ENERGY CHARTER SECRETARIAT

STAFF MANUAL

January 2025

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STAFF REGULATIONS AND RULES

PREAMBLE

The Staff Regulations[1] as approved by the Energy Charter Conference (hereinafter referred to as the "Conference") set out the fundamental conditions of service, namely the duties and obligations as well as the basic rights of the officials constituting the staff of the Energy Charter Secretariat (hereinafter referred to as the "Secretariat"). They set forth the broad principles of staff policy; that policy is to enable officials wherever possible to pursue a career within the Energy Charter Secretariat. Nevertheless, no action shall be construed as, or have the effect of, granting employment for an indefinite period or constituting a permanent appointment. The Staff Rules[2] promulgated by the Secretary-General and approved by the Conference implement the Staff Regulations.

[1] *The Staff Regulations were approved by the Energy Charter Conference on 5 June 1996. They were amended on 7 December 1999, on 12 November 2015, on 31 October 2016, on 14 October 2017, on 14 November 2018, and on 5 June 2024.*

[2] *The Staff Rules were approved in July 1997. They were amended on 7 December 1999, on 2 July and 12 November 2015, on 6 July, 31 October and 20 December 2016, on 5 August and 14 October 2017, on 5 August 2018, on 5 June 2022, and on 5 June 2024.*

REGULATIONS AND RULES

TITLE I

REGULATION 1

SCOPE OF APPLICATION AND GENERAL PROVISIONS

a) These Staff Regulations apply to the officials of the Secretariat appointed by the Secretary-General to posts, which have been established by the Conference.

b) These Staff Regulations do not apply to experts and to consultants. Staff Regulation 8 a) and certain Staff Rules may not be applicable to temporary staff of the Secretariat to the extent explicitly provided for in a special Staff Rule.

REGULATION 1 - SCOPE OF APPLICATION AND GENERAL PROVISIONS

Staff Circular

DELEGATION OF AUTHORITY

1. In the absence of the Secretary-General, he or she is replaced by the Deputy Secretary-General or, in the absence of the Deputy-Secretary General, by another official of the Secretariat designated in accordance with paragraph 2.

2. In the absence of both the Secretary-General and the Deputy Secretary-General, authority shall fall to another official of the Secretariat in the following order:

   - A member of the Senior Management expressly authorised by the Secretary-General in writing and communicated to all staff;

   - Most senior official (according to grade) present expressly authorised by the Secretary-General in writing and communicated to all staff.

3. In case of absence of the Secretary-General, including when the post of Secretary-General is vacant, the Deputy Secretary-General delegates authority in accordance with paragraph 2.

Rule 1.1

SCOPE OF APPLICATION

These Staff Rules implement the Staff Regulations of the Secretariat approved by the Conference on 5 June 1996.

Rule 1.2

TEMPORARY STAFF

(a) In the case of temporary officials who are not appointed to posts established by the Conference, the Secretary-General may depart, in full or in part, from the application of Rules 10.1 and 10.2.

(b) When the Secretary-General or his or her authorised representative has decided to appoint a temporary official, the letter of appointment shall, in addition to the conditions and terms referred to in Rule 9.1, also specify those exceptions listed in paragraph (a) applicable to his or her case.

Rule 1.3

INTERNAL STRUCTURE

(a) The functions of the Heads of Unit are those foreseen in these Rules and Regulations for the immediate supervisor.

(b) In case of absence, conflict of interest or impediment of a Head of Unit, the powers and functions conferred on him or her by these Rules and Regulations or any other internal rules of the organisation shall be carried out by another official of his or her Unit expressly authorised by him or her in writing and communicated to all officials in the Unit and Senior Management.

(c) The Senior Management is composed of the Secretary-General, the Deputy Secretary-General, the General Counsel, and the Heads of Units.

TITLE II

REGULATION 2

DUTIES, OBLIGATIONS AND PRIVILEGES

a) The officials of the Secretariat are subject to the authority of the Secretary–General and to assignment by him or her to any of the activities of the Secretariat.

b) They are international officials and their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interest of the Secretariat in view. They shall be responsible for the discharge of their duties and the observance of the Staff Regulations and Staff Rules and any Staff Circulars issued thereunder. In their performance of their duties they will not seek or receive instructions from any government or from any authority external to the Secretariat.

c) Officials shall:

- carry out their duties in accordance with the highest standards of integrity, accountability and loyalty;
- conduct themselves with objectivity and impartiality and avoid any conflict of interest, or appearance of conflict of interest, in the performance of their duties;
- carefully manage the resources of the Secretariat for which they are responsible;
- not use the Organisation's resources for their own personal benefit or for the benefit of third parties;
- report any fraud, corruption or misuse of the Organisation's resources;
- not use their position within the Organisation, its name or logo or any information acquired in the course of their official duties to obtain undue benefits for themselves or third parties, or for any other inappropriate purpose. This obligation shall continue to bind them after they leave the Secretariat.
- shall not, except in the performance of their duties or by authorisation of the Secretary-General, communicate to any person unpublished information known to them by reason of their position, nor shall they at any time use such information to personal advantage including financial advantage. This obligation shall continue to bind them after they leave the Secretariat;
- not use their position within the Organisation, its name or logo or any information acquired in the course of their official duties to obtain undue benefits for themselves or third parties, or for any other inappropriate purpose;
- notify the Secretariat immediately, in writing, of any subsequent changes that may affect their status under the Staff Regulations and Rules (in particular in case the official receives a household allowance, a dependent's allowance or an education allowance), as well as in any other case expressly provided in the Staff Manual;

- carry out their duties in accordance with the Code of Conduct of the International Energy Charter, which sets the framework and standards for the personal and professional conduct expected from officials of the Energy Charter Secretariat. The Code of Conduct does not replace existing provisions of the present Rules and Regulations, and cannot contradict their application.
- carry out their duties in accordance with the Manual on Data protection, which establishes a legal framework for data protection and confidentiality at the Secretariat. The Manual on Data protection does not replace existing provisions of the present Regulations and Rules, and cannot contradict their application.

d) On taking up their duties, officials must subscribe to the following declaration:

"*I solemnly declare that I will carry out the duties entrusted to me as an official of the Energy Charter Secretariat loyally and conscientiously, respecting the confidence placed in me. In discharging these duties and in my official conduct I will have regard exclusively to the interest of the Secretariat. I will not seek or accept any instructions in connection with the exercise of my functions from any government or any authority external to the Secretariat. I will refrain from any action which might reflect upon my position as an official of the Secretariat. I will not communicate to any person unpublished information known to me by reason of my position at the Secretariat, nor shall I at any time use such information to my personal advantage including financial advantages.*"

REGULATION 2 - DUTIES, OBLIGATIONS AND PRIVILEGES

Staff Circular

In the event an official of the Energy Charter Secretariat becomes aware of fraud, corruption or misuse of the Organisation's resources, the official shall bring it in writing to the attention of the Secretary-General. If the official considers that the allegation has not been properly addressed, he or she should bring it in writing to the attention of the external auditor and may bring it to the attention of the Chair of the Conference or one of the Conference Vice-Chairs.

REGULATION 2 c) – CODE OF CONDUCT

Staff Circular

This code sets forth the framework and standards for the personal and professional conduct which is to be expected of those working with the International Energy Charter

INTEGRITY :

We are committed to maintaining the highest standards of professional and personal conduct. As such we affirm that we

- Carry out our duties in accordance with the highest standards of integrity and loyalty
- Do not use the Organisation's resources or non-public information obtained through our position for private gain, either for ourselves or others
- Avoid abuse of the privileges and immunities conferred on the Organisation and its officials and actions that could be perceived as such
- Avoid situations that might result in real, perceived, or potential conflicts between our personal interest and those of the Organisation
- Take prompt action to remove ourselves from situations where conflicts of interest can or have occurred
- Shall take all reasonable steps to prevent misrepresentation on social medias
- Are honest and truthful in our dealings; fully presenting all facts in an unbiased and clear manner

LOYALTY :

We are faithful and true to the enduring our role of the Organisation in support of the current and future challenges it faces. As such, we affirm that we

- Always put the interest of the Organisation above our own and that of our individual nations, mindful of all applicable rules and regulations
- Demonstrate a unity of purpose focused on the goals and objectives of the Organisation
- Strive to make a personal contribution to the success of the Organisation, fostering a culture of results across the Organisation
- Contribute to the development and maintenance of a positive team spirit
- Support the principles upon which the Organisation was founded

IMPARTIALITY :

We serve the Organisation's interest above our personal interests. As such, we affirm that we

- Won't seek or accept any instructions in connection with the exercise of our functions from any government or any authority external to the Secretariat
- Keep and international outlook and base our recommendations and decisions on what is best for the Organisation as a whole, rather than the views or interest of our own, or any particular nation or nations
- Maintain our objectivity, impartiality and independence in our professional dealings, striving to be fair, just, and equitable in all our activities

- Do not accept gifts which might compromise our impartiality or give rise to the perception of a lack of impartiality in the conduct of our official duties.
- Do not engage in unauthorised outside employment or other off-duty activities that might conflict with or otherwise call into question the performance of our official duties
- Do not use our position at the Organisation or proprietary information to unfairly secure future employment and will not use privileged information to unfair after our appointment

ACCOUNTABILITY :

We are responsible and accountable for our actions and decisions, or failure to act, and accept the consequences of their outcomes. As such, we affirm that we

- Avoid any action that could lead to damage or risk to the Organisation
- Are transparent in all we do, even when it does not reflect favourably upon us.
- Take full responsibility for our actions and take prompt action to resolve or correct any errors or omissions that we may make
- Notify the secretariat immediately of any subsequent changes that may affect our status under the staff regulations and rules
- Are mindful of the consequences of our actions and decisions before we take them
- Care for and manage prudently the limited resources of our Organisation
- Stay vigilant to any fraud, waste, and abuse that may occur within the Organisation and address and report them appropriately

PROFESSIONALISM :

We are professionals who are entrusted to carry out our duties to the utmost of our abilities for the common good. As such, we affirm that we

- Protect the security and confidentiality of information entrusted to us with the utmost discretion in regard to all matters of official business
- Participate in maintaining the safety and security of our information and our workplace
- Maintain the highest level of competence in our assigned areas and strive for continuous improvement of our knowledge, skills, and abilities
- Do not harass or discriminate against others in our workplace, and do not tolerate those who do.
- Put forth an honest effort in the daily performance of our duties

If supervisors, provide fair leadership and take responsibility for the actions or inactions of our subordinates, ensuring they provide the Organisation with the best possible service by encouraging and rewarding those who perform well, while correcting those who fail to deliver up to standards.

REGULATION 2 c) – MANUAL ON DATA PROTECTION

Staff Circular

I – General Provisions

Article 1
Purpose

1.1 Data protection is important for the safe exchange, secure storage and confidential treatment of personal data. In the context of its international public mandate, the Energy Charter Secretariat ('the Secretariat') is required to process personal data from its officials, individuals directly involved in the work of the Secretariat (Seconded experts, Fellows, Interns and Staff on Loan), delegates and participants to events organised or co-organised by the Secretariat and third parties interacting with the Secretariat (recruitment, enquiries etc.)

1.2 The use of personal data also requires the Secretariat to share these data with other parties (mainly representatives of Members and Observers of the Energy Charter Conference). In doing so, the Secretariat needs to ensure that data protection is applied consistently by means of effective and sustainable measures.

1.3 The Energy Charter Secretariat has always ensured a high level of data protection in its activities in accordance with international standards and best administrative practices. The key objective of the Manual on data protection ('the Manual') is to codify existing practice in order to ensure that every individual whose personal data are used by the Secretariat is guaranteed protection of his/her privacy. In doing so, the Manual aims to prevent unnecessary and inappropriate disclosure or mishandling of personal data and to provide the Secretariat with the adequate means of compliance and follow-up in case of breach or misuse.

Article 2
Scope

2.1 The Manual applies to the processing of personal data by the Secretariat.

2.2 Compliance with the Manual is mandatory for all officials of the Secretariat as well as individuals directly involved with the work of the Secretariat (Fellows, Seconded experts, Staff on Loan and Interns).

2.3 Obligations contained in the Manual shall continue to apply, when relevant, even after individuals are no longer involved with the Secretariat.

