



IHB File No. S3/3055 (S1/0506)

CIRCULAR LETTER 54/2008  
27 June 2008

SECONDMENT OF PERSONNEL TO THE IHB

- References:
- a) Administrative Resolution T4.2 - *Secondment and exchange of personnel to the IHB from Member States*
  - b) CL 92/2007 dated 19 October
  - c) CL 02/2007 dated 8 January
  - d) CL 32/2008 dated 31 March
  - e) CL35/2008 dated 11 April

Dear Hydrographer,

1 The Directing Committee would like to thank the following 44 Member States who replied to CL 35/2008: Argentina, Algeria, Australia, Bahrain, Bangladesh, Brazil, Canada, Chile, Colombia, Cuba, Cyprus, Denmark, Ecuador, Estonia, Finland, France, Greece, Iceland, India, Italy, Japan, Korea, Rep. of, Mexico, Monaco, Netherlands, New Zealand, Pakistan, Papua New Guinea, Peru, Poland, Portugal, Qatar, Romania, Russia, Singapore, Slovenia, South Africa, Spain, Suriname, Sweden, Tunisia, Turkey, United Kingdom and USA. All Member States, except one, support the proposed improved text of the Administrative Resolution T4.2, with some making comments which are provided in Annex A, together with the IHB comments where appropriate. On the date of issue of CL35/2008 and in accordance with paragraph 6 of Article VI of the IHO Convention, 39 positive votes were required for this Resolution to be approved. As this requirement has been met, AR T4.2 is therefore approved.

2 The Directing Committee has taken into account the comments made by the Member States and the text of the Resolution has been improved accordingly. The final wording of AR T4.2 is given in Annex B and it will be incorporated in the Repertory of Technical and Administrative Resolutions of the IHO, Publication M-3.

On behalf of the Directing Committee  
Yours sincerely,

Vice Admiral Alexandros MARATOS  
President

- Annex A: Member States' and IHB comments  
Annex B: Final Text of the AR T 4.2

## MEMBER STATES' AND IHB COMMENTS

### 1. AUSTRALIA

Suggest that the first sentence of paragraph 11 (Obligations of the sponsoring Member State) be amended as follows:

"11. Unless specifically agreed otherwise as detailed at paragraph 12, the funding and financial support of a seconded Officer shall be the responsibility of the sponsoring Member State."

#### Comment by the IHB

*Australia's proposal cannot be incorporated into the Resolution proposed by the IHB. This is because the IHO budget does not include provision for secondment expenses, neither can such expenses be considered as Capacity Building. Nevertheless, it is always open to Member States to nominate suitably qualified personnel whenever the IHB calls for expert assistance that is normally funded in the budget as 'consultancy'. In these circumstances it might be possible to offset some of the expenses of Member States' personnel employed at the IHB.*

### 2. ECUADOR

We approve the principle of this Resolution bearing in mind that numerous Member States have expert staff available who are capable of providing advice on specific IHB work projects. Unfortunately, by putting the financial onus on the Member State providing the seconded officer, the participation of suitably qualified staff will be limited to those officers coming from a Member State with the means to finance a secondment. A point should be included whereby, depending on the profile of the officer and the size of the project, funding could be made available for such a secondment. Such funding could be obtained through the Capacity Building Committee, either requested by the Member State concerned or, at best, by the IHB.

#### Comment by the IHB

*The comment provided for Australia also applies in this case.*

### 3. INDIA

In order to encourage a greater number of secondments, it is proposed that the IHB bear the financial obligations for the duration of the secondment. Thus the Resolution AR T4.2 may be amended to read as:-

(a) For para. 8 read as:-

"Seconded Officers will have the rights or entitlements to the social and medical benefits afforded to IHB staff. Seconded Officers will not be included in the IHB Pension and Medical share schemes".

(b) Delete para. 11 (a)

(c) Insert Obligations of the IHO

#### **Obligations of the IHO**

"Providing funds and administering appropriate arrangements for the Officer's salary, allowances and benefits including annual, sick and home leave entitlements and any other personal entitlements that may be applicable".

