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EUROPEAN EXTERNAL ACTION SERVICE



**Decision of the High Representative of the Union
for Foreign Affairs and Security Policy**

of 24/07/2024

**on the periodic serving of Officials and Temporary Agents in Union Delegations,
and repealing Decision ADMIN(2021) 221 of 1 July 2021**

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THE HIGH REPRESENTATIVE OF THE UNION FOR FOREIGN AFFAIRS AND SECURITY POLICY,

Having regard to Council Decision of 26 July 2010 establishing the organisation and the functioning of the European External Action Service¹ (hereinafter, ‘the EEAS’), and in particular Article 6(10) thereof,

Having regard to the Staff Regulations of Officials of the European Union (hereinafter, the ‘Staff Regulations’) and in particular Article 29 thereof and Article 2 of its Annex X, and the Conditions of Employment of Other Servants of the European Union (hereinafter, the ‘CEOS’), and in particular Article 10(5) thereof,

After consultation of the Staff Committee,

Whereas:

- (1) The EEAS runs a wide network of Union Delegations worldwide and the EEAS staff are subject to a high degree mobility and should in principle serve periodically in Union Delegations. Periodic serving in Union Delegations allows EEAS staff to experience a variety of assignments and to be exposed to different cultures and conditions on the ground, which is an asset for their personal and professional development;
- (2) The Decision of the High Representative of the Union for Foreign Affairs and Security Policy ADMIN(2021) 221 of 1st July 2021 on the periodic serving of Officials and Temporary Agents in Union of Delegations defined a legal framework for implementing the obligation of EEAS staff to periodically serve in Union Delegations. It is necessary to update the rules for serving on posts in these Delegations in the light of EEAS experience and of the rules set up in other EU institutions, in particular regarding the duration of postings and the selection of staff members for management and non-managements posts.
- (3) In the interest of the service and to ensure business continuity in Union Delegations, the decision should provide for preventive medical checks and allow the competent authority to take appropriate measures to limit the impact of long-term absences of staff members in Delegations.

¹ OJ L 201, 3.8.2010.

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HAS DECIDED AS FOLLOWS:

Article 1 - Scope

This Decision sets out the rules for officials and temporary agents engaged under Article 2 point (e) of the CEOS (hereinafter, 'TAs 2(e)') to be appointed or assigned to an EEAS post in a Union Delegation or for organising their return to the headquarters in Brussels (Belgium) from a post in a Union Delegation.

Article 2 – Definitions

For the purposes of this Decision, the following definitions apply:

1. 'Union Delegation' means a delegation or representative office of the European Union to a third country or to international organisations, within the meaning of Article 221 of the Treaty on the Functioning of the European Union and Article 5 of the Council Decision 2010/427/EU establishing the organisation and functioning of the EEAS.
2. 'Posting' means an assignment to a post in a Union Delegation.
3. 'Rotation exercise' means the periodic exercise of moving officials and temporary agents between postings or between a posting and headquarters through a collective exercise usually conducted on a yearly basis, which includes the filling of posts through the 'mobility procedure' foreseen in Article 2 of Annex X to the Staff Regulations.
4. 'Management posts in Delegations' means posts of Heads of Delegation which are classified at the level of "Director-General" (AD 15 – AD 16), "Director" (AD 14 – AD 15) or "Head of Unit or equivalent" (AD 9 – AD 14) and Deputy Heads of Delegation classified at the level of "Head of Unit or equivalent" (AD 9 – AD 14) as referred to in Annex I, point A, to the Staff Regulations.
5. Any reference to the 'Appointing Authority' in this Decision may also be deemed to constitute a reference to the 'Authority Authorised to Conclude Contracts of Employment'.