2.4 The Manual does not replace existing provisions of the Staff Manual and cannot contradict their application.

Article 3
Framework

In implementing its data protection measures, the Secretariat will take into account evolving international standards and best administrative practices.

II – Definitions

Article 4

For the purposes of this Manual, the following definitions shall be understood as detailed hereafter:

- ‘Personal data’: all information that could be used to identify an individual. Personal data may include biographical data (such as name, sex, marital status, date and place of birth, country of origin, individual registration number, religion and ethnicity), biometric data (such as a photograph, fingerprint, facial or iris image), audio recordings, verification documents (such as copies of passports, identity cards, visas or marriage certificates), personal documents (such as health records or bank details). This list is not exhaustive and merely illustrates different types of personal data.
- ‘Processing of personal data’: any operation performed on personal data, whether or not by automated means. The processing of personal data includes collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, retention or destruction.
- ‘Data subject’: any individual whose personal data is subject to processing by the Secretariat.
- ‘Data controller’: the official of the Secretariat who has the authority to oversee the management of, and to determine the purposes for, the processing of personal data.
- ‘Data processor’: any official of the Secretariat, individuals directly involved in the work of the Secretariat (Seconded experts, Fellows, Interns and Staff on Loan) or other individual or organisation that processes and collects personal data on behalf of the Secretariat.
- ‘Consent’: any freely given, specific, informed and unambiguous indication by the data subject by which he/she shows agreement to the processing of his/her personal data.
- ‘Personal data breach’: a breach of data security leading to the accidental or unlawful/illegitimate destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transferred, stored or otherwise processed by the Secretariat.
- ‘Implementing partners’: natural or legal persons independent from the Secretariat and engaged with the latter to implement activities of the Secretariat’s programme of work (e.g. co-organisation of conferences, workshops etc.)

III – Main principles

In the course of processing personal data, the Secretariat shall apply and respect the following main principles.

Article 5
Legitimate and fair processing

Processing of personal data may only be carried out on a legitimate basis and in a fair, lawful and transparent manner.

Article 6
Purpose specification

6.1 Personal data can only be collected and kept for specific and legitimate purposes and shall not be processed in a way incompatible with this/those purposes.

6.2 Purposes for processing personal data that are within the Secretariat's mandate may include:

- Organising, advertising and promoting annual meetings, workshops, conferences, trainings and other external events;
- Planning, organising and follow up to internal meetings as well as disseminating official documents;
- Sharing information on the Secretariat's activities and distribution of newsletters;
- Referring to authors and contributors in publications of the Secretariat;
- Providing information on the Travaux Préparatoires [negotiations of the European Energy Charter, the Energy Charter Treaty, its Protocols (1991-1994), the Trade Amendment (1994-1998), the International Energy Charter, and any other negotiation mandated by the Energy Charter Conference];
- Replying, managing and keeping a registry of requests on legal issues (including access to the Travaux Préparatoires) and requests to the Conflict Resolution Centre;
- Distribution of documents to members of informal groups or taskforces of the Secretariat;
- Creating and managing delegates' accounts on the Secretariat's website;
- Management of the recruitment process, human resources and statistic information on personnel issues.

6.3 The Secretariat may also process data in connection with any other activity necessary to carry out its tasks.

Article 7
Necessity and proportionality

The processing of personal data shall be necessary and proportionate to the purpose(s) for which it is being processed. Therefore, data that is processed shall be adequate and relevant to the identified purpose(s) and not exceed these purpose(s).

Article 8
Accuracy

8.1 Personal data shall be recorded as accurately as possible and, where necessary, updated to ensure it fulfils the purpose(s) for which it is processed.

8.2 Every reasonable step must be taken to ensure that personal data that are inaccurate, or unnecessary for the purposes for which they are processed, are rectified without delay, as detailed in Article 13 of the Manual.

Article 9
Confidentiality

9.1 Personal data shall be processed by the Secretariat as confidential. The confidentiality of the personal data shall be maintained at all times.

9.2 In order to ensure and respect confidentiality, personal data must be filed and stored in a way that it is accessible only to the authorised persons and transferred only through the use of protected means of communication. In doing so:

- All CVs (and any personal data contained in them) received for official positions and applications/expressions of interest for non official positions at the Secretariat (Seconded experts, Fellows, Interns and Staff on Loan) shall be processed and kept secured by the Administration and Finance official nominated for this purpose. There shall be a back-up official nominated to have access to this information in the absence of the Administration and Finance official.
    - o In case of recruitment of an official position or a fellowship, also the Secretary General and the members of the particular Selection Panel shall have access to personal data received for such recruitment/fellowship.
    - o In case of internships, also Senior Management and Heads of Unit shall have access to personal data received for internships.
    - o In case of secondment or staff on loan, also Deputy Secretary General shall have access to personal data received for such secondment/staff on loan.
- All information related to visa, medical certificates and leaves, part-time or teleworking shall be processed and kept secured only by the Administration and Finance official nominated for this purpose and stored in a folder accessible by this official only. There shall be a back-up official nominated to have access to this information in the absence of the specific Administration and Finance official;
- All information related to personal information of officials, Seconded experts, Fellows, Interns and Staff on Loan shall be processed and kept secured only by the Administration and Finance officials nominated for this purpose and stored in a folder accessible by them only;
- All personal data received in relation to meetings or events organised or co-organised by the Secretariat shall be stored in a specific folder for such event or meeting accessible to officials of the Secretariat only;
- Business cards received during a mission shall be used only for professional purposes and shall be stored in a folder accessible to officials of the Secretariat only;
- All information related to legal requests (including access to the Travaux Préparatoires) and requests related to the Conflict Resolution Centre shall be stored by Legal Affairs and accessible to officials of the Legal Affairs Unit of the Secretariat (Legal Affairs) only;
- All information related to the delegates account shall be processed by the officials nominated for this purpose and stored in a specific folder managed by these officials only.

9.3 Official @encharter.org email accounts shall be used for official purposes. The day after an official, Seconded expert, Intern, Fellow or Staff on Loan finish his/her working relationship with the Secretariat, his/her @encharter.org account will be closed and not accessible anymore. If needed in order to follow up any ongoing project, Secretary General may authorise diversion of incoming emails to such account for a period of seven days after the @encharter.org account shall be closed. After that period, the account will be deleted.

9.4 In view of safeguarding the confidentiality of their personal information, officials, Seconded experts, Fellows, Interns and Staff on Loan shall not keep their personal files in the Secretariat's Shared-Drive. All the content in their Home-drive shall be completely erased before the end of their working relationship with the Secretariat. The day after,

their cloud access will be closed and any information contained in the Home-drive completely erased.

9.5 Senior Management can request statistics or general information for management purposes. They shall know who has access to each folder in the Share-Drive and confirm any change of it. In addition, Senior Management can request access and use of personal information in case of proceedings in Disciplinary matters (Regulation 24) and Disputes (Regulation 25 and Regulations 25-Bis), including proceedings before the Advisory Board and ILOAT. The Advisory Board can also request access and use of relevant personal information in case of proceedings before them.

Article 10
Security

10.1 Personal data shall be processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate and reasonable technical and organisational measures.

10.2 Organisational measures shall include:

- Setting up standard operating procedures depending on the nature of the data processed;
- Organising compulsory officials trainings on data protection.

10.3 Technical measures shall include:

- Maintaining physical security of premises, individual offices, servers, portable equipment, vaults, cupboards and drawers;
- Maintaining computer and information technology security, for example, access control (e.g. passwords).

10.4 Where personal data are processed by automated means, reasonable measures shall be taken to ensure that it will subsequently be possible to check which personal data have been processed, at what times and by whom.

10.5 In case of security situations that pose a serious risk of personal data breaches, the Secretariat shall take all necessary and possible steps to avoid such personal data breaches, relocating or, as a matter of last resort, destroying individual case files, whether in paper or electronic form, that contain personal data, in order to prevent harm to data subjects.

IV. Rights of the data subject

Article 11
Information

11.1 Information about data processing shall be made available on the Secretariat's website.

11.2 When necessary, such information should also be shared directly with the data subject in the course of the processing of his/her personal data.

11.3 In particular, information about the right to rectify and/or delete personal data as well as the contact for additional information shall be included in the Personal Sheet of officials, Seconded experts, Fellows, Interns and Staff on Loan, as well as in invitations/registrations for meetings and events organised or co-organised by the Secretariat.

Article 12
Access

Upon request data subjects shall be given an opportunity to verify the personal data retained by the Secretariat and shall be given access to them, unless otherwise specified.

Article 13
Accuracy and rectification

At the request of the data subject, records containing mistakes or inaccurate data shall be corrected without delay. The right of rectification also includes a right of notification or rectification to the third parties to whom the data have been disclosed.

Article 14
Objection

Data subjects may at any time object the processing of data relating to them based on legitimate or public interests. The right to object to processing is absolute when intended for promotion and/or profiling reasons.

Article 15
Deletion

Data subjects shall be able to have their personal data deleted when retention of such data is not in compliance with the Manual as detailed in Article 21 c) of the Manual.

Article 16
Withdrawal of consent

Data subjects shall have the right to withdraw their consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.

Article 17
Modalities of request

Requests for information about access, correction, deletion or objection of personal data may be made by the data subject or by his/her authorised legal representative. Requests are to be submitted in writing to Legal Affairs.

Article 18
Exceptions

Exceptions to one of the above mentioned rights can be made in the case of compelling reasons of confidentiality or in the public interest.

V. Data processing at the Energy Charter Secretariat

Article 19
Consent of the data subject

19.1 Consent of the data subject to the processing of his/her personal data for one or more specific purposes should be sought.

19.2 In particular, the Secretariat should sought the consent for data processing of:

- Participants when organising internal or external meetings, annual events, workshops, trainings, conferences etc. via the registration form;
- Delegates when creating their personalised access to the delegates' website;
- Applicants during recruitment process via the vacancy announcement;
- Officials, Seconded experts, Fellows, Interns and Staff on Loan when processing their personal data in the course of their contract at the Secretariat via the personal information sheet or via any other correspondence with them when necessary;
- Via subscription to the newsletter and information on ECS events.

Article 20
Notification of a data breach

20.1 Data subjects are required to notify the data controller without undue delay upon becoming aware of a personal data breach concerning their data and to properly record the breach.

20.2 Data controllers are also required, without undue delay, to notify any personal data breach to Legal Affairs, unless the personal data breach is unlikely to result in a risk to the rights and freedoms of natural persons. If a personal data breach is likely to result in personal injury or harm to a data subject, the data controller should use his/her best efforts to inform the data subject and take mitigating measures as appropriate.

Article 21
Retention, storage and deletion of personal data

21.1 Personal data should be kept for as long as necessary, and shall be destroyed or rendered anonymous as soon as the specified purpose(s) of data processing have been fulfilled.

a) Retention

21.2 In order to ensure that data are not kept longer than necessary, a retention period is set in Annex 2 of the Manual. At the end of such period, a review should be carried out to determine whether the data is still required. Depending on the findings of the review, the retention period may be renewed when necessary or the data erased or archived.

21.3 When renewing the retention period of the personal data, consent of the data subject shall be sought if the original purpose of the retention has been modified.

b) Storage

21.4 Personal data shall be kept in safe and secure locations with appropriate confidentiality and access control measures (e.g. passwords, restricted folders…) as detailed in Article 9 of the Manual.

21.5 Data controllers shall ensure that the integrity and quality of electronic and paper records are maintained throughout the life cycle of data processing.

c) Deletion

21.6 Personal data should not be kept for an indeterminate period. Electronic and paper records, as well as respective backups, should be destroyed, returned or rendered anonymous as soon as retention periods have expired, as detailed in Annex 2 of the Manual.

21.7 Personal data should be deleted when:

- o They are no longer necessary for the purposes for which they were collected or otherwise further processed;
- o The data subject withdraws his/her consent for processing;
- o The data subject objects to the processing and his/her objection is upheld by the Secretariat; or
- o The Manual otherwise provides for deletion.

21.8 However, personal data should not be deleted when there is a legitimate reason for archiving them, such as for statistical or historical purposes or for accountability of the Secretariat's action.

VI. Data processing by implementing partners

Article 22

22.1 Where the collection and processing of personal data is one of the responsibilities of an implementing partner of the Secretariat (e.g. a co-organiser of a conference), implementing partners are expected to respect and implement the same or comparable standards and basic principles of personal data protection as defined in the Manual.

