

**EUROPEAN EXTERNAL ACTION SERVICE**



GREFFE

**Decision of the Director General for Budget and Administration  
of the European External Action Service**

**of 09/08/2018**

**regarding the adoption of the new procedure for Elections of the EEAS Staff  
Committee**

**ADMIN(2018) 17**

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## THE DIRECTOR GENERAL FOR BUDGET AND ADMINISTRATION

Having regard to Article 1, second paragraph of Annex II of the Staff Regulations of Officials of the European Union;

Having regard to the Decision ADMIN(2018) 7 of the Director General for Budget and Administration of 4 April 2018 on the provisions for the organisation of the referendum regarding the rules for Elections of the EEAS Staff Committee;

Whereas:

- (1) The Note of Director General for Budget and Administration of 19 January 2018 details the decision to organise a referendum with the option either to adopt the new rules developed or to remain with the existing electoral rules (ARES(2018) 342269);
- (2) The referendum was organised as established in the Notice of Referendum of 1 June 2018 communicated to all staff and posted on EEAS intranet on 4 June 2018;
- (3) The officials and other servants of the EEAS have voted in the referendum and the results were announced in the communication to all staff on 29 June 2018.
- (4) The President of the Referendum Committee reports on 27 July 2018 (ARES(2018) 3994282) that the proposal for new rules has been validated by the referendum in accordance with the rules set out in Decision ADMIN (2018) 7;

HAS DECIDED AS FOLLOWS:

### Sole article

The rules for the elections of the Staff Committee of the European External Action Service are set in Annex.

Done in Brussels, 9/8/2018



Gianmarco Di Vita

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## **Annex**

### **RULES FOR THE ELECTIONS OF STAFF COMMITTEE of THE EUROPEAN EXTERNAL ACTION SERVICE**

#### **ARTICLE 1**

The procedure laid down hereinafter regulates the elections of members and alternates of the EEAS Staff Committee.

#### **ARTICLE 2**

##### **ELECTORAL OFFICE**

Following a call for candidates from among the EEAS staff, the outgoing Staff Committee shall designate a chairperson, at least one vice-chairperson and at least three other members to the electoral office.

The secretariat shall be designated by the Director General for Budget and Administration (hereafter, DG BA) of the EEAS.

Members of the electoral office may not be candidates at the elections of the Staff Committee.

#### **ARTICLE 3**

##### **ELECTORAL ROLL**

The electoral roll shall be communicated to all staff at least 5 weeks before the beginning of the polling period.

The following shall be entitled to vote: EEAS officials and other servants whose contracts are for an indefinite period or for more than one year, as well as other servants whose contracts are for one year or less provided they have been employed for at least six months on the day of the publication of the electoral roll.

The following shall be entitled to stand for elections: EEAS officials and other servants whose contracts are for an indefinite period or for more than one year.

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## **ARTICLE 4**

### **OBJECTIONS CONCERNING THE ELECTORAL ROLL**

Objections concerning the electoral roll shall be sent by e-mail to the electoral office within 10 calendar days after the electoral roll has been published.

Decisions taken by the electoral office regarding the objection shall be sent by e-mail without delay to the parties concerned. Decisions of the electoral office dismissing an objection shall be reasoned.

Any modification to the electoral roll shall be published at least 5 calendar days before the beginning of the polling period.

## **ARTICLE 5**

### **NOTICE OF ELECTIONS**

Before establishing the electoral roll, the electoral office shall publish the notice of elections stating:

- the dates and time indications regarding the elections. Any reference to days should be understood as calendar days and any time indication should be set according to the Brussels local time.
- arrangements for electronic voting,
- the call for candidates indicating the format in which they are to be presented.

## **ARTICLE 6**

### **NOMINATIONS**

There are 15 seats to be filled.

Each nomination shall state the following:

- surname and first name of the candidate,
- place of employment (headquarters or delegations),
- category (function group AST, function group AST/SC, function group AD or other servants) and his/her signature.

Nominations shall be submitted in the form of lists, each containing at least 1 pair of candidates (principal candidate and alternate candidate) and a maximum of 15 pairs of candidates (principal candidates and alternate candidates). Independent candidates who wish to submit their nominations and who are not part of a list will be collectively included in a dedicated pool of independent candidates. Nominations shall be submitted in writing to the electoral office at the latest 3 weeks before the beginning of the polling period.