Article 3 - Obligation to serve in a Union Delegation

1. In principle, all EEAS officials and TA 2(e) shall periodically serve in Union Delegations.
2. After a consecutive period of no more than twelve years in headquarters, EEAS officials in the function group "Administrator" (hereinafter 'AD') should be assigned to a post in a Union Delegation. For this purpose, they shall be automatically included in the rotation exercise unless a derogation is granted by the Director responsible for human resources on justified grounds, taking into account the interest of the service and certain specialised profiles.
3. EEAS officials in the function group "Assistant" (hereinafter 'AST') and in the function group "Secretary and clerk" (hereinafter 'AST/SC') are not required to serve in Union Delegations but shall be encouraged to do so.

Article 4 - Duration and sequence of postings

1. The duration of postings shall be decided by the Director responsible for human resources after considering the living conditions allowance determined in accordance with Article 10 of Annex X to the Staff Regulations and geopolitical factors relevant to that posting. The duration shall be no more than four years. The duration of posting(s) where staff is confined in a compound shall

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on no account exceed two years. The duration of the postings shall be determined before the launch of the rotation exercise or, when applicable, the publication of a vacancy notice. It shall be recalled in the selection letters notified to candidates.

2. The Appointing Authority for filling the post may at any time shorten or extend the duration of that posting by no more than one year, on its own initiative in the interest of the service and after hearing the staff member concerned, or upon justified request from the staff member concerned, in particular due to modifications of the living conditions allowance referred to in paragraph 1. A final extension may exceptionally be granted by this Appointing Authority in the interest of the service, after hearing the staff member concerned. Extensions under this paragraph shall be granted within the limit of no more than six years and three months per posting.
3. Without prejudice to exemptions exceptionally granted under Article 7 of this Decision, Officials and TAs 2(e) shall serve in Union Delegations for no more than two consecutive postings.
4. In the event of a long-term absence of more than six months, including by reason of illness or accident, the Appointing Authority may, in the interest of the service, after hearing the person concerned, decide to end the posting and reassign the staff member of the Union Delegation to a post in headquarters. Maternity, parental and family leaves shall not be considered as long-term absences for the purposes of the present article.
5. Without prejudice to paragraph 4 above, at the end of the posting(s) referred to in this Article, the EEAS official shall return to EEAS headquarters, in accordance with Article 6, paragraph 2(c) and Article 13 of the present Decision.
6. Without prejudice to Article 51 of the Staff Regulations and to the procedural steps to be taken in dealing with a case of professional incompetence in the EEAS, a procedure for reassignment to Headquarters may be launched by the Director responsible for human resources if the performance of a staff member posted in an EEAS Delegation has been evaluated as unsatisfactory in the last annual report provided for in Article 43 of the Staff Regulations. It must be launched by the Director responsible for human resources if the performance has been evaluated as unsatisfactory in two of the last three annual reports. Furthermore, the procedure may also be launched by the Director-General responsible for Resource Management in other exceptional and duly justified cases related to the performance of a staff member posted in an EEAS Delegation.

Article 5 – Filling posts in Delegation

1. Pursuant to Articles 2 and 3, first sentence, of Annex X, posts in Delegation shall be filled through the rotation exercise or, when deemed appropriate, by ad hoc selection procedures involving the publication of a vacancy notice.
2. Selection procedures under this Decision may be terminated at any stage in the interest of the service and the Appointing Authority may decide to reorganise its services by a reassignment of posts.

Article 6 - Eligibility

1. Further to the conditions determined for each post in the vacancy notice, an official or TA 2(e) applying for a post in a Union Delegation shall:
 - a. not have any conflict of interest such as to impair their independence if selected for the post. To that end, the candidate, using a specific form, shall inform the Appointing Authority of any actual or potential conflict of interest. This form shall also contain information on the

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nationalities, professional activities and other relevant facts concerning the spouse of the candidate or dependents living in the same household with them;

b. have the capacity to work in the CFSP working languages (English and French).

