

**PROCEDURE FOR THE ELECTION OF THE EUROPEAN EXTERNAL ACTION
SERVICE STAFF COMMITTEE**

adopted following consultation ('referendum') of the officials and other servants of the EEAS held from 19 July to 9 September 2011

The officials and other servants of the European External Action Service (EEAS) represented by the EEAS Staff Committee,

Having regard to Article 99(2) of the Staff Regulations of Officials of the European Union,

Having regard to Article 1 of Annex II to the Staff Regulations, which states that the institution may decide that the conditions for election are to be determined in accordance with the preference of the staff of the institution as expressed in a referendum,

Having regard to Article 6 of EEAS Decision PROC HR(2011) of 01 July 2011 on the rules laying down the composition and operation of the Staff Committee,

Have adopted the following provisions:

ARTICLE 1

The procedure laid down hereinafter for the election of full members and alternates of the EEAS Staff Committee shall apply to all subsequent elections unless amended by decision of the officials and other servants following a referendum.

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 3 assessors to the electoral office.

The secretary shall be designated by the Chief Operating Officer of the EEAS.

By way of transitional measures in the absence of a staff committee, the Commission Staff Committee, which by derogation and in the absence of an EEAS staff committee represents the officials and other servants of the EEAS, shall designate a chairperson, at least one vice-chairperson and 3 assessors to the electoral office.

In each delegation, the Head of Delegation (or his or her representative) shall ensure that elections are properly run. He or she shall be assisted locally by a representative of the officials and a representative of the other servants.

Members of the electoral office may not be candidates at the elections of the Staff Committee. Any official or other servant designated as an assessor shall automatically stand down should he or she become a candidate in the elections, and the electoral office shall designate another assessor.

ARTICLE 3

ELECTORAL ROLL

The electoral roll shall be published and posted up at least 5 weeks before the beginning of the polling period.

The publication of the electoral roll shall be done via the EEAS intranet.

The electoral roll shall be posted up in all the places of employment of EEAS staff, and shall remain on display until the end 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 6 months.

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

ARTICLE 4

OBJECTIONS - ELECTORAL ROLL

Objections concerning the electoral roll shall be lodged by e-mail with the electoral office within 10 calendar days after the electoral roll has been published and posted up.

Decisions taken by the electoral office regarding the objection shall be sent by e-mail without delay to the parties concerned. Any decision dismissing an objection as being unfounded shall give reasons for such dismissal.

Any decision upholding an objection shall be published in the manner laid down for the publication of the electoral roll. Such publication shall take place at least 5 calendar days before the beginning of the polling period.

ARTICLE 5

NOTICE OF ELECTION

Before publication of the electoral roll, the electoral office shall publish the notice of election stating:

- the dates (calendar days) and times (beginning and end of the polling period in Brussels) of the election,
- possible detailed arrangements for e-voting,
- the call for candidates, showing the format in which they are to be presented.

Nominations for candidates shall be submitted in writing to the electoral office 3 weeks at the latest before the beginning of the polling period.

ARTICLE 6

NOMINATIONS

There are 20 seats to be filled.

Nominations shall be submitted in the form of lists, each containing at least one full member and one alternate and a maximum of 20 full members and 20 alternates, arranged in pairs.

Each candidate on each list must submit a nomination stating the following:

- surname and first name, place of employment (within or outside the EU) and category (function group AST, function group AD or other servant)
- an undertaking to accept the mandate in the event of election.

No candidate may be nominated more than once.

Each nomination shall be signed by the candidate and include a declaration of acceptance for full or alternate membership.

A list of candidates may be submitted by the candidate at the top of the list or by a trade union or staff association. The candidate at the top of the list shall deliver the list personally or send it to the electoral office by e-mail.

The candidate at the top of the list shall represent that list. The unacceptability of any one nomination shall not invalidate the remaining nominations appearing in the same list.

Each list shall be submitted in the order selected by the candidate at the top of the list or by the trade union or staff association concerned.

ARTICLE 7

EXTENSION OF DEADLINE

Should there be fewer than 20 candidates or should the nominations submitted preclude the representation of categories (function group AST, function group AD, and other servants) or of places of employment (within or outside the EU), the electoral office shall notify the electors to this effect and grant them an extension of deadline of at least 6 calendar days.

ARTICLE 8

VERIFICATION OF NOMINATIONS

The electoral office shall acknowledge receipt of nominations. It shall verify nominations as soon as possible, rejecting those which do not meet the conditions set out in Article 3.

With regard to nominations which do not meet the conditions set out in the third, fourth and fifth paragraphs of Article 6, the electoral office shall immediately inform the candidate in question and, if the deadline set by the procedure allows for it, shall authorise the candidate to submit a nomination in accordance with the rules.

Once approved by the electoral office, nominations may not be withdrawn by candidates.

ARTICLE 9

PUBLICATION OF THE LISTS

The list of approved candidates shall be published on the EEAS intranet and posted up at least 15 calendar days before the beginning of the polling period.

The list of candidates shall indicate their place of employment (within or outside the EU) and category (function group AST, function group AD or other servants).