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A candidate can be nominated only once.

## **ARTICLE 7**

### **ESTABLISHMENT OF THE LISTS**

A list of candidates shall be submitted by the candidate at the top of the list or by a trade union or staff association (TUSA) and be delivered to the electoral office personally or via ARES.

The irregularity of a nomination shall invalidate the pair of candidates but not the remaining nominations appearing in the same list.

## **ARTICLE 8**

### **EXTENSION OF DEADLINE**

Should there be fewer than 15 pairs of candidates or should the nominations of principal candidates preclude the representation of all categories (function group AST, function group AST/SC, function group AD, and other servants) or of places of employment (headquarters or delegations), the electoral office shall notify the staff to this effect and grant an extension of deadline for new nominations of at least 6 calendar days.

## **ARTICLE 9**

### **VERIFICATION OF NOMINATIONS**

The electoral office shall acknowledge receipt of nominations and verify them as soon as possible.

With regard to nominations which do not meet the conditions set out in Article 3 and Article 6, the electoral office shall immediately inform the pair of candidates in question and the concerned candidates may resubmit a nomination in accordance with the rules within the deadline established in Article 6.

After the deadline for submission of nominations has expired and following the notification of the electoral office, nominations which do not meet the conditions set out in Article 6 can still be corrected within 3 working days.

Once verified by the electoral office, individual nominations or lists cannot be withdrawn.

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## **ARTICLE 10**

### **PUBLICATION OF THE LISTS**

The verified lists shall be published on the EEAS intranet at least 15 calendar days before the beginning of the polling period.

The lists of candidates shall indicate their place of employment (headquarters or delegations) and category (function group AST, function group AST/SC, function group AD or other servants).

## **ARTICLE 11**

### **VOTING**

Voters shall cast their vote as follows:

- (a) they shall either vote for a list, by placing a cross in the box next to their chosen list (hereafter, list vote),
- (b) or vote for up to 5 pairs of candidates, chosen from the lists and the pool of independent candidates, by placing crosses in the boxes next to the names of their chosen candidates, with a maximum of 5 votes (hereafter, preferential vote),
- (c) or cast a blank vote.

It is not possible to cast a 'list vote' for the pool of independent candidates. The independent candidates included in the pool can be voted only by a maximum of 5 preferential votes.

Each preferential vote is equal to 1 vote. Each list vote is counted as 1 vote cast for each of the first 5 candidates on the list.

## **ARTICLE 12**

### **ALLOCATION OF SEATS**

The fifteen seats in the Staff Committee shall be allocated according to the d'Hondt method.

The total number of votes received by a list is calculated based on the total votes obtained by all pairs of candidates in the list. Only the lists which obtained a minimum of 6.67% of total votes will be considered for the allocation of the seats.

The elected pairs of candidates from each list (including the pool of independent candidates) are those who obtain the highest number of votes.

For the purpose of the allocation of seats, the pool of independent candidates is considered as a list and is required to reach the threshold of 6.67% of total votes. If the pool of independent candidates obtains 6.67% of the total votes, only those pairs of independent candidates that obtained 10% of the votes received by the pool will be considered for the allocation of seats.

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Within a list the seats will be allocated to the candidates on the basis of received preferential votes, and in default of preferential votes, on the basis of the order on the list. This provision does not apply to the pool of independent candidates.

### **ARTICLE 13**

#### **EQUAL NUMBER OF VOTES**

Where two pairs of candidates have received equal numbers of votes, the pair whose principal candidate has the longest seniority in the institution or, where seniority is equal, the pair with the oldest principal candidate shall be deemed elected.

### **ARTICLE 14**

#### **PROVISIONAL RANKING OF ELECTED PRINCIPAL CANDIDATES**

Elected pairs of candidates shall be provisionally ranked as follows: if no representative of a given category (function group AST, function group AST/SC, function group AD, and other servants) appears among elected principal candidates in this ranking, and if there are not at least five principal candidates from headquarters and five principal candidates from delegations, the pair with the principal candidate of the category (function group AST, function group AST/SC, function group AD or other servants) lacking representation who won the largest number of votes shall replace the pair whose name appears last in the provisional ranking on the list for which he or she stood.

By analogy with the precedent paragraph, the pair with the principal candidate from headquarters or delegations who won the largest number of votes shall replace the pair whose name appears last in the provisional ranking on the list for which they stood.