2. Without prejudice to exemptions exceptionally granted under Article 7 of this Decision, an official or TA 2(e) applying for a posting shall be subject to the following conditions:
- the candidate is in a position to serve the full duration of the posting within the duration of their service with the EEAS or before reaching the age of retirement foreseen under Article 52(a) of the Staff Regulations²;
 - the candidate serving in a posting at the time of the application is eligible for a new posting if they are included in the rotation or mobility exercises or if the last day for submitting the applications for the vacancy notice is less than six months from the end of their ongoing posting;
 - the candidate has served a minimum of two years in headquarters after having returned from a post in a Delegation;
 - the candidate is not eligible for posts/functions to which they have already been assigned in the same Delegation;
 - the candidate is not eligible for a posting in a Delegation in which they have already served unless a minimum of two years would have elapsed between the start of the new posting and the end of a previous posting in that Delegation;
 - the candidate is not eligible for a third posting to the same Delegation, irrespective of the functions;
 - the candidate is not eligible for a non-family, compound-confined posting unless a minimum of two years would have elapsed between the start of the new posting and the end of a previous compound-confined, non-family posting.
 - the candidate is eligible to apply only for a post corresponding to the type of post occupied at the time of the application or to a higher type of post as listed in Annex I to the Staff Regulations

The eligibility criteria under points (b) and (c) shall not apply when a candidate applies to a higher type of post under Section A of Annex I to the Staff Regulations.

3. Without prejudice to paragraphs 1 and 2, and without prejudice to exemptions exceptionally granted under Article 7 of this Decision, candidates for a management post in a Union Delegation shall:
- have served a minimum of two years in a Union Delegation or in a diplomatic mission of an EU Member State;
 - have no less than three years' management experience with responsibility for at least six subordinate staff members;
 - not have been accredited as a resident diplomat to the country of the posting at any time during the two years preceding the start date of the assignment indicated in the vacancy notice;
 - apply to posts that correspond to the type of post occupied at the time of the application or to a higher type of post as listed in Annex I to the Staff Regulations.

Article 7 – Exemptions

- Candidates, who already served two consecutive postings in Union Delegations as required in Article 4(3) of this Decision or who do not fulfil the eligibility criteria foreseen under Article 6(2) or (3), may nevertheless submit their applications for available post(s) accompanied by a reasoned request for an exemption. The Appointing Authority or, when applicable, the Consultative Committee on Appointment (CCA) on behalf of the Appointing Authority, will examine those requests while assessing the eligibility of all applicants for each available post.

² Applicable to temporary agents by virtue of Article 47(a) of the CEOS.

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As a result of the eligibility assessment, exemptions to the conditions foreseen in Article 4(3) and 6(2) and (3) of this Decision may exceptionally be granted in the interest of the service.

2. While more than 2 consecutive postings may exceptionally be authorised, especially as regards the posts of “Head of Administration”, the total duration of the consecutive postings shall not be superior to 12 years and nine months.
3. In cases where candidates are exceptionally allowed to apply for a post that corresponds to a lower type of post than the one occupied at the time of application, they will be informed that their assignment to such post may impact accordingly their eligibility for promotion in light of the lower grade brackets foreseen in Annex I to the Staff Regulations.

Article 8 – Selection

1. The selection procedures shall be transparent and based on merit, having regard to adequate gender and geographical balance, without fixed or guaranteed quotas for specific groups.
2. Without prejudice to the foregoing, the Appointing Authority may take the following subsidiary criteria into account when selecting candidates:
 - a. the need to assist EEAS officials or TAs 2(e) to fulfil their obligations under Article 3(1) of the present decision;
 - b. the need to ensure that EEAS officials or TAs 2(e) pursue a variety of assignments to widen their experience in different world regions and develop a mix of competences;
 - c. the principle of alternation of postings according to the level of difficulty of the living conditions, taking into account the living conditions allowance determined in accordance with Article 10 of Annex X to the Staff Regulations and relevant geopolitical factors to that posting;
 - d. requests for family unification, in particular through coordination with other EU institutions or Member States.
3. Non-selected candidates are entitled to request feedback from the chair of the selection panel. They may be accompanied by an EEAS staff representative.