22.2 However, the Secretariat shall not be responsible for breaches of one of its implementing partners.

VII. Transfer of personal data to third parties

Article 23

23.1 The Secretariat may transfer personal data to third parties on condition that the third party affords an adequate level of data protection in conformity with international standards.

23.2 Particularly, transfer of personal data to third parties should respect the following:

- Transfer is based on one or more specific and legitimate purpose's;
- The personal data to be transferred is adequate, relevant, necessary and not excessive in relation to the purpose's for which it is being transferred;
- The third party confirms the confidentiality of personal data transferred.

VIII. Accountability and supervision

Article 24

24.1 Legal Affairs will ensure compliance with the Manual.

24.2 In carrying its functions, Legal Affairs will in particular:

- Provide advice, support and training on data protection within the Secretariat;
- Monitor and report on compliance with the Manual to the Secretary General (e.g. infringement, deficiencies etc.);
- Bring to the Secretary General‘s attention any proposal for improvement of the data protection system and request the rectification, blocking, or erasure of all data processed in breach of the Manual;
- Provide advice when requested and/or necessary;

IX. Compliance and internal appeals

Article 25

25.1 Officials in breach of their obligations under the Manual may be liable to disciplinary measures in accordance with the provisions of the Staff Manual.

25.2 Seconded experts, Fellows, Interns and Staff on Loan in breach of their obligations under the Manual may be liable to possible termination of contract in accordance with the Internal Rules applicable to them and the provisions of the Code of Conduct.

X. Entry into force and revision

Article 26

26.1 The Manual shall enter into force on the date of its approval by the Energy Charter Conference.

26.2 A revision of the Manual shall take place 12 months after its entry into force, and after that revisions shall take place as part of the reviews under Article 34 (7) of the Energy Charter Treaty. Additional amendments of the Manual may be approved, when necessary, by the Budget Committee.

ANNEX 1: MODEL PARAGRAPHS

Invitations and Registration forms

The paragraph below shall be included in invitations/registration forms for:

a) Annual meetings and any other forum/event/workshop/training organised or co-organised by the Secretariat, including Industry Advisory Panel meetings, in which the Secretariat has control of the registration data, photos, audio, video etc.;

b) Internal meetings of the subsidiary bodies of the Conference;

Please note that by registering for this event, you consent to our processing of your personal data as well as being photographed and audio/video recorded. You can change

your data or have them deleted at any time. If you have any questions or comments, please refer to legalaffairs@encharter.org.

Vacancies

Announcements of vacancies and consultancy contracts shall include the paragraph below:

All personal information contained in the CV and application will be duly processed by the Secretariat. You can change your data or have them deleted at any time. If you have any questions or comments, please refer to legalaffairs@encharter.org.

The same paragraph shall appear in the general "jobs/vacancies" section of the website of the Secretariat.

Internal Debriefing Notes

Debriefing notes shall include the statement below and shall be stored (together with business cards) in the Shared Drive accessible only to officials of the Secretariat:

The content of this debriefing note shall not be shared outside the Secretariat and its information cannot be used for private purposes. Upon express request of a delegate and on case by case basis, the Secretary General may agree to show at the Secretariat the content of a debriefing note.

Email signatures

The paragraph below shall be added to the signature of official @encharter.org emails:

This e-mail is intended for the use of the named recipient only. Information contained in this e-mail and its attachments may be privileged, confidential and protected from disclosure. If you are not the intended recipient, please do not read, copy, use or disclose this communication to others. Please also notify the sender by replying to this message and then delete it from your system.

Appointment letter

Appointment letters of officials shall include a reference to the Manual on data protection:

This appointment is governed by the provisions of the Staff Regulations, Staff Rules (including any subsequent amendments as may be approved by the Charter Conference), Staff Circulars and by the terms of this letter. The Code of Conduct and the Manual on Data Protection are also applicable.

Similarly, appointment letters of Seconded experts, Fellows, Staff on Loan and Interns –as well as contracts with consultants– shall also refer to the Manual on Data Protection.

Personal Information Sheet

The following paragraph shall be included in the personal information sheet:

> *Please note that by signing this document you consent to our processing of your personal data, including any future update, for the purpose of your contract with the Secretariat. If you have any questions or comments, please refer to legalaffairs@encharter.org. You can also check the Manual on Data Protection.*

Newsletter

The paragraph below shall be included in the Newsletter emails:

> *You received this email because you are subscribed to the Newsletter of the International Energy Charter. You can unsubscribe, change your data or have them deleted at any time. If you have any questions or comments, please refer to legalaffairs@encharter.org.*

Dissemination emails

The paragraph below shall be included in the emails sent by the front desk when creating a password for acceding the account of a new delegate:

> *Please note that by registering, you consent to our processing of your personal data. Hereby, you also subscribe to our Newsletter and agree to receive dissemination messages from the Secretariat for information purposes. You can unregister, change your data or have them deleted at any time. If you have any questions or comments, please refer to legalaffairs@encharter.org.*

ANNEX 2: RETENTION PERIODS

- Personal Data from individuals (other than government officials or officials of international organisations) who participated in a conference, workshop, training or any event organised or co-organised by the Secretariat:
  - Physical copies (e.g. physical registration forms): 1 month after the event.
  - Electronic copies: 1 year after the event. After that, only non Personal Data (e.g. name of company or institution, country…) would be kept for statistic purposes.
- For historical reasons personal data contained in the Travaux préparatoires [negotiations of the European Energy Charter, the Energy Charter Treaty, its Protocols (1991-1994), the Trade Amendment (1994-1998), the International Energy Charter, and any other negotiation mandated by the Energy Charter Conference] would be kept safely stored and accessible only under the policy approved by the Energy Charter Conference for access to the Travaux préparatoires.
- Audio recordings of meetings of the Conference and its subsidiary bodies, as well as electronic copies of documents related to them containing personal data of government officials will be kept safely stored and accessible only to officials without any particular retention period. However, physical copies should not be retained for more than 1 year.
- Personal Data contained in the database of subscriptions to the newsletter and information of ECS activities: until request to unsubscribe.

- Personal Data contained in requests for general information should not be stored and emails should be deleted after been replied.
- CV and applications:
  - o Non selected applications for official positions:
    - Physical copies: 1 month after the acceptance of the appointment letter by the selected official.
    - Electronic copies: 6 months after the acceptance of the appointment letter by the selected official.
  - o Non selected applications for Fellowships, unsolicited applications and consultants (physical and/or electronic copies): 1 month after the acceptance of the appointment letter by the selected fellow.
  - o Selected officials (physical and/or electronic copies): 5 years after the end of their working relationship with the Secretariat.
  - o Selected interns, fellows, consultants, seconded experts and staff on loan (physical and/or electronic copies): 1 month after the end of their relationship with the Secretariat.
- Personal Data of officials (other than CVs and application): 5 years after the end of their working relationship with the Secretariat. After that, only an electronic file will be kept with the name, surname, position and timing of work at the Secretariat for statistic and historical purposes.
- Personal Data of Interns, Consultants, Seconded Experts, Fellows and Staff on Loan (other than CVs and application): 1 year after the end of their working relationship with the Secretariat. After that, only an electronic file will be kept with the name, surname, unit and timing of work at the Secretariat of the Seconded expert or Staff on loan for statistic and historical purposes. For the rest, only an electronic file will be kept with the institution, country, timing and (if any) particular report produced.
- Personal Data in the registry of legal requests, including access to the Travaux préparatoires, and requests linked to the Conflict Resolution Centre: 5 years. After that, only non-Personal Data will be kept for statistic purposes. In case of personal data related to good offices, mediation or support in a particular case, they will be kept secured for as long as necessary.
- Personal Data linked with the delegates' account: until reception of the request to close the account. Personal Data contained in Excel tables of countries/IOs: until the person is no longer in office.
- Personal data of non-delegates members of groups/task forces established by the Secretariat (including Industry Advisory Panel and Legal Advisory Task Force): until the dissolution of the informal group or until the end of the individual membership to such group. An electronic file will be kept with the name of the company, location of the office and timing for statistic purposes.

ANNEX 3: DATA CONTROLLERS

• Recruitment • Personal data of officials • Personal data related to Interns, Seconded experts, Fellows, unsolicited applications, Staff on loan, Consultants	Administration and Finance official dealing with human resources and contracts Administration and Finance official dealing with visas and special cards

• Legal requests • Access to the Travaux préparatoires • Personal data related to Conflict Resolution Centre	Legal Affairs
• Personal data of delegates	Front Office
• Personal data contained in excel tables of countries/IOs	Official in charge of the country/IO
• Database linked to newsletter and dissemination list for information on events/publications	Official in charge of the newsletter
• Personal data of non-government officials related to ministerial meeting of the conference, forums, events, seminars, trainings	Official in charge of the registration of the particular event Legal Affairs can support in deletion process
• Personal data related to non-delegates members of groups/task forces established by the Secretariat (including IAP and LATF)	Official in charge of the group/task force

REGULATION 2-BIS.1

1. Any official who, in the course of or in connection with the performance of his/her duties, becomes aware of facts which give rise to a presumption of the existence of possible illegal activity, including serious irregularities, fraud, corruption or misuse of resources or other serious wrongdoings detrimental to the interests of the Conference or of conduct relating to the discharge of professional duties which may constitute a serious failure to comply with the obligations of officials shall without delay inform either his/her immediate superior and/or the Deputy Secretary General and/or the Secretary-General, or if he/she considers it useful, the External Auditor or the Chair of Conference or the Vice-Chair of Conference [or the Management Committee]. Information mentioned in the first subparagraph shall be given in writing. This paragraph shall also apply in the event of serious failure to comply with a similar obligation on the part of any other person in the service of or carrying out work for the Conference.

2. Any official receiving the information referred to in paragraph 1 shall without delay transmit to his/her immediate superior and/or Deputy Secretary-General and/or the Secretary-General and/or the External Auditor and/or the Chair or Vice-Chair of Conference [and/or the Management Committee] any evidence of which he/she is aware from which the existence of the serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings referred to in paragraph 1 may be presumed.

3. Any official shall not suffer any prejudicial effects on the part of the institution as a result of having communicated the information referred to in paragraphs 1 and 2, provided that he/she acted reasonably and honestly.

4. Paragraphs 1 to 3 shall not apply to documents, deeds, reports, notes or information in any form whatsoever held for the purposes of, or created or disclosed to the official in the course of, proceedings in legal cases, whether pending or closed.

REGULATION 2-BIS.2

1. Any official who further discloses information as defined in Regulation 2-bis.1 para. 1, shall not suffer any prejudicial effects provided that both of the following conditions are met:

   (a) the official honestly and reasonably believes that the information disclosed, and any allegation contained in it, are substantially true; and

   (b) the official has previously disclosed the same information to his/her immediate superior and/or the Deputy Secretary and/or Secretary General or the External Auditor, or the Chair of Conference, or the Vice-Chair of Conference [or Management Committee] and has allowed them in the period of time set by them, given the complexity of the case, to take appropriate action. The official shall be duly informed of that period of time within 60 days.

2. The period referred to in paragraph 1 shall not apply where the official can demonstrate that it is unreasonable having regard to all the circumstances of the case.

3. Paragraphs 1 and 2 shall not apply to documents, deeds, reports, notes or information in any form whatsoever held for the purposes of, or created or disclosed to the official in the course of, proceedings in legal cases, whether pending or closed.

REGULATIONS 2-BIS.1 – 2-BIS.2 - INTERNATIONAL ENERGY CHARTER WHISTLEBLOWING GUIDELINES

Staff Circular

1. Introduction

1.1. General

Having procedures for raising concerns about serious irregularities, fraud, corruption or misuse of resources or other serious wrongdoings is relevant for all responsible organisations and for the people who work there. While good internal control systems can reduce the probability of something going seriously wrong, the risk can never be reduced to zero. Where this risk materialises, the first people to realise or suspect the problem will often be those who work in or with the organisation. Yet, unless the culture is one where employees believe that it is safe and accepted that such concerns are raised, the risk is that people will stay silent. This denies the organisation an important opportunity to detect and investigate the concern, to take any appropriate action and to protect its assets, integrity and reputation.

The most effective way to encourage officials, secondees, visiting scholars, interns and staff on loan to report concerns is to provide assurance of protection of their position. Clearly defined channels for internal reporting, as well as safe and accepted routes through which officials, secondees, visiting scholars, interns and staff on loan may raise concerns outside the organisation as an option of last resort, should be in place.