#### Comment by the IHB

*The comment provided for Australia also applies in this case.*

### 4. FRANCE

a) In para. 2 instead of :

«From time to time, the IHB will inform Member States of topics and activities where a seconded Officer could best contribute and improve the rate of progress of IHB work.»

We propose:

“From time to time, and in particular at the time of distributing the 5-year work programme, the IHB will inform Member States of priority<sup>1</sup> topics and activities where a seconded Officer could best contribute and improve the rate of progress of IHB work.”

<sup>1</sup> suggest adding this word to be consistent with the wording in para. 4

**Comments by the IHB**

*The IHB agrees with the proposed improvement.*

- b) In para. 3 the initial length of secondment is fixed for a period of up to one year and may be extended. To allow for the necessary adaptation period and in order that the burden of supervision on the permanent staff members is not greater than the benefit to be gained from such a secondment, it would seem quite logical to fix a **minimum** period depending on the task(s) which are to be given to the seconded person.

**Comments by the IHB**

*This wording was carefully drafted to reflect the experience gained and wishes of sponsoring Member States. The duration of the secondment can be considered at any time based on how well the secondee will adapt, the support that can be provided and the wish of the sponsoring country.*

- c) Para. 9 sets down the principle of the right to annual leave which would be in accordance with the provisions in the IHB Staff Regulations. In order to allow for a wide range of possible situations and in particular for staff from distant countries, we suggest making this arrangement more flexible as follows:

“and shall, except for contrary (other?) arrangements agreed with the seconded person’s national authority, be entitled to annual leave .....

**Comments by the IHB**

*The IHB agrees with the proposed improvement.*

- d) It is suggested to simplify the last sentence of para. 12 as follows : “The Contract will make reference to the general terms of this Resolution, specifying, if required, any particular circumstances or additional conditions.”

**Comments by the IHB**

*We have improved the text bearing in mind these comments.*

- e) Taking into consideration the terms and conditions provided in the proposed version of the AR T4.2, we would like to bring to the attention of the Directing Committee that the administrative term used in the French language is “*mise à disposition*” (the person is paid by his/her original employer), rather than “*détachement*” (which implies that the person receives a salary from the receiving authority).

**Comments by the IHB**

*The IHB agrees with the proposed French term.*

**5. JAPAN**

- a) I would like to propose an amendment to para. 11 as follows:

“The IHB does not have the responsibility of the funding and financial support of a seconded Officer. This includes:”

I support the intention of the original wording which means that the IHB would not have any responsibility for funding and finance. But that does not mean directly that a sponsoring Member

State should have the responsibility, as you see. Who has the responsibility is, I understand, not the concern of the IHB. The original wording needlessly bowdlerizes the intention and proposed amendments exactly satisfy it.

**Comments by the IHB**

*The objective of this CL is to provide the financial, technical and administrative guidelines that need to be followed when Member States second personnel to the Bureau.*

*A secondment is an arrangement concerning the interested Member State and the Bureau. This is clearly reflected in the title of the proposed Resolution and is explicitly mentioned in more detail in paragraphs 1-5.*

*The funding for the secondment of personnel is an important and sensitive issue and it must be very clear that this will be undertaken by the sponsoring Member State and it must be included in the 'Formal arrangement between the Directing Committee and the sponsoring Member State under paragraphs 12 -15.*

*The sentence that you propose for the introduction of paragraph 11, although it states that the funding and the financial support are not the responsibility of the Bureau, it does not indicate who will undertake it. In this way, Member States may argue whether this is their responsibility, because it is not stated in the Resolution. The source and the way that Member States will provide the funding are entirely up to them and the Bureau has nothing to do with their internal procedures and arrangements.*

b) The system which is proposed in the CL seems to be needlessly specialized to a specific case that is related to current experience. As each Member State has its working conditions, I would like the IHB to keep trying to find another more flexible scheme to invite extra staff on condition that the scheme should meet IHB and Monaco (France) regulations. I heard some international organizations such as IAEA, including Monaco Laboratory, have an employment system which is called 'cost free expert'. That means a sponsoring state offers the finance to the Organization which affords to hire an expert from the sponsoring state. This system is more adaptable for at least the Japanese personnel system and I believe there are other States like Japan.