Article 9 – Selection procedure for management posts in Delegations

1. The Director responsible for human resources shall launch the rotation exercise for management posts in Union Delegations and publish the corresponding vacancies pursuant to Articles 4 and 98 of the Staff Regulations. In principle, the rotation exercise for a specific year shall be launched by no later than the end of July of the preceding year. Selected candidates shall take up duties by 1 September of the year of the rotation exercise, unless otherwise authorised by the Appointing Authority.
2. The selection procedure for posts of Heads of Delegation shall be carried out in accordance with the Decision ADMIN(2023) 25 of the High Representative of the Union for Foreign Affairs and Security policy of 10 July 2023, establishing and laying down the rules of procedure for the Consultative Committee on Appointments (hereinafter, the ‘CCA’) to the EEAS.
3. The selection procedure for Deputy Heads of Delegation posts at the level of “Head of Unit or equivalent” (AD 9 – AD 14) will be carried out as follows:
 - (a) for the posts published outside of the framework of the rotation exercise for management posts in Union Delegations provided for in paragraph 1, the selection procedure will be conducted by a panel composed of 3 members: the Director responsible for human resources who shall serve as

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the Chairperson, one representative of the European Commission and the Director of the relevant EEAS Managing Directorate. The panel shall include at least one representative of each gender.

The panel shall review the eligibility of candidates. It shall then establish a list of candidates who best meet the selection criteria on the basis of the requirements of the post. These pre-selected candidates shall be invited to an interview by the panel. The incumbent Heads of Delegations may be invited to attend the interviews as observers. The pre-selected candidates may also be invited to an Assessment Centre. Based on the performance of the candidate during the interview, and, when applicable, taking account of the Assessment Centre results, the panel shall establish a shortlist of candidates. The reasoned recommendations of the panel shall be submitted for a decision by the Appointing Authority.

(b) For the posts published within the framework of the rotation exercise for management posts in Union Delegations, the review of the eligibility of the candidates and the establishment of the list of candidates to be interviewed will be conducted by the CCA, as provided for by Article 1 (2) ii of the Decision ADMIN(2023) 25 of the High Representative of the Union for Foreign Affairs and Security policy of 10 July 2023, establishing and laying down the rules of procedure for the CCA to the EEAS.

The interviews of the pre-selected candidates and the selection procedure will be conducted by a panel of the same composition and under the same conditions laid out in the previous subparagraph (a).

4. The Secretariat of the CCA will support the work of the panel involved in the procedures described in paragraph 3 (a) and (b).

Article 10 – Selection procedure for non-management posts

1. The Director responsible for human resources shall launch the rotation exercise for non-management AD, AST and AST/SC posts. In principle, the rotation exercise for a specific year shall be launched by no later than the end of July of the preceding year and completed by no later than the end of January of the year of the rotation exercise. Selected candidates shall take up duties by 1 September unless otherwise agreed by the Appointing Authority.
2. The EEAS shall publish the vacancy notices for non-management posts in the rotation exercise in accordance with Articles 4 and 98 of the Staff Regulations. In the interest of the service, selection procedures may be terminated at any stage and the Appointing Authority may decide to reorganise its services by reassignment.
3. In the interest of the service and in particular to fulfil the objectives of Article 3 of this Decision, the EEAS may identify some non-management posts that could be filled by reassignment of EEAS officials or TAs 2(e) who are eligible for the rotation exercise at the time it is launched. For this purpose, the EEAS shall publish an internal call for expression of interest.
4. For AD non-management posts, the selection procedure for the rotation exercise shall be conducted by a Rotation Committee. The Rotation Committee shall be chaired by the Director responsible for human resources and composed of a representative of each Directorate concerned by the respective rotation exercise. The members shall be selected by the chair upon recommendation by the EEAS services concerned by the rotation exercise. The EEAS Head of Division responsible for Selection and Recruitment shall be responsible for the preparatory work and act as secretariat of the Rotation Committee.