Viewed in this way, having whistleblowing procedures and whistleblower protection in place is a question of good management and a means of putting into practice the principle of accountability. They contribute to improving the diligence, integrity and responsibility of an organisation.

To this end, it is necessary to develop, adopt and include the guidelines on whistleblowing in the Staff Manual as well as in the publication regarding the Main Internal Provisions, Rules and Decisions of the Organisation.

While the existing rules have already triggered a number of ILOAT cases, officials, secondees, visiting scholars, interns and staff on loan may be reticent to make full use of the whistleblowing guidelines because of a fear of negative repercussions on their reputation or career. As part of the duty of the Energy Charter Conference and the Energy Charter Secretariat to have regard for the interests of officials, secondees, visiting scholars, interns and staff on loan it is necessary to ensure that officials, secondees, visiting scholars, interns and staff on loan who report serious wrongdoings or concerns in good faith are afforded the utmost confidentiality and greatest degree of protection against any retaliation as a result of their whistleblowing.

As whistleblowing policies and arrangements are widely recognised as an important tool to detect serious irregularities, fraud, corruption and misuse of resources and serious wrongdoings, it is important that officials, secondees, visiting scholars, interns and staff on loan fully understand the types of situations where the obligation to ‘blow the whistle’ applies, and to whom they should address their concerns.

Providing guidance on this issue is part of the International Energy Charter overall ethics policy, which aims, inter alia, at clarifying the rules regarding professional ethics and conduct in the organisation.

The Energy Charter Conference approves the guidelines on whistleblowing together with the relevant Articles 1 and 2 to be included in the Staff Rules and Regulations (as Regulation 2-bis.1 and Regulation 2-bis.2) as well as in the publication regarding the Main Internal Provisions, Rules and Decisions of the Organisation.

1.2. Basic principles

Officials, secondees, visiting scholars, interns and staff on loan of the Secretariat have a duty to report serious irregularities, fraud, corruption or misuse of resources or other serious wrongdoings. For this purpose, officials, secondees, visiting scholars interns and staff on loan have reporting channels as determined under point 2 'Reporting procedures'.

The principal channel is the normal chain of hierarchical command. If an official, secondee, visiting scholar, intern or staff on loan considers it to be safer to bypass the normal chain of hierarchical command, they must be able to do so.

In particular, the principal channel for serious irregularities, fraud, corruption or misuse of resources or other serious wrongdoings is described under Regulation 2 of the Staff Regulations and Rules and its staff circular.

Officials, secondees, visiting scholars, interns and staff on loan who report on serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings in good faith must not under any circumstances be subject to retaliation for whisleblowing. These officials, secondees, visiting scholars, interns and staff on loan must be protected and their identity must remain confidential if they so desire.

The Secretariat or the External Auditor or the Chair/Vice-Chair of the Conference [or the Management Committee] must verify the reported facts in the appropriate manner and, if they are confirmed, the Conference and the Secretariat will take all necessary steps to ensure the appropriate follow-up. The rights of defence of any person implicated by the reported incidents must be respected. Malicious or frivolous denunciations will not be tolerated.

1.3. Scope of the guidelines

The International Energy Charter whistleblowing guidelines apply to all officials, secondees, visiting scholars, interns and staff on loan of the Secretariat, irrespective of their position.

Under the whistleblowing guidelines, officials, secondees, visiting scholars, interns and staff on loan have to report serious irregularities, fraud, corruption or misuse of resources or other serious wrongdoings. As the whistleblowing policies and arrangements are essentially a detection mechanism to bring cases to the attention of the relevant authorities, the duty to report concerns only serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings, and particularly those that may be detrimental to the financial interests of the Conference.

Accordingly, not every reporting qualifies as whistleblowing in the sense of these guidelines. For example, the guidelines are not intended to apply to the reporting of the following types of information:

- Information already in the public domain (for example newspaper articles, publicly available audits);
- Unsubstantiated rumours and hearsay;
- Matters of a trivial nature;
- Disagreements over legitimate policy;
- Information not linked to the performance of one's duties.[3]

Neither do the guidelines apply to information for which specific procedures are available to an official, secondee, visiting scholars, interns and staff on loan:

- Personnel issues where officials have a personal interest in the outcome. In these cases, officials may exercise their statutory rights under the Staff Manual.
- Harassment claims and personal disagreements or conflicts with colleagues or hierarchy for which, Regulation 25-bis of the Staff Manual applies.

Nor do the guidelines apply to disclosures that cannot be considered as reasonable or honest, such as:

- Abusive disclosures (repeated disclosures of alleged facts aimed merely at paralysing a service);
- Malicious, frivolous or potentially defamatory disclosures (i.e. false or unverifiable accusations with the aim of harming another person's integrity or reputation).

1.4. Definitions

For the purpose of the guidelines, a 'whistleblower' is an official, secondee, visiting scholars, interns and staff on loan acting in good faith, who reports facts discovered in the course of or in connection with her or his duties which point to the existence of serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings. The reporting should be done in writing, and without delay, as determined under point 2 'Reporting procedures'.[4]

'Good faith' can be taken to mean the belief in the veracity of the reported facts, i.e. the fact that the official, secondee, visiting scholars, interns and staff on loan reasonably and honestly believes the transmitted information to be true. Good faith is presumed unless and until proven otherwise.

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[3] *This is not to say that the Energy Charter Secretariat does not react to this information, but that the whistleblowing guidelines do not apply in this case.*

[4] *Prior to reporting, officials, secondees, visiting scholars, interns and staff on loan may seek guidance and support as described in section 5. This does not have to be done in writing.*

'Retaliation' is defined as any direct or indirect action or threat of action which is unjustly detrimental to the whistleblower and resulting from the whistleblowing, including, but not limited to, harassment, discrimination, negative appraisals and acts of vindictiveness.

'Confidentiality of identity' means that the identity of the whistleblower is known to the recipient of the information but is kept confidential vis-à-vis the person(s) potentially implicated in the serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings reported and used on a strict need-to-know basis.

'Anonymity' refers to the situation whereby the identity of the source of the information is not known to the recipient.

Officials, secondees, visiting scholars, interns and staff on loan who make a report in bad faith, particularly if it is based knowingly on false or misleading information, shall not be protected and shall normally be subject to disciplinary measures. The Secretariat and/or the Secretary-General and/or the Deputy Secretary-General and/or the External Auditor and/or the Chair and/or Vice-Chair of the Conferece [and/or the Management Committee] bear the burden of proof in this context.

2. REPORTING PROCEDURES

2.1 Report to the immediate superior and/or the Deputy Secretary General and/or the secretary-general

Officials, secondees, visiting scholars, interns and staff on loan who, in the course of or in connection with their duties, discover that serious irregularities, fraud, corruption of misuse of resources or serious wrongdoings may have occurred or may be occurring within the Secretariat, are obliged to report this discovery forthwith and in writing to their immediate superior and/or the Deputy Secretary-General and/or the Secretary General.

2.2 Report to one of the External Auditor and the Chair/Vice-Chairs of the Conference [and the Management Committee])

If there is a concern that this disclosure may lead to retaliation or that the intended recipient of the report is personally implicated in the serious irregularities fraud, corruption or misuse of resources or serious wrongdoings or the official, secondee, visiting scholars, interns and staff on loan considers that the allegation was not properly addressed within the period indicated in section 4 below, the official, secondee, visiting scholar and intern in question should bypass this direct means of internal reporting. He or she should bring it in writing to the attention of one of the following: the External Auditor and the Chair of the Conference and one of the Vice-Chairs of Conference [and the Management Committee]. Upon receipt of the information reported internally, the Secretariat, or one of the following the External Auditor and the Chair/Vice-Chair of the Conference [and the Management Committee], must give the whistleblower, within 60 days of receipt of the information, an indication of the period of time that it considers reasonable and necessary to take appropriate action.

If no action is taken within that period of time, or if the whistleblower can demonstrate that the period of time set is unreasonable in light of all the circumstances of the case, he or she may make use and in parallel of the possibility of whistleblowing to the External Auditor or the

Chair/Vice-Chair of the Conference [or the Management Committee] to which the whistleblower has not reported yet.

Disclosure to the External Auditor or the Chair/Vice-Chair of the Conference [or the Management Committee], which are clearly able to hold the Secretariat to account because of their institutional role, but are also themselves subjected to the duty of discretion, therefore strikes an effective balance between the public interests of confidentiality and loyalty and those of transparency and accountability.

The Conference and the Secretariat are under the obligation to ensure the confidentiality of information received and officials, secondees, visiting scholars, interns and staff on loan of the Secretariat are therefore necessarily subjected to a duty of discretion.

It is up to the official, secondee, visiting scholars, interns and staff on loan to choose the most appropriate channel for reporting the serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings that they must disclose. However, if a matter is reported to others who are not competent to deal with it, it is up to the recipient of the information to transmit, in the strictest confidence, the relevant information and documents to the competent person/authority/institutions and to inform the official, secondee, visiting scholars, interns, staff on loan accordingly.

3. PROTECTION OF WHISTLEBLOWERS

Official, secondee, visiting scholars, interns and staff on loan who reports an allegation of serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings, provided that this is done in good faith and in compliance with the provisions of these guidelines, shall be protected against any acts of retaliation.

It should be noted that official, secondee, visiting scholars, interns and staff on loan will not be expected to fully prove that a serious irregularity, fraud, corruption or misuse of resources or serious wrongdoing is occurring, nor will they lose protection simply because their honest concern turned out to be unfounded. Nevertheless, to benefit of the protection the reporting official, secondee, visiting scholars, interns and staff on loan has to provide credible evidence.

The protection continues to apply in cases of external disclosures, provided that the official secondee, visiting scholars, interns and staff on loan honestly and reasonably believes that the information and any allegation in it are substantially true. In this context, account will be taken of any information the official, secondee, visiting scholars, interns and staff on loan has had from the Secretariat and from the External Auditor and the Chair/Vice-Chair of the Conference [and the Management Committee] following the initial reporting.

In addition, the following specific protective measures apply:

Confidentiality of identity

The protection of a person reporting a serious irregularity, fraud, corruption or misuse of resources or serious wrongdoings in good faith shall be guaranteed, first of all, by the fact that their identity will be treated in confidence.

This means that their name will not be revealed to the person(s) potentially implicated in the alleged serious irregularity, fraud, corruption or misuse of resources or serious wrongdoings,

or to any other person without a strict need to know unless the whistleblower personally authorises the disclosure of his/her identity or this is a requirement in any subsequent criminal law proceedings. In all other cases, the Conference, the Secretariat and the External Auditor and the Chair/Vice-Chair of the Conference [and the Management Committee] commits to keep the identity of the whistleblower confidential.

In this respect, the disciplinary procedures opened based on information of which the source is not revealed are regular, as long as it does not affect the possibility of the person who is subject to a subsequent disciplinary procedure to comment on the facts or documents transmitted, or on the conclusions that the organisation draws from them. The disciplinary rules of the organisation must allow it to keep the identity of the whistleblower confidential, while ensuring that the rights of defence of the person concerned are fully respected.

Mobility

If the official, secondee, visiting scholars, interns and staff on loan concerned wishes to be moved to another unit of the Secretariat in order to safeguard him- or herself against potential hostile reactions from his or her immediate work environment, then the Secretariat will take reasonable steps to facilitate such a move. In practice, the officials, secondees, visiting scholars, interns and staff on loan who consider it necessary to move to a different unit may address themselves to the Head of Unit in charge of Administration and Finance or the Deputy Secretary General or the Secretary General, which/who will provide them with counselling in order to identify the type of available post, which fits their profile and professional aspirations and needs of the Secretariat.

In urgent and duly justified cases, the protective measure of a transfer will be taken, including to fill an existing vacancy if possible, by the Secretary General or the Deputy Secretary General or the Chair of the Conference in consultation with the Vice-Chairs [and the Management Committee].

Appraisal, advancement and promotion

Particular care will be taken during staff appraisal, advancement and promotion procedures to ensure that the whistleblower suffers no adverse consequences in this context.

Anonymity

In order for the Conference and the Secretariat in particular to be able to apply protective measures, the official, secondee, visiting scholars, interns and staff on loan concerned should identify him- or herself as a whistleblower, and to observe the procedures as outlined above.