However, if the principal candidate of the pair whose name appears last in the provisional ranking is the only representative of a category (function group AST, function group AST/SC, function group AD or other servants) or comes from the same place of employment (headquarters or delegations), then the pair whose name appears second last in the provisional ranking on the list for which they stood shall automatically be required to stand down, and so on.

Abovementioned provisions do not apply to the pool of independent candidates. If the principal candidate of a pair in the pool of independent candidates is the sole representative of a category (function group AST, function group AST-SC, function group AD or other servants) or the missing candidate from headquarters or delegations, then the pair whose name appears last in the provisional ranking shall automatically be required to stand down, irrespective of the list they stood for.

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## **ARTICLE 15**

### **VOTING PROCEDURE**

The electoral office shall set a period of 10 calendar days for voting. The electoral office shall adopt necessary arrangements for the smooth running of elections.

Voting will be carried out by means of the electronic voting system.

If two thirds of the electors have not voted during the period laid down by the electoral office, the voting period shall be automatically extended by 10 calendar days.

## **ARTICLE 16**

### **ELECTRONIC VOTING**

The electronic voting system must ensure that all votes are cast in secret and voter's choice is confidential. Each voter shall log in to the electronic voting system which shall ensure secrecy of voting.

## **ARTICLE 17**

### **COUNT**

The electoral office shall ensure the daily publication of the total number of votes.

The final count shall be public.

## **ARTICLE 18**

### **QUORUM**

The quorum necessary for the elections is reached if two thirds of electors have voted.

If the quorum is not reached, the electoral office shall without delay organise a second round of voting. A principal or alternate candidate no longer eligible according to provisions in Article 3 may be replaced up to 3 working days before the beginning of the second round of voting according to the procedure set in Articles 6 and 7.

This ballot shall be valid if the majority of those entitled to vote take part.

The duration of the second round of voting is determined by the electoral office. It can be extended for the same duration in case majority is not reached. If, after the extension, the quorum is still not reached then new elections shall be organised.



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## **ARTICLE 19**

### **DECISION BY THE ELECTORAL OFFICE**

The chairperson of the electoral office shall convene a meeting whenever the situation requires it. Decisions shall be taken by simple majority of the members if at least two members are present.

## **ARTICLE 20**

### **RESULTS OF THE ELECTIONS**

The electoral office shall publish immediately the results of the election and transmit them to the DG BA.

The results of the elections shall be communicated without delay to all EEAS staff.

## **ARTICLE 21**

### **VALIDITY OF THE RESULTS OF THE ELECTIONS**

The candidates may appeal the validity of the elections results during the 15 calendar days following the day of publication of the results. An appeal shall be lodged in writing to the electoral office which will transmit it without delay to the DG BA.

An appeal does not have suspensive effects on the constitution of the elected Staff Committee.

## **ARTICLE 22**

### **RESIGNATION AND DEPARTURE**

If a full member resigns or leaves the EEAS, his or her alternate shall become full member.

In the event of the resignation of both the full and the alternate member or when both members leave the EEAS, they shall be automatically replaced by the full member and his or her alternate who, during the last elections, received most votes among non-elected candidates in accordance with Articles 12, 13 and 14.

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## **ARTICLE 23**

### **REPORT OF THE ELECTIONS**

A report of the elections procedure and the results of the elections shall be drawn up by the chairperson and members of the electoral office as soon as the period allowed for lodging an appeal has expired.

The electoral office shall without delay send the DG BA a copy of the report together with the list of members of the EEAS Staff Committee. In case of changes in the results after resolving the appeals the final list of full members and alternates shall be communicated to all EEAS staff.

## **ARTICLE 24**

### **INAUGURAL MEETING**

In agreement with the newly elected full members and alternates, the inaugural meeting of the Staff Committee shall be convened, in Brussels, by its oldest full member within six weeks after the elections.

## **ARTICLE 25**

### **MODIFICATION OF ELECTORAL RULES**

DG BA may decide to launch the procedure to modify the present conditions for elections of the Staff Committee upon a:

- petition of 20% of the electors in the electoral roll of the latest elections;
- request from representative TUSAs, as defined in the Framework Agreement between the EEAS and the TUSAs, representing a minimum of 55% of votes cast at the latest elections of the Staff Committee.

Such a request should be accompanied by a proposal for a new electoral system.