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For the purposes of paragraph 2, the Division in charge of Selection and Recruitment shall establish a list of candidates meeting the eligibility criteria. The Rotation Committee shall review the eligibility of these candidates. Then selection panels appointed by the Director responsible for human resources shall establish a list of candidates who meet the selection criteria on the basis of the requirements of the post and shall invite them to an interview. Each panel shall consist of no less than three officials or TAs 2(e) having the same function group and grade as the vacant post or higher. The panel shall include at least one man and one woman and representatives from no less than two EEAS Divisions. The selection panels shall report the outcome of its interviews to the Rotation Committee indicating the order of preference among the shortlisted candidates.

For the purposes of paragraph 3, each EEAS service concerned by the rotation exercise shall examine the profiles and merits of the candidates who have expressed their interests in light of the requirements of the posts, as set out in the call for expression of interest, and establish a list of candidates indicating an order of preference.

After considering the recommendations received under the preceding two subparagraphs, the Rotation Committee shall submit its reasoned recommendations for decision by the Appointing Authority. Where it recommends more than one candidate for a post, it shall indicate an order of preference. In reaching its conclusions, the Rotation Committee shall prioritise the interest of the service and consider the preferences expressed by candidates for the available posts.

5. For AST and AST/SC posts in Union Delegations, the selection procedure shall be conducted by selection panels appointed by the Head of the Division in charge of Selection and Recruitment. A panel shall consist of no less than three officials or TAs 2(e) having the same function group and grade as the vacant post or higher. The panels shall include at least one man and one woman and representatives from no less than two EEAS Divisions.

Separate selection panels shall be appointed for Head of Administration posts classified at the level of the function group “Assistant” (AST) and other posts classified at the level of the function group “Assistant” (AST) and “Secretaries and clerks” (AST/SC).

The selection panels shall review the eligibility of candidates and establish lists of candidates to be considered on the basis of the requirements of the post. The selection panels shall each report the outcome of their selection process to the Appointing Authority. The latter may consult the EEAS relevant geographical or thematic Division(s) before taking the final decision.

Article 11 – Medical clearance

1. Candidates selected for a posting shall be assigned or appointed on condition that they are fit to perform their duties in their future post of assignment in a Union Delegation.
2. To this end, selected candidates shall:
 - a. submit to a medical officer designated for this purpose by the Appointing Authority a confidential form declaring medical information, which also contains medical information on their dependents;
 - b. undergo a medical examination and complementary exams including, where appropriate, a psychological examination.

Based on the outcome of the medical examination and complementary tests and taking into account the specificities of the post of assignment, including its geographical location and the local living conditions, the medical officer shall issue an opinion to the Appointing Authority in order to take the appropriate decision in the exercise of its duty of care.

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3. Where a negative medical opinion is issued as a result of the medical examination conducted under the paragraph 2, the candidate may submit a request for the case to be submitted to a medical committee by analogy with the procedures provided under Article 33 of the Staff Regulations.
4. After consulting the EEAS Medical Service, the Appointing Authority may decide to consider as valid a medical clearance issued up to one year before the take-up duty date referred to in Articles 8(1) and 9(1) for a posting in a country whose living conditions allowance was, at the time of the medical clearance, higher or equal to that of the new posting.
5. Staff members assigned for at least one year to a post in a place of employment considered difficult or very difficult whose living conditions allowance is superior or equal to 30 % are required to undergo every two years a medical examination by the EEAS medical service in order to reassess whether they are fit to perform their duties in this post of assignment.
6. In duly justified cases, including in view of the exercise of its duty of care, the Appointing Authority may request the EEAS medical service to reassess their medical fitness within the meaning of paragraph 1 in light of the evolution, if applicable, of both the personal situation of the jobholder and the local living conditions.
7. Where a negative medical opinion is issued as a result of the medical examination under the paragraph 6, the Appointing Authority may decide, in the interest of the service, to reassign the staff member concerned to a post in headquarters, after hearing the person concerned.