The protection offered reduces the need and justification for anonymity.

Anonymity deprives the investigative services of the possibility of asking the source for clarification or more information and enhances the risk of frivolous, malicious or unreliable information. For these reasons, anonymous reporting is not encouraged.

Penalties for those taking retaliatory action

No official, secondee, visiting scholars, interns and staff on loan of the Secretariat may use his/her position to prevent other officials, secondees, visiting scholars, interns and staff on loan from complying with their obligation to report serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings.

Any form of retaliation undertaken by an official, secondee, visiting scholars, interns and staff on loan against any person for reporting a serious irregularity, fraud, corruption or misuse of resources or serious wrongdoings in good faith is prohibited. In such cases, disciplinary measures will be taken against persons performing any form of retaliation.

Limits

As explained above, the whistleblowing provisions are concerned only with reporting of information pointing to serious irregularities, fraud, corruption and misuse of resources or serious wrongdoings. They are not intended to be used as substitutes for grievance procedures where officials, secondees, visiting scholars, interns and staff on loan have some personal interest in – or seek to dictate the outcome. They are also inappropriate for dealing with disagreements over legitimate policies. Their purpose is to allow the officials, secondees, visiting scholars and interns and staff on loan to raise a concern about wrongdoings so that those in charge may look into them.

It should be noted that the protection is lost if the official, secondee, visiting scholars, interns and staff on loan makes unwarranted or damaging allegations that he/she cannot show to be honest or reasonable.

Similarly, if the official, secondee, visiting scholars, interns and staff on loan makes the disclosure for purposes of private gain – for instance, by providing the information to external parties – he/she will forfeit this protection as that would not be a legitimate disclosure in the sense of the whistleblowing guidelines.

Finally, if the official, secondee, visiting scholars, interns and staff on loan is him or herself implicated in the serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings and decides to come forward and report these irregularities, fraud, corruption or misuse of resources or serious wrongdoings, this fact may constitute a significant attenuating circumstance in any ensuing disciplinary proceedings, but it is not a qualifying disclosure in the sense of these guidelines and does not provide him or her with full protection against disciplinary consequences on the basis of the whistleblowing guidelines.

4. FEEDBACK TO THE WHISTLEBLOWER

The Secretariat or the External Auditor or the Chair/Vice-Chair of the Conference [or the Management Committee] must give the whistleblower with an indication of the time needed to take appropriate action. If no action is taken within that period of time, or if the whistleblower can demonstrate that the period of time set is unreasonable in light of all the circumstances of the case, he or she may address his or her concerns to one of the others referred to in section 2 above.

It should be noted that the whistleblower is entitled to be informed within 60 days of the time needed to take appropriate action, but that it is up to the authority having received the reporting to determine the appropriate course of action.

5. GUIDANCE AND SUPPORT

While reporting serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings is an obligation under the Staff Regulations, some officials, secondees, visiting

scholars, interns and staff on loan may be reticent to come forward and report their concerns. In order to help officials, secondees, visiting scholars, interns and staff on loan who are unsure of whether or not certain facts should be reported, the Conference and the External Auditor and the Chair/Vice-Chair of the Conference [and the Management Committee] and the Secretariat offers confidential and impartial guidance and support to (potential) whistleblowers.

Guidance to potential whistleblowers at an early stage also helps to avoid ill-advised reporting, which may cause frustration to the official, secondee, visiting scholars, interns and staff on loan concerned and may be detrimental to the interests and the reputation of the Conference and the Secretariat. This guidance therefore lessens the risks of disclosure-related conflicts.

That is best carried out by a point of contact appointed, taking account of the fact that, in particular, support to whistleblowers and protection against retaliation are essentially the responsibility of the Conference as employer, including the Secretariat.

The Finance& Administration [/External Activities and Administration] Unit, the Legal Affairs, the Staff Committee [and the Management Committee] will provide confidential and impartial guidance on the whistleblowing procedure and respond to such questions as for example,

- whether the information in question is covered by the whistleblowing guidelines,
- which reporting channel may best be used for the information concerned, and
- which alternative procedures are available if the information concerned does not qualify for whistleblowing ('signposting').
- which will also be able to tender advice and guidance to officials, secondees, visiting scholars, interns and staff on loan on protective measures that the officials, secondees, visiting scholars, interns and staff on loan may wish to seek following the reporting.

Naturally, this guidance is without prejudice to the possibility of the official, secondee, visiting scholar, intern and staff on loan to consult his/her immediate superior.

In case of doubt, officials, secondees, visiting scholars, interns and staff on loan are encouraged to seek the guidance offered to them when contemplating a disclosure under the whistleblowing guidelines.

6. ROLE OF THE SECRETARY GENERAL AND THE DEPUTY SECRETARY-GENERAL

The duty of the Deputy Secretary General and the Secretary General to notify the External Auditor and the Chair/Vice-Chair of the Conference [and the Management Committee] in case of information in accordance with the section 2 above received from officials, secondees, visiting scholars, interns and staff on loan on the basis of the whistleblowing guidelines does not of itself discharge them from their own responsibilities to tackle the serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings

They will therefore have to reflect on whether the evidence provided reveals shortcomings that could be addressed or require other measures; in which case he/she will propose measures to be discussed first by the Senior Management [and then the Management Committee]. In

particular, if following such information, it occurs that a procedural or organisational change could prevent the risk of serious irregularities, fraud, corruption or misuse of resources or serious wrongdoings in the future, such measures should be considered and, where appropriate, taken as soon as possible.

Care should be taken that any such measure does not harm any future investigation into the reported facts by others (e.g. the ILOAT, the External Auditor, the Chair/Vice-Chair of the Conference [and the Management Committee]). In case of doubt, managers are therefore advised to consult with the Conference, Chair/Vice-Chair of Conference [and the Management Committee] before taking any such measures.

7. ROLE OF THE EXTERNAL AUDITOR

In case information is brought to the attention of the external auditor (in accordance with the section 2 above), the latter will ask the Secretariat to provide information and evidence, take it into account during the regular financial audit within the framework of its Terms of Reference and in parallel take it to the Conference, [and the Management Committee], the Chair/Vice Chairs of the Conference.

8. ROLE OF THE CHAIR/VICE CHAIR OF THE CONFERENCE [AND THE MANAGEMENT COMMITTEE]

In case allegations are communicated to the Chair/Vice Chairs of the Conference [and the Management Committee] (in accordance with the sections 2 or 7 above), he/she will request the Secretariat to provide information and evidence. Following an analysis of facts, and considering the relevance of the information, the Chairperson may propose to include an agenda item for discussion at the Conference and bring the issue to [the Management Committee], the Vice-Chairs of the Conference and the External Auditor to take it into account during the Audit(s).

9. COMMUNICATION AND AWARENESS-RAISING

In order to increase the awareness of the whistleblowing guidelines amongst officials, secondees, visiting scholars, interns and staff on loan the new provisions will be included in the Staff Regulations and Rules (as Regulation 2-bis.1 and Regulation 2-bis.2) as well as in the publication regarding the Main Internal Provisions, Rules and Decisions of the Organisation and these guidelines will be given adequate publicity through the internal communication channels in the Conference and the Secretariat while trainings on ethics and integrity should be established that will contain this material.

10. REVISION

The practical application and effectiveness of these whistleblowing guidelines will be evaluated in a year after their adoption and thereafter during the regular review process under Article 34

(7) of the Energy Charter Treaty. In light of the results of this evaluation, these guidelines may be revised as appropriate by the Conference.

11. FINAL PROVISIONS

These guidelines shall enter into force on the date of its approval by the Conference.

REGULATION 3

EXTERNAL ACTIVITIES

a) Officials shall refrain from any action incompatible with the dignity of their functions.

b) No official may, during the period of his or her appointment, engage in any occupation, hold any position, or accept any functions external to the Secretariat, which in the opinion of the Secretary-General are incompatible with the proper performance of his or her duties.

c) Officials may not receive any honorary distinction or remuneration from any Government or other source external to the Secretariat without permission from the Secretary-General.

REGULATION 4

RIGHTS OF ASSOCIATION

a) Officials shall be entitled to exercise the right to establish and be members of the Staff Committee, provided that the number of officials employed at the Secretariat is no less than 20.

b) The professional interests of the officials shall be represented exclusively by the Staff Committee or, in the absence of the Staff Committee, in accordance with Rule 4.5.

c) The professional interests of the Secretary-General and the Deputy Secretary-General shall not be represented by the Staff Committee.

d) The members of the Senior Management, as defined in Rule 1.3 (a), shall not be entitled to vote for the members of the Staff Committee, elected as the members of the Staff Committee, or consulted through the Staff Committee or directly in all cases under Rule 4.1.

e) Officials shall be entitled to join trade unions or professional organisations for international civil servants. Such bodies may not defend the professional interests of the officials and shall have no institutional value within the Secretariat.

Rule 4.1

STAFF CONSULTATIONS

(a) Before making decisions affecting the position of a particular category, of all categories or of a specific group of officials of the Secretariat, the Secretary-General shall consult the Staff Committee in accordance with Rule 4.4 (a) (i).

(b) In the absence of the Staff Committee, as envisaged in Regulation 4 a), before making decisions affecting the position of a particular category, of all categories or of a specific group of officials of the Secretariat, the Secretary-General shall consult the officials directly in accordance with Rule 4.5.

Rule 4.2

STAFF COMMITTEE

(a) The Staff Committee shall be constituted in accordance with Regulation 4 to represent the various categories of staff in their dealings with the Secretary-General.

(b) The main objectives of Staff Committee shall be:

(i) to promote co-operation between the Secretariat and the staff as a whole;

(ii) to protect the professional interests of the staff;

(iii) to improve the practical conditions of life for the staff and to strengthen the links between the staff of different nationality.

(c) In pursuance of these objectives it shall carry out the duties specified in Rule 4.4.

(d) The Staff Committee shall pursue its objectives without undertaking any activities of a political or purely national character.

Rule 4.3

CONSTITUTION OF THE STAFF COMMITTEE

(a) The Staff Committee shall be deemed by the Secretary-General to be representative of the staff as a whole and of the various categories of officials.

(b) The Staff Committee shall be constituted in accordance with Regulation 4 a), its Rules of Procedure and in such a way as to reflect representation of each category of staff, subject to limitations of Regulation 4 d).

(c) The Staff Committee shall be elected by secret ballot. Its term of office shall be one year.

Rule 4.3 (a) - CONSTITUTION OF THE STAFF COMMITTEE

Staff Circular

RULES OF PROCEDURE OF THE STAFF COMMITTEE

1. Language

   1.1 The working language of the Staff Committee (hereinafter referred to as Committee) shall be English.

   1.2 Agendas, Summary Records and other Committee documents shall be issued in English.

2. Composition of the Committee

   2.1 The Committee shall represent the staff in their dealings with the Secretary General.

   2.2 The Committee may also represent in relevant specific matters the interest of any other persons working in the Secretariat.

   2.3 The composition of the Committee shall reflect the composition of various categories of officials in accordance with Regulation 11 a) and the size of the Secretariat. The Committee comprise three full members: one representing the A category, one representing B/C categories plus one member from any category elected by all staff, who shall be the Chairperson.

   2.4 For avoidance of doubt, each member of staff shall have one vote for candidates representing his/her own category and one vote for the Chairperson, subject to limitations of Regulation 4 d).

   2.5 At the first meeting, the representative of each category shall put forward a list of officials to represent the staff in the bodies set up in accordance with Staff Regulations and Staff Rules. The Staff Committee shall approve the list and transmit it to the Secretary-General.

3. Organisation

   3.2 The Committee shall be convened on the initiative of its Chairperson or at the request of one of its members.

   3.3 The Committee may be called upon by any official to consider any question falling within its terms as contained in Rule 4.4.

   3.4 The Committee may be also convened at the request of the Secretary-General in accordance with Rule 4.4 (a). In such a case the Secretary-General shall communicate to the Chairperson of the Committee a draft Agenda or a subject to be discussed. Should a matter require an expeditious action, the Committee may give its opinion three days after receiving the relevant communication from the Secretary-General.

4. Frequency of meetings

The Committee shall meet when convened in accordance with paragraph 3 above.

