for interest payments.

### **Custody of Funds**

#### **Rule 21 – Working Capital**

Advances from the Working Capital Fund may be made only for the purposes, and within the terms and conditions, prescribed by the Committee and only with the approval of the Secretary General.

#### **Rule 22 – Banking**

The Secretary General shall designate the banks in which the funds of the Committee shall be kept, shall establish all official bank accounts required for the transaction of Committee business and shall designate those officials to whom signatory authority is delegated for the operation of those accounts. The Secretary General shall also authorize all bank account closures. Committee bank accounts are to be opened and operated in accordance with the following guidelines:

- I. Bank accounts shall be identified as Fishery Committee for the West Central Gulf of Guinea (FCWC) official accounts;
- II. Banks shall be required to provide monthly statements as promptly as possible;

- III. All banks shall be required to recognize that the Secretary General is authorized to receive, upon request or as promptly as practicable, all information pertaining to official bank accounts of the Committee and to authorize access by the independent auditor to information about account balances.

Rule 23 – Petty Cash

- (a) The Secretary General may establish petty cash floats;
- (b) Once a petty cash float is established safe custody of the cash is to be ensured and the advance accounted for regularly.

Rule 24 – Bank Signatory Authority not to be further delegated

Bank signatory and responsibility is assigned on a personal basis and cannot be delegated. It is preferable that bank signatories do not exercise the approving functions assigned in accordance with rule 2 however staffing circumstances may preclude this separation.

Rule 25 – Bank signatory responsibilities

Designated bank signatories must:

- (a) Ensure that there are sufficient funds in the bank account when cheques and other payment instructions are presented for payment;
- (b) Verify that all cheques and other payment instructions are dated and drawn to the order of the named payee. Approved by an approving officer, as indicated in the accompanying disbursement voucher, payment instructions and original invoice and that the figures and words agree;
- (c) Ensure that cheques and other banking instruments are properly safeguarded and that when they are obsolete they are destroyed.

Rule 26 – Foreign exchange transactions

Officials responsible for the operation of the Committee bank accounts or for holding Committee cash or negotiable instruments are not authorized to exchange one currency for another, except to the minimum extent necessary for the transaction of official business.

Rule 27 – Advances

- (a) Petty cash advances and other advances may only be made by and to officials for purposes designated by the Secretary General;
- (b) The petty cash float shall be maintained on an imprest system;
- (c) The Secretary General may make other cash advances as may be permitted by Staff Regulations and Rules, administrative instructions and as may otherwise be approved in writing by him or her.

Rule 28 – Accountability for advances

Staff to whom cash advances are issued shall be held personally accountable and financially liable for the proper management and safekeeping of cash so advanced and must be in a position to account for these advances at all times.

#### **Rule 29 – Payment method and recording**

- (a) All disbursements shall be made by cheque, by wire transfer or by electronic funds transfer except to the extent that cash disbursements are authorized by the Secretary General.
- (b) Disbursements shall be recorded in the accounts as at the date when they are made, that is, when the cheque is issued, transfer is made or cash is paid out.
- (c) Except where evidence of a paid cheque or funds transfer is available from the bank, a payee's written receipt shall be obtained for all disbursements.

#### **Rule 30 – Bank reconciliations**

Every month, unless an exception is authorized by the Secretary General all financial transactions, must be reconciled with the information available from the Committee's banks. The reconciliation must be presented to the Secretary General.

### **Investments**

#### **Rule 31**

- (a) Financial Regulation 7 authorizes the Secretary General to make, and prudently manage investments in such a way as to place primary emphasis on minimizing the risk to principal funds while ensuring the liquidity necessary to meet the Committee's cash flow requirements. Consistent with these criteria, investments shall be selected on the basis of achieving the highest reasonable rate of return given available opportunities.
- (b) Investments shall be recorded to show all the relevant details for each investment, including, face value, cost, date of maturity, place of deposit, and income earned.
- (c) All investments shall be made through and maintained by recognized financial institutions approved by the Secretary General, consistent with the provisions for Financial Regulation 7.
- (d) Income from General Fund investments shall be taken into account as miscellaneous income.
- (e) Income from investments pertaining to trust funds and special accounts shall be credited to the trust fund or special account concerned.
- (f) Any investment losses must be reported at once to the Secretary General. A summary statement of investment losses, if any, shall be provided to the Committee as part of the presentation of the annual accounts and offset against miscellaneous income.
- (g) Investment losses shall be borne by the fund, reserve or special account from which the principal amounts were obtained.

### **Future periods' financial obligations**

#### **Rule 32**

Financial Regulation 3.6 authorizes the Secretary General to approve commitments against future financial periods. If such obligations are entered into the Secretariat shall maintain a record in the accounts of all such commitments which shall constitute the first charges against relevant appropriations once they are approved by the Committee.

### **Unforeseen and extraordinary expenses**

### Rule 33

Where the situation arises that the Secretary General considers it is in the interest of the Committee to incur unforeseen and extraordinary expenses and these can be met within existing appropriations or by the working capital fund the Secretary General may proceed but should report the circumstances and amounts to the Committee in the presentation of the annual accounts. However if additional or supplementary funding is required the Secretary General will consult with the Chairperson of the Conference of Ministers in order to attempt to identify other sources of funds. If funds can be identified the Secretary General may then incur the related expenses and report thereof in the presentation of the annual accounts.