ARTICLE 10

VOTING

Voters shall cast their vote as follows:

- (a) they shall either vote for a list, by placing a cross in the box under the number and symbol of their chosen list ('list vote'),
- (b) or vote for up to 20 pairs of candidates (full and alternate members), chosen from one or more lists, by placing crosses in the boxes next to the names of their chosen candidates, with a maximum of 20 ('preferential vote'),
- (c) or cast a blank or spoilt vote.

A vote cast by placing crosses in both a 'list' box, or in one or more 'preferential' boxes in the same list shall be considered as a 'list vote' for distribution of the remaining 8 seats.

A vote cast by placing crosses in both a 'list' box and in one or more 'preferential' boxes in the same list shall be considered only as a 'preferential vote'.

A vote cast by placing crosses in both a 'list' box and in one or more 'preferential' boxes in different lists shall be considered as a spoilt vote.

Each candidate is deemed to have received a total number of votes corresponding to the sum of his or her preferential votes and of the list votes cast in favour of his or her list.

ARTICLE 11

ALLOCATION OF SEATS

The twenty seats shall be allocated by combining the majority system and the d'Hondt method:

- a) The first 12 candidates having obtained the highest number of votes are automatically elected.
- b) The remaining 8 seats shall be allocated, based on proportional distribution (d'Hondt method), to the lists having obtained, in total (total of the votes obtained by all pairs in the list), a minimum of 5% of the votes. Each list shall be allocated a number of seats based on its proportion of the vote. The elected candidates from each list are those who obtained the highest number of total votes and were not automatically elected under a), up to the remaining 8 seats.

ARTICLE 12

PROVISIONAL RANKING OF ELECTED CANDIDATES

Elected candidates shall be provisionally ranked as follows: If no representative of a given category (function group AST, function group AD, and other servants) appears in this ranking, and if there are not at least 7 candidates from within the EU and 7 from outside the EU, the candidate of the category (function group AST, function group AD or other servants) lacking representation who won the largest number of votes shall replace the person whose name appears last in the provisional ranking on the list for which he or she stood, using the seat allocation method described in Article 11b).

Similarly, the candidate from within or outside the EU who won the largest number of votes shall replace the person whose name appears last in the provisional ranking on the list for which he or she stood, using the seat allocation method described in Article 11b).

However, if the person whose name appears last in the provisional ranking is the only representative of a category (function group AST, function group AD or other servants) or comes from the same place of employment (within or outside the EU), then the person whose name appears second last in the provisional ranking on the list for which he or she stood, using the seat allocation method described in Article 11b), shall automatically be required to stand down, and so on.

ARTICLE 13

EQUAL NUMBER OF VOTES

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

ARTICLE 14

VOTING PROCEDURE

The period of 10 calendar days during which voting can take place shall be determined by the electoral office. The electoral office shall adopt any additional arrangements needed for the smooth operation of the election.

- Staff may vote using e-voting during the period laid down by the electoral office.
- When the polls close, the e-voting system shall also be taken offline.
- 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 15

E-VOTING

The name of each voter shall be identified and verified electronically when the vote is cast and his or her name shall be recorded in an electors file; votes shall be recorded in another file.

There shall be no link between the two files so as to ensure that the voting is secret.

ARTICLE 16

COUNT

The votes shall be counted by the members of the electoral office in a place equipped for that purpose.

The count shall be public.

ARTICLE 17

VALIDITY OF THE ELECTION

The election shall be declared valid if two thirds of the electors have voted.

If the quorum is not reached, the electoral office shall without delay organise a second round of voting. This ballot will be declared valid on a majority vote.

ARTICLE 18

DECISION BY THE ELECTORAL OFFICE

No quorum shall be fixed for the electoral office. Decision on any disputes which may arise during the election shall be taken by simple majority of the members present.

ARTICLE 19

RESULTS OF THE ELECTION

The results of the election shall be published immediately by the electoral office and transmitted to the EEAS.

They shall be posted up in all delegations and offices and communicated to all EEAS staff.

ARTICLE 20

VALIDITY OF THE RESULTS OF THE ELECTION

The validity of the election results may be challenged during the 15 calendar days following the day on which the results are published. Any such challenge shall be lodged in writing to the electoral office.

The electoral office shall forward it without delay to the EEAS.

No such challenge shall suspend the constitution of the elected Staff Committee.

ARTICLE 21

RESIGNATION

In the event of the resignation of a full member, his or her place as full member shall be taken by the alternate member.

In the event of the resignation of both the full and alternate members, they shall be automatically replaced by the full member candidate and his or her alternate who, during the last election, received the most votes of those candidates not elected in accordance with Articles 11, 12 and 13.

ARTICLE 22

RECORD OF THE ELECTION

A record of the election procedure and the results of the elections shall be drawn up by the chairperson and members of the office as soon as the period allowed for lodging challenges has expired.

The electoral office shall without delay send the EEAS a copy of the record together with the list of members of the EEAS Staff Committee. The list of full members and alternates shall be displayed for the information of the staff in the delegations and published at EEAS headquarters.

ARTICLE 23

The electoral office shall be responsible for applying this Regulation.

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 member.