5. Quorum

5.1 Two full members of the Committee shall constitute a quorum.
5.2 Decisions shall be taken by a simple majority.
5.3 No question concerning a given category or an official of a given category shall be examined unless a representative of that category is present.

6. Agenda

6.1 A draft Agenda shall be drawn up by the Chairperson of the Committee and shall also reflect cases referred to in paragraph 3.3.

6.2 The draft Agenda shall be distributed to all members of the Committee in sufficient time before its meetings and three days before its meetings called up by the Secretary-General.

6.3 Once finalised, the Agenda can be distributed to all staff members before the meeting.

6.4 The Committee shall adopt the Agenda at the beginning of the meeting.

7. Summary Record

7.1 A Summary Record shall be kept of all Committee meetings.

7.2 The Summary Record shall be kept in a concise form. However, any member may, if he or she so requests, have his or her views on a particular subject incorporated verbatim in the Summary Record.

7.3 One copy of the Summary Record of each meeting, together with the approved Agenda, shall be kept as a permanent record of the Committee's proceedings.

7.4 The Summary Record of a meeting shall be adopted at the following meeting of the Committee and then distributed to the Committee members and staff members. Based on the subject matter, the Chairperson of the Committee may decide that a relevant Summary Record should be given to the Secretary-General.

8. Relations with the Secretary-General

8.1 Whenever it considers it necessary, the Committee may submit a note to the Secretary-General. Moreover, the Chairperson of the Committee may request meetings between the Committee and the Secretary-General or his or her representative.

8.2 The Committee shall be provided with any documentation necessary for the examination of issues within its competence. Any person in a position to furnish information on issues examined may be invited to attend meetings of the Committee.

9. Relations with the Charter Conference and the Budget Committee

Whenever it considers it necessary, as a means of protecting staff interests, the Committee may address notes to the Chairpersons of the Charter Conference and/or the Budget Committee.

10. Staff meetings

The Committee may arrange staff meetings for one or more categories of officials. The Secretary-General shall be informed of such meetings and may be invited to participate.

11. Elections during the Committee's term of office

In the event of long lasting absence of one of its full members, the Committee may nominate an Elections Committee comprising of at least two officials to organise elections among the officials belonging to that member's category in order to appoint a representative to complete the absent member's term of office. In the event of long-lasting absence of the Chairperson, the Elections Committee will organise elections among officials regardless of category.

12. Amendments of Staff Regulations and Staff Rules

The Committee may take the initiative of proposing amendments to the Staff Regulations and Staff Rules; these shall be examined in meetings between the Secretary-General and the Committee.

13. Relations with Trade Unions and Professional Organisations for International Civil Servants

13.1 The Committee recognises the right of any official to be a member of a trade union or a professional organisation for international civil servants.

13.2 The Committee may co-operate with any relevant trade union or a professional organisation for international civil servants for the purposes of achieving the objectives set out in Rule 4.2. For the avoidance of doubt, such bodies may not defend the professional interests of the officials and shall have no institutional value within the Secretariat.

Rule 4.3 (b) - CONSTITUTION OF THE STAFF COMMITTEE

Staff Circular

As of 5 June 2024, in the absence of 20 officials employed at the Secretariats, in accordance with Regulation 4 a), the Staff Committee shall not be established.

Rule 4.4

FUNCTIONS OF THE STAFF COMMITTEE

(a) In pursuance of the main objectives specified in Rule 4.2, the Staff Committee:

(i) shall be bound to give its opinion on proposed amendments to the Staff Regulations or Staff Rules and administrative action proposed by the Secretary-General in furtherance of the Staff Regulations or Staff Rules. It may bring to the attention of the Secretary-General any matter affecting the interests of the staff. The Secretary-General shall likewise refer to the Staff Committee any question of a general nature affecting the interests of the staff or arising out of the Staff Regulations and Staff Rules, including questions arising out of any case which may have general application. In all cases under this paragraph, the Staff Committee shall state its opinion on a matter within 30 days of notice thereof, except that by mutual agreement a shorter or longer period may be decided upon in exceptional cases;

(ii) shall nominate the staff representatives on any body where staff representation is provided for under the Staff Regulations or Staff Rules;

(iii) may, with the agreement of the Secretary-General, set up or participate in the management and control of any service consistent with the objectives of the Staff Committee;

(iv) shall co-operate with the Secretary-General in improving the collective conditions of work and living of the staff and shall submit to him or her proposals which it deems appropriate for this purpose;

(v) may, at the invitation of the Chairperson of the Budget Committee, send one or more representatives to attend that Committee's meetings.

(b) The functions undertaken by members of the Staff Committee and by the officials nominated by the Committee to the bodies set up under these Rules and Regulations or by the Secretariat shall be deemed to be part of their normal service. The fact of performing such functions shall in no way be prejudicial to the person concerned and in general superiors shall facilitate release of officials for these purposes.

Rule 4.5

STAFF CONSULTATIONS IN THE ABSENCE OF THE STAFF COMMITTEE

(a) In the absence of the Staff Committee, as envisaged in Regulation 4 a), the Secretary-General shall be bound to consult officials at the Secretariat collectively on:

i. proposed amendments to the Staff Regulations or Staff Rules;

ii. administrative action proposed by the Secretary-General in furtherance of the Staff Regulations or Staff Rules; and

iii. any question of a general nature affecting the interests of the staff or arising out of the Staff Regulations and Staff Rules, including questions arising out of any case which may have general application.

(b) In all cases referred to in paragraph (a), all officials, subject to limitations of Regulation 4 d), shall be provided with an opportunity to state their opinions on a matter within 30 days of notice thereof, except that by an agreement of a simple majority of officials a shorter or longer period may be decided upon in exceptional cases. The officials shall submit their opinions via the Head of Unit in charge of Administration and Finance. The officials shall also be entitled to submit their opinions to the Secretary-General directly with copy to the Head of Unit in charge of Administration and Finance. The Head of Unit in charge of Administration and Finance shall transmit all the opinions submitted to the Secretary-General at the end of a consultation period.

(c) In the course of the staff consultation referred to in paragraph (b) or for any other purpose of general nature concerning the staff, the Secretary-General may call for staff meetings.

(d) In all cases other than that referred to in paragraph (b), all officials shall be entitled to submit their opinions, observations, proposals, including proposed amendments to the Staff Regulations or Staff Rules, directly to the Secretary-General. The establishment of the Staff Committee in accordance with Regulation 4 a) shall not be construed as to limit officials' rights under this paragraph.

(e) The fact of expressing an opinion in the course of staff consultations or in accordance with paragraph (d) shall in no way be prejudicial to the official concerned.

REGULATION 5

DISCRETION, INTELLECTUAL PROPERTY

a) Officials and former officials shall exercise the utmost discretion in regard to all matters of official business. Except under authorisation of the Secretary-General, they shall not disclose to any unauthorised person, any unpublished or restricted information acquired by them in the course of the performance of their official duties, neither shall they make any use of such information outside their official work in the Secretariat.

b) All rights, including titles, copyright and patent rights in any work produced by an official as part of his or her official duties shall be vested in or assigned to the Secretariat, unless such rights are waived by the Secretary-General in favour of the official concerned.

REGULATION 6

PRIVILEGES, IMMUNITIES

a) In accordance with the relevant Articles of the Headquarters Agreement the privileges, immunities, exemptions and facilities shall apply to all officials.

b) The Secretary-General is authorised to enter into negotiations with the competent administrations of Contracting Parties and Signatories concerning the equitable application of privileges and immunities to these officials.

c) Privileges and immunities are granted to officials in the interests of the Conference only, not for their personal benefit, and they in no way exempt them from the observance of the laws and police regulations of the countries in which they work. Whenever such privileges and immunities are in question, the official concerned shall report immediately to the Secretary-General who will waive the immunity in accordance with the relevant Article of the Headquarters Agreement.

TITLE III

REGULATION 7

APPOINTMENT, POSTING, TERMINATION

All appointments shall be made by the Secretary-General.

REGULATION 8

RECRUITMENT

a) In recruiting staff, the Secretary-General shall give primary consideration to the necessity of obtaining the services of persons possessing the highest standards of competence and integrity. He or she shall notify Contracting Parties and Signatories of prospective vacancies.

b) The Secretary-General shall provide, as far as possible, for an equitable distribution of senior posts amongst nationals of Contracting Parties and Signatories. No particular post shall be reserved for nationals of any specific Contracting Party or Signatory.

c) Officials shall be selected without reference to race, creed or sex.

d) Officials are required to possess the degree of physical fitness needed for their posts.

Rule 8.1

CONDITIONS OF RECRUITMENT AND APPOINTMENT

(a) A person shall not be appointed as an official to posts established by the Conference unless he or she is a national of a Contracting Party, or a Signatory that is not in arrears in the payment of its financial contributions to the budget of the Energy Charter Secretariat in the amount which equals or exceeds the amount of the contributions due from them for the preceding two full years.

(b) All posts shall be open equally to men and women without reference to race or creed.

(c) Appointment shall be subject to certification by a qualified medical practitioner, designated or approved by the Secretary-General, that the appointee possesses the degree of physical fitness needed for his or her post.

(d) The expenses incurred by a candidate as a result of an invitation by the Secretary-General to attend an interview may be reimbursed as follows:

(i) travel costs from the candidate's place of residence to the place of his or her interview, as for an official in the same grade as the post for which the candidate is being considered.

(ii) a subsistence allowance in respect of living expenses and time spent, calculated at the same rate and in the same conditions as for an official in the same grade as the post for which the candidate is being considered.

REGULATION 9

TERMS OF APPOINTMENT

Officials shall be appointed by a letter signed by the Secretary-General or his or her authorised representative. The letter of appointment shall determine the conditions of employment; it shall specify that the appointment is subject to the provisions of these Staff Regulations and of the Staff Rules including any amendments and any Staff Circulars thereunder and that disputes arising from them shall be submitted to the Advisory Board as provided for in Regulation 25 f).

Rule 9.1

PROCEDURE FOR APPOINTMENT

(a) When the Secretary-General or his or her authorised representative has decided to appoint an official, a letter of appointment and a copy of the Staff Regulations and Staff Rules shall be sent to the person concerned.

(b) The letter of appointment shall specify the applicable terms and conditions of service and in particular:

(i) that the appointment is subject to the provisions of the Staff Regulations and of any applicable Staff Rules or Staff Circulars;

(ii) the grade, step and salary at which the official is appointed;

(iii) any allowance to which the official may be entitled at the time of his or her appointment.

(c) Acceptance of the terms set out in the letter of appointment should be notified in writing within 21 days of its receipt, failing which the letter shall become null and void.

(d) The appointment becomes binding upon the Secretariat and the person appointed as from the date the letter of acceptance is registered for delivery to the Secretary-General.

(e) An omission or false statement by an official at the time of his or her appointment, or at the medical examination provided for in Rule 8.1 (c), and which may have been a deciding factor in his or her appointment or which results in material advantage to the official shall be dealt with as a disciplinary matter under Regulation 24.

REGULATION 10

DURATION OF APPOINTMENT

a) Officials shall be appointed for a fixed term.

b) The first six months of service by an official shall be a probationary period. At the end of this period, the Secretary-General shall decide:

   i) to confirm the appointment; or

   ii) exceptionally, with the consent of this official and after consultation with the Advisory Board established under Regulation 25, to prolong the probationary period for a further period of not more than six months; or

   iii) after consultation with the Advisory Board to terminate the appointment given one month's notice or upon payment of one month's emoluments.

Rule 10.1

DURATION OF APPOINTMENT

(a) Initial appointments to all posts below A6 grade shall be for a fixed period of three years.

(b) Any renewals of category A posts below A6 grade shall be for a duration of one year subject to satisfactory performance (taking into account the annual appraisal report)

(c) Any renewals of category B and C posts shall be for a duration of two years subject to satisfactory performance (taking into account the annual appraisal report).

(d) Consideration of renewal of contract shall commence no later than eleven months before expiry of the appointment and shall take into account the personal, professional and family situation of the official.

(e) All decisions on renewal shall be finalised no later than six months before expiry.

(f) Any renewal shall not be regarded as a break in service.

(g) No action by the Secretary-General shall be construed as, or have the effect of, granting employment for an indefinite period or constituting a permanent appointment.

Rule 10.2

PROBATIONARY PERIOD

(a) Any period of past service with the Secretariat, as an established official, a consultant or in a temporary capacity, may be considered, in whole or in part, a period of probation.