Article 12 – Security clearance

1. A candidate selected for a posting shall be assigned or appointed on condition that they are granted Personnel Security Clearance (PSC) at EU SECRET level in accordance with the Decision ADMIN(2023)18 of the High Representative of the Union for Foreign Affairs and Security Policy of 19 June 2023 on the security rules for the EEAS (hereinafter, the ‘EEAS Security Rules’) and the Decision ADMIN(2019) 7 of the Director General for Budget and Administration of the EEAS of 8 March 2019 on Security Clearance Requirements and Procedures for the EEAS (hereinafter, the ‘Decision ADMIN(2019) 7 on Security Clearance Requirements and Procedures’). Except in the case where the vacancy notices requires that candidates should already hold a PSC at the time of the application, a selected candidate that is not in possession of the required PSC shall initiate the process for requesting the PSC in accordance with Article 4 of Decision ADMIN(2019) 7 on Security Clearance Requirements and Procedures within ten working days from the notification of their selection for the post. Failure to initiate the process within this deadline shall expose the candidate to the withdrawal of the offer.
2. For reasons of urgency, where duly justified in the interest of the EEAS and pending completion of a full PSC, the EEAS Security Authority may, after consulting the National Security Authority of the Member State concerned, grant a temporary authorisation to access confidential information in accordance with the EEAS Security Rules and the Decision ADMIN(2019) 7 on Security Clearance Requirements and Procedures. In case of failure to obtain or renew the required PSC, the Appointing Authority may take the appropriate measures in accordance with Article 3(3) of Decision ADMIN(2019) 7 on Security Clearance Requirements and Procedures.

Article 13 – Training

1. A candidate selected for a posting may be required to undergo training to ensure that they possess the necessary competences, skills and knowledge. Certain security-related trainings, such as “HEAT”, may be required before taking up duty. Failure to undergo in due time security-related

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trainings may result in the postponement of the taking up duty or, in exceptional cases, to the withdrawal of the assignment offer.

2. They shall also receive instruction and training on the ethical standards required from staff posted to Union Delegations.

Article 14 – Return to Headquarters

1. EEAS officials who return to headquarters from a posting shall be assigned to a post which corresponds to their function group and grade, as a result of the internal mobility exercise for posts in headquarters or directly by a decision of the Appointing Authority in the interests of the service. EEAS officials in posting may also apply for a vacant post in headquarters if the last day for submitting the application for the post is less than six months from the end of their ongoing posting.
2. TAs 2(e) may, not earlier than 6 months before the end of their assignment, apply for a vacant post in headquarters or submit a request to the Human Resources Directorate to be included in the internal mobility exercise for posts in headquarters.

Article 15 – Repeal

The Decision ADMIN(2021) 221 of the High Representative of the Union for Foreign Affairs and Security Policy of 1 July 2021 on the periodic serving of Officials and Temporary Agents in Union Delegations is hereby repealed.

Article 16 – Entry into force, transitional measures and implementation

1. This Decision shall enter into force on the date following its signature.
2. For the purposes of Article 3(2), periods of employment since 1 July 2021 following the entry into force of Decision ADMIN(2021) 221 of 1 July 2021 shall be taken into account.
3. The eligibility criterion provided in Article 6(3)(a) shall apply two years following the entry into force of this Decision.
4. The Director-General responsible for resource management may adopt guidelines for the implementation of the rotation exercise, which shall be brought to the attention of the staff committee.

Done at Brussels, 24 July 2024.



Josep BORRELL FONTELLES
High Representative of the Union
for Foreign Affairs and Security Policy