**Comments by the IHB**

*The proposed revised Administrative Resolution for the secondment of personnel has been drafted based on the experience gained up to now and we believe that we respond to this and to the various issues that the secondees, the sponsoring Member State and the Bureau are facing and need to be solved and put in place. The Directing Committee will examine further improvements to the Resolution in the future, if needed, as and when more experience has been gained. The Bureau is open to discussion with the sponsoring Member State on specific arrangements, which will take into account national practices and procedures for secondment.*

## FINAL TEXT OF THE ART 4.2

### T4.2 SECONDMENT OF PERSONNEL FROM MEMBER STATES TO THE IHB

#### Principles

1. It is recommended that Member States of the International Hydrographic Organization (IHO) support the activities of the International Hydrographic Bureau (IHB) as far as possible, by the temporary secondment of skilled personnel to work on specific tasks at the IHB.
2. From time to time, and in particular at the time of distributing the 5-year work programme, the IHB will inform Member States of priority topics and activities where a seconded Officer could best contribute and improve the rate of progress of IHB work.

#### Length of secondment

3. A secondment shall be for an initial period of up to one year and may be extended with the agreement of the Directing Committee and the sponsoring Member State.

#### Nominations

4. Member States may propose Officers for secondment at any time. Proposals should include full details of the expertise and experience of the nominee together with an explanation of how the nominee would contribute to the work of the IHB and in particular in relation to any priority activities that have been previously identified by the IHB.
5. The Directing Committee will determine the suitability of nominees and when a nominee is accepted it will inform Member States accordingly.

#### Conduct of seconded Officers

6. The Officer seconded to the IHB shall act wholly in the interests of the Organization. In carrying out IHB functions, a seconded Officer shall not request or accept instructions from any government or authority outside the IHB.

#### Status of seconded Officers

7. Officers seconded to the IHB will be placed under the authority, and technical and administrative supervision of a Director.
8. Seconded Officers will have no rights or entitlement to the social and medical benefits afforded to IHB Staff. Seconded Officers will not be included in the IHB Pension and Medical care schemes.
9. A seconded Officer shall be subject to the same working conditions and hours as IHB staff and shall, except for other arrangements agreed with the seconded person's national authority, be entitled to annual leave in accordance with the IHO Staff Regulations leave.
10. Seconded Officers shall be subject to the same performance appraisal arrangements as IHB staff during the term of their secondment.

#### Obligations of the sponsoring Member State

11. The funding and financial support of a seconded Officer shall be the responsibility of the sponsoring Member State. This includes:
  - a. providing funds and administering appropriate arrangements for the Officer's salary, allowances and benefits, including annual, sick and home leave entitlements and any other personal entitlements that may be applicable.

- b. providing appropriate social security coverage for the Officer and any dependants, including health, pension and disability arrangements as appropriate.
- c. meeting the cost of travel and relocation of the Officer and dependants to and from Monaco, including the transportation of any personal or other effects and any other incidental expenses related to relocation. The IHB will provide administrative and any other practical support required to assist in the relocation to Monaco.
- d. arrangements for and the provision of an appropriate visa obtained from the French Embassy in the Officer's country of residence. The IHB will prepare and provide any necessary supporting documentation.

**Formal Arrangement between the Directing Committee and the Sponsoring Member State**

12. A secondment will become effective upon the signing of an Arrangement by the President, IHB on behalf of the Directing Committee and the Head of the national hydrographic authority or equivalent government institution in the sponsoring Member State. The Arrangement for the secondment shall be conducted under the general terms of this Resolution, specifying, if required, any particular circumstances or additional conditions.

13. The Arrangement may be modified at any time or renewed with the written agreement of the parties and with the consent of the seconded Officer.

14. The secondment of an Officer may be terminated early by mutual consent of both parties, provided the Officer is given reasonable notice of such termination.

15. In the event that a dispute relating to the Arrangement or to the conduct of the secondment cannot be resolved between the parties, then the matter may be referred to Member States for guidance.