(b) During the fifth month of any probationary period, the official's immediate superior shall draw up a report on his or her competence, efficiency and conduct. The report shall recommend:

(i) that the official's appointment be confirmed, or

(ii) that his or her period of probation be extended, or

(iii) that his or her appointment be terminated.

The report shall be transmitted before the end of the fifth month to the Secretary-General for decision.

Rule 10.2 - PROBATIONARY PERIOD

Staff Circular

Reports under paragraph (b) shall be sent to the Secretary-General through Administration and Finance. Any report under sub-paragraphs (b) (ii) or (iii) must be sent by the end of the second week in the fifth month to allow sufficient time for consideration by the Secretary-General. In case of a decision to terminate the appointment, the official shall be given at least 30 days notice.

REGULATION 11

CATEGORIES OF POSTS

a) Posts shall be classified in the following categories:

Category A:	Administrative Staff
Category B:	General Services Staff
Category C:	Supporting Services Staff

b) The Secretary-General shall draw up an establishment table, which shall be appended to the budget.

c) The Secretary-General shall determine the nature of the functions attached to each post and shall draw specific job descriptions therefore.

Rule 11.1

GRADES

Category A shall consist of seven grades: A1, A2, A3, A4, A5, A6, A7.

Category B shall consist of six grades: B1, B2, B3, B4, B5, B6.

Category C shall consist of six grades: C1, C2, C3, C4, C5, C6.

REGULATION 12

POSTING, ADVANCEMENT AND PROMOTION

a) The Secretary-General shall with due regard to the provisions of Regulations 8 and 9 take decisions respecting the posting, transfer, advancement and promotion of officials. Promotion is achieved by awarding a new fixed-term contract to an official for a higher position than previously occupied, or by appointing an official to a higher position than previously occupied for the remaining period of his or her current appointment.

b) Vacancies in the establishment shall be filled by new appointments, by renewals of appointments or by promotion. Where in category B the vacancy is to be filled by promotion from within the Secretariat and two or more candidates are considered by the Secretary-General to be equally qualified, the candidate with the most seniority in the Secretariat shall be the one selected for promotion.

c) Any post that falls vacant shall be brought to the notice of the staff at least eight working days before it is required to be filled.

d) In considering application for posts the Secretary-General shall take account, as far as possible, of the need to provide officials with the opportunity to pursue a career within the Secretariat. However, in accordance with Rule 10.1, no action shall be construed as, or have the effect of, granting employment for an indefinite period or constituting a permanent appointment.

Rule 12.1

ADVANCEMENT

(a) (i) The qualifications of officials for progressive advancement shall be given consideration once every twelve months.

(ii) An official may be advanced from one step to the next as follows:

- grades A6 and A7: each year from step 1 to step 5, and every two years for the higher steps;

- grades A1, A2, A3, A4 and A5: each year from step 1 to step 7 and every two years for the higher steps;

- categories B and C: each year from step 1 to step 8, and every two years for the higher steps.

(b) The advancement of an official within his or her grade shall depend on his or her competence, efficiency and conduct as determined primarily on the basis of the reports provided for under Rule 12.3. Such advancement shall be made progressively from step to step within the same grade and shall entail an increase in salary in accordance with the scale shown in the relevant Staff Circular.

(c) In exceptional cases the Secretary-General may, after taking into account the view of the official's immediate superior and the Deputy Secretary-General, grant an official advancement of more than one step or a cash award representing between 3% and 8% of the official's annual basic salary. The cash award may be granted to all officials including those who have reached the last step of their grade, but may not be granted to an official more than once during a four-year period.

(d) When the lack of efficiency of an official is such as to render him or her unsuitable for advancement, the Secretary-General may, after taking into account the view of the official's immediate superior and the Deputy Secretary-General, withhold advancement for a fixed period of time.

(e) Decisions concerning advancement shall be notified to officials through their immediate superior.

Rules 12.1 (b) and 17.3 - MONTHLY BASIC SALARY SCALE as from 1 January 2025

Staff Circular

EUR GRADES	STEPS 1	2	3	4	5	6	7	8	9	10	11	Value of first step	Increment by step of 1 year	Increment by step of 2 years
C1	3,274.11	3,372.29	3,470.47	3,568.65	3,666.83	3,765.01	3863.19	3,961.37	4,059.55	4,157.73	4,255.91	98.18	98.18	98.18
C2	3,459.00	3,562.78	3,666.56	3,770.34	3,874.12	3,977.90	4,081.68	4,185.46	4,289.24	4,393.02	4,496.80	103.78	103.78	103.78
C3	3,616.52	3,724.99	3,833.46	3,941.93	4,050.40	4,158.87	4,267.34	4,375.81	4,484.28	4,592.75	4,701.22	108.47	108.47	108.47
C4	3,842.03	3,957.23	4,072.43	4,187.63	4,302.83	4,418.03	4,533.23	4,648.43	4,763.63	4,878.83	4,994.03	115.20	115.20	115.20
C5	4,100.76	4,223.79	4,346.82	4,469.85	4,592.88	4,715.91	4,838.94	4,961.97	5,085.00	5,208.03	5,331.06	123.03	123.03	123.03
C6	4,487.99	4,622.66	4,757.33	4,892.00	5,026.67	5,161.34	5,296.01	5,430.68	5,565.35	5,700.02	5,834.69	134.67	134.67	134.67
B1	3,412.99	3,525.61	3,638.23	3,750.85	3,863.47	3,976.09	4,088.71	4,201.33	4,313.95	4,426.57	4,539.19	112.62	112.62	112.62
B2	3,711.45	3,833.95	3,956.45	4,078.95	4,201.45	4,323.95	4,446.45	4,568.95	4,691.45	4,813.95	4,936.45	122.50	122.50	122.50
B3	4,121.91	4,257.92	4,393.93	4,529.94	4,665.95	4,801.96	4,937.97	5,073.98	5,209.99	5,346.00	5,482.01	136.01	136.01	136.01
B4	4,641.01	4,794.17	4,947.33	5,100.49	5,253.65	5,406.81	5,559.97	5,713.13	5,866.29	6,019.45	6,172.61	153.16	153.16	153.16
B5	5,252.49	5,425.83	5,599.17	5,772.51	5,945.85	6,119.19	6,292.53	6,465.87	6,639.21	6,812.55	6,985.89	173.34	173.34	173.34
B6	6,001.72	6,199.78	6,397.84	6,595.90	6,793.96	6,992.02	7,190.08	7,388.14	7,586.20	7,784.26	7,982.32	198.06	198.06	198.06
A1	5,131.50	5,285.89	5,440.28	5,594.67	5,749.06	5,903.45	6,135.04	6,366.63	6,598.22	6,829.81	7,061.40	154.39	154.39	231.59
A2	6,557.70	6,733.70	6,909.70	7,085.70	7,261.70	7,437.70	7,701.74	7,965.78	8,229.82	8,493.86	8,757.90	176.00	176.00	264.04
A3	8,091.28	8,319.09	8,546.90	8,774.71	9,002.52	9,230.33	9,572.06	9,913.79	10,255.52	10,597.25	10,938.98	227.81	227.81	341.73
A4	9,402.67	9,647.42	9,892.17	10,136.92	10,381.67	10,626.42	10,993.55	11,360.68	11,727.81	12,094.94	12,462.07	244.75	244.75	367.13
A5	10,889.40	11,194.17	11,498.94	11,803.71	12,108.48	12,413.25	12,870.33	13,327.41	13,784.49	14,241.57	14,698.65	304.77	304.77	457.08
A6	12,869.53	13,225.56	13,581.59	13,937.62	14,471.62	15,005.62	15,539.62	16,073.62				356.03	356.03	534.00
A7	14,087.17	14,558.99	15,030.81	15,502.63	16,210.32	16,918.01						471.82	471.82	707.69

Other elements of remuneration	
Dependant Allowance	*368.17*
Household Allowance	*6%*
Expat. All. w/o household	*14%*
Expat. All. w. household	*18%*

* *The advancement from one step to the next one is as follows :*
Grades A6 to A7 : each year from step 1 to 5, two years for the higher steps
Grades A1 to A5 : each year from step 1 to 7, two years for the higher steps
Grades B and C : each year from step 1 to 8, two years for the higher steps

\+ *When a grade is suffixed with a +, the basic salary is increased by 5%*
(only applicable to the Secretary General)

Rule 12.2

PROMOTION

(a) An official selected for promotion shall be appointed to the lowest incremental step in the new grade, which carries a salary higher than that appropriate to his or her previous grade and step. However, if the increase obtained is less than the value of the last incremental step received in his or her former grade, the point of entry to the new grade will be to the next higher incremental step in that grade.

(b) After promotion, consideration for advancement to the next incremental step in the higher grade shall be given either:

(i) after the period of time set out in Rule 12.1 (a) (ii) for advancement in incremental step, reckoned from the date of promotion to the higher grade; or

(ii) after the period of time the official would have reached the next incremental step in his or her former grade, provided that this period of time is shorter than the period specified in sub-paragraph (i) above and the difference between the salaries before and after promotion to the higher grade is less than twice the value of the incremental step he or she would have been eligible for in his or her former grade.

Rule 12.3

PERFORMANCE APPRAISAL REPORTS

(a) Reports on the competence, efficiency and conduct of officials below grade A6 shall be made once a year. Reports shall include, where appropriate, proposals for advancement or delay of advancement or dismissal.

(b) Performance Appraisal Reports, including comments and recommendations, shall be made in writing by immediate superiors.

(c) The Performance Appraisal Report shall be discussed with and shown to the official concerned: the official shall be entitled to attach to it such comments as he or she may consider relevant and shall sign and date it.

(d) All Performance Appraisal Reports shall be forwarded to the Deputy Secretary-General in order to be archived. Any Performance Appraisal Report from an immediate superior that includes a proposal for advancement, delay of advancement or for dismissal shall, together with the view of the Deputy Secretary-General on the proposal, be remitted to the Secretary-General for decision in accordance with the provisions of Regulation 12 a).

Rule 12.3 – PERFORMANCE APPRAISAL REPORT

Staff Circular

1. A Performance Appraisal Report, covering the previous natural year, shall be completed for all officials using the attached form. For each official appointed to a post established by the Conference, the first such report should be finalised during his or her 17th month of service, while additional annual reports should be finalised no later than 12 months after the first appraisal report was finalised. For temporary officials, the performance appraisal reports should be finalised two months before the expiry of their contract.

2. Unless specifically requested by the official concerned, Performance Appraisal Reports are not required for the following officials:

   - officials who have completed less than six months of service immediately prior to the end of the previous calendar year;

   - officials who are due to leave the organisation within six months from the beginning of the current year.

3. The Performance Appraisal Report has the following main objectives:

   - to review the achievements during the past year, arriving at an appreciation of past performance against objectives set at the beginning of the year;

   - to evaluate the personal competences and to serve as a tool to mutually develop concrete ideas for further performance improvements;

   - to determine objectives for the following year.

   This report will be taken into consideration when taking individual contract and personnel decisions, e.g. extension of contracts and annual step advancements.

4. The contents of the reports, including recommendations, shall be signed by the official's immediate superior and by the official, who shall be entitled to attach such comments as he or she may consider relevant.

5. In accordance with Rule 12.3 (d), once completed, all Performance Appraisal Reports will be forwarded to the Deputy Secretary-General for submission to the Secretary-General.

REGULATION 13

TERMINATION BY THE SECRETARY-GENERAL

a) The Secretary-General may, after consultation with the Advisory Board, terminate the appointment of an official:

   i) if he or she considers that the official does not give satisfactory service, fails to comply with the duties and obligations set out in these Regulations, or is incapacitated for service;

   ii) if the post of the official is suppressed, if the responsibilities attached to his or her post are substantially changed and the official is no longer qualified for it, or if there is any reduction in the number of posts in his or her grade, and there is no vacant post for which the Secretary-General considers that the official has the necessary qualifications;

   iii) if the country of which he or she is a national ceases to be a Contracting Party or a Signatory;

   iv) if the headquarters of the Secretariat or of the unit where the official is assigned are transferred to another country and the official refuses to be permanently transferred to that other country;

   v) if the post occupied by an official is transferred and if the Secretary-General considers that the official does not have the qualifications necessary to carry out the duties required in that post or in any post that may be or may become vacant;

   vi) as a result of disciplinary action;

   vii) at the end of the probationary period.

b) The termination of an appointment by the Secretary-General shall be notified in writing to the official concerned, with a statement of the grounds for such termination and on a period of notice, according to grade and length of service.

c) The period of notice provided for in the preceding paragraph need not be observed if the appointment is terminated at the end of a fixed-term appointment, during the probationary period, or as a result of disciplinary action.

d) If an official is on sick leave or on military service leave at the time of the notification of the termination of his or her appointment, the period of notice provided for in accordance with paragraph (b) shall be increased by the number of days during which such official is actually on sick or on military service leave after the notification.

e) Instead of giving the notice provided for in paragraph (b) the Secretary-General may pay an official whose appointment is terminated the emoluments and allowances due for the period of notice.

Rule 13.1

TERMINATION OF APPOINTMENTS

(a) The Advisory Board shall be consulted by the Secretary-General before he or she terminates the appointment of an official.

(b) In the case of suppression or transfer of his or her post, an official shall, if he or she expressly so requests, serve during a period of probation of a maximum of three months in the post which has been transferred or in any other post at the same level that may be or may become vacant.

(c) The period of notice provided for in Regulation 13 b) shall be four months for all officials.

(d) Any official whose appointment is terminated shall be entitled to cease work at least one month before the expiry of the period of notice specified in paragraph (c) without loss of salary and allowances.

(e) The emoluments and allowances payable under Regulation 13 e) shall be:

(i) salary specified in Rule 17.3, subject to deduction of the official's contribution in respect of the Terminal Allowance as specified in Rule 19.4 (a);

(ii) allowances specified in Regulation 17 d) (i), (ii), (iv), (v) and (vi).

The period of notice in respect of which salary and allowances are paid under Regulation 13 e) shall be taken into consideration in calculating the official's Terminal Allowance due to him or her under Rule 19.4 (a).

REGULATION 14

RESIGNATION

Any official may resign upon giving the Secretary-General notice of at least three months. The Secretary-General may, however, accept a shorter period of notice.

Rule 14.1

NOTICE OF RESIGNATION

Notice of resignation shall be made in writing. During his or her probationary period an official may resign upon giving the Secretary-General notice of one month.

REGULATION 15

AGE LIMIT

Officials shall not be retained in service beyond the age of sixty-five years.

REGULATION 16

NON-ACTIVE STATUS

a) An official may be placed on non-active status:

   i) for a period of not more than three years upon the expiry of his or her sick leave provided for in Regulation 22 g);

   ii) as a rule, for a period of not more than two years upon the expiry of his or her leave for military service provided for in Regulation 22 h);

   iii) for a period of not more than two years for personal reasons.

b) An official placed on non-active status shall not be entitled to any salary or allowances but may be granted benefits pursuant to Regulation 19. The post of that official shall fall vacant. The period spent on non-active status shall not be considered as effective service with the Secretariat.

c) An official placed on non-active status as specified in paragraph (a) shall be entitled to reinstatement in his or her category and grade, if a post corresponding to his or her qualifications and aptitude should fall vacant. If the official cannot be reinstated because, after a period of research of three months, no position corresponding to his or her qualifications and aptitude is available in his or her category and grade, the Secretary-General may terminate his or her appointment and shall pay an indemnity for loss of employment equivalent to:

   - five months' remuneration in the case of an engagement (before the official was placed on non-active status) for four years or less;

   - eight months' remuneration in the case of an engagement (before the official was placed on non-active status) for more than four years;

Rule 16.1

CONDITIONS OF NON-ACTIVE STATUS

(a) An official placed on non-active status for reasons of sickness pursuant to Regulation 16(a)(i) shall:

(i) not be entitled to periodic advancement;

(ii) continue to pay contributions in respect of the Terminal Allowance in accordance with Rule 19.4 (a);

(iii) be entitled to any benefits payable in accordance with Regulation 19.

(b) When an official is placed on non-active status due to sickness for more than 10 months, the Energy Charter Secretariat shall continue to pay contributions for the Terminal Allowance in the same amount as normally due by the official.

(c) Where an official placed on non-active status is unable to, or does not, return to the service of the Secretariat upon the expiry of the period of non-activity specified in Regulation 16, his or her appointment shall terminate without notice.

TITLE IV

REGULATION 17

SALARIES AND ALLOWANCES

a) Salaries and allowances shall be aligned on those applicable to staff of the Co-ordinated Organisations working in Belgium and shall be submitted to an internal tax system. Annual adjustments of the basic salary scales shall be based on the index calculated according to the procedure of these Organisations. This may result in a decision to grant the salary adjustment in full, in part or not at all.

b) In conformity with paragraph (a), the Secretary-General shall make Staff Rules to establish scales of salaries by categories, grades and steps.

c) The Secretary-General is authorised to implement salary and allowance adjustments mentioned above under paragraph (a) and approved by the Co-ordinated Organisations as soon as they become known, subject to the prior agreement of the Chairperson of the Budget Committee and the availability of adequate appropriations within the Secretariat's budget. The Secretary-General shall report to the Conference on the action taken at the earliest opportunity.

d) The Secretary-General shall also follow Staff Rules determining the conditions of entitlement to the following allowances and their respective amounts:

   (i) household and dependant's allowances;

   (ii) expatriation allowance;

   (iii) installation allowance;

   (iv) acting allowance;

   (v) education allowance;

   (vi) allowance for a handicapped child, and reimbursement of educational or training expenses related to the handicap.

e) All allowances require a request by the official concerned and presentation of official documentation in support of the request. Unless otherwise expressly provided in the Staff Manual, all requests should be done in writing within six months of the date on which the initial payment would have been due. Claims relating to earlier periods are time barred and shall not be accepted. Officials must promptly notify all changes to personal circumstances relevant for their emoluments and allowances.

Regulation 17 – SALARIES AND ALLOWANCES

Staff Circular

Internal Tax System Applicable to Officials of the Energy Charter Secretariat in Brussels

1. The Secretariat, under the terms of its Headquarters Agreement with Belgium and after consultation with the Belgian Authorities, modelled its internal tax system on that applied by EFTA in respect of its staff assigned to Brussels. The system is described in the attached Decision which was approved by the Belgian Ministry of Finance in 1997.

2. The Energy Charter Secretariat's internal tax system levies, calculates and collects tax on the total remuneration defined and paid by the Energy Charter Secretariat to its taxable officials as follows:
   - base salary
   - expatriate allowance
   - dependants' allowance
   - household allowance

   The above total remuneration is paid in 12 equal calendar monthly instalments; no holiday pay and no 13th month is paid.

3. Allowances with the character of refunds by the employer for expenses incurred or employer contributions to pensions and health care are tax exempt and include in particular:
   - installation allowance
   - education allowance and related travel costs
   - travel allowance
   - employer contributions to pension and health care schemes.

4. The Secretariat's fiscal year is identical to its budget year (1 January to 31 December). Internal tax is levied at source each calendar month and is liberatory in character.

   The Secretariat establishes a recapitulation of tax perceived at its financial year-end.

   Tax levied is credited automatically to the Secretariat's salary account.

DECISION

Internal Tax System Applicable to Officials of the Energy Charter Secretariat in Brussels

Having regard to the Energy Charter Treaty signed in Lisbon on 17th December 1994

Having regard to the decision of the Energy Charter Conference to establish the Energy Charter Secretariat in Brussels

Having regard to Article 16, paragraph 1, lit a) of the Headquarters Agreement between the Energy Charter Conference and the Kingdom of Belgium signed on 26 October 1995

It is decided:

Article 1

Staff of the Energy Charter Secretariat ("the Secretariat") assigned to Brussels are liable to a tax for the benefit of the Secretariat ("the internal tax"), on salaries, emoluments and indemnities paid to them by the Secretariat.

Article 2

1. The internal tax is levied on all salary, emoluments and indemnities paid by the Secretariat subject to the following provisions.

2. The basis of calculation of tax to be collected are the elements of taxable income and tax-exempt allowances listed below:

3. Taxable Income
   i) base salary
   ii) expatriation allowance
   iii) dependants allowance
   iv) household allowance

4. Tax-exempt Allowances and Contributions

   All allowances with the character of refunds by the Secretariat for costs or expenses incurred, or employee and employer contributions to pensions (termination benefit) and health care (medical plan) schemes or sums withheld or paid in respect of social security are tax-exempt and are deducted from the taxable income. They include in particular:
   i) installation allowance,
   ii) education allowance and related travel costs,
   iii) travel allowances,
   iv) employee and employer contributions to pension and health-care schemes,
   v) all sums withheld or paid in respect of social security,
   vi) other allowances, contributions or payments of like nature.

Article 3

The internal tax levied in accordance with the provisions of Article 2 is determined in conformity with the following internal tax bands:

Income (EUR)				Internal Tax
From	0	to	247,89	0 %
From	247,90	to	1.983,15	8 %
From	1.983,16	to	3.470,51	20 %
From	3.470,52	to	4.957,87	30 %
From	4.957,88			45 %

Article 4

The internal tax is levied and collected each calendar month by the Secretariat by means of deduction at source.

Article 5

The internal tax proceeds are credited to the account of the Secretariat.

Rule 17.1

EMOLUMENTS

(a) Emoluments, within the meaning of these Rules, comprise the salaries provided for in Rule 17.3 and allowances in Regulation 17 d) (i), (ii), (iv) and (vi).

(b) Emoluments shall be paid monthly in arrears in Belgian francs or in Euro.

(c) Where an official works for 15 days or less in a calendar month, he or she shall be entitled to one thirtieth of his or her monthly emoluments per day worked. Where an official works for more than 15 days in a calendar month, he or she shall be entitled to his or her monthly emoluments, less one thirtieth thereof per day not worked. Public holidays, Sundays and Saturdays immediately preceding, included in, or immediately following a period worked, shall count as days worked.

Rule 17.1 - EMOLUMENTS

Staff Circular

Under paragraph (c), the household allowance, dependant's allowance, expatriation allowance, acting allowance and the allowance for a handicapped child, will be considered part of "monthly emoluments" for the purposes of partial payment. Education allowance will be paid for the entire month.

Rule 17.2

PARTNERSHIP

(a) For the purpose of the present Staff Regulations and Rules, officials who have provided an official certificate showing they have entered into a partnership organising the conditions of the relationship, duly registered with a national public authority, shall be considered as married officials and their partners as "spouses".

(b) The terms "married", "related by blood or marriage" and "marriage" should be understood in accordance with paragraph (a).

Rule 17.3

SALARIES

Every official shall receive the salary according to his or her grade and step as shown in the relevant Staff Circular.

Rule 17.3 - MONTHLY SALARY SCALE AS FROM 1 JANUARY 2025

Staff Circular

See the Staff Circular under Rule 12.1 (b).

Rule 17.4

HOUSEHOLD ALLOWANCE

(a) A married official, an official who has one or more dependants (as defined in Rule 17.5) and an official entitled to the allowance for a handicapped child shall be entitled, subject to the provisions of paragraph (c) below, to a household allowance equal to 6% of his or her salary; the allowance shall not be less than 6% of the salary at grade B3 step1.

(b) By special decision of the Secretary-General and based on supporting documents, an official who, while not fulfilling the conditions laid down in paragraph (a), nevertheless actually assumes family responsibilities, shall be entitled to a household allowance as provided in paragraph (a).

(c) In the case of a married official who has no dependent person and whose spouse exercises a gainful activity:

(i) if the earned income of the spouse is less than the sum of the salary of an official of grade B3 step 1 plus the household allowance to which the official would be entitled under paragraph (a), the household allowance shall be equal to the difference between the earned income of the spouse and that sum, but shall in no case be greater than the amount to which the official would be entitled under paragraph (a);

(ii) if the earned income of the spouse is equal to or greater than the sum of the salary of an official of grade B3 step 1 plus the household allowance to which the official would be entitled under paragraph (a), no household allowance shall be payable.

(d) Where both spouses are employed by the Secretariat and both spouses are entitled to the household allowance, it shall be paid to the spouse whose salary is the greater.

(e) Where an official or his or her spouse already receives a household allowance from another source, the amount so received shall be deducted from the allowance due by virtue of paragraph (a).

Rule 17.5

DEPENDANT'S ALLOWANCE

(a) An official shall be entitled to a dependant's allowance at the rate specified in the relevant Staff Circular, in respect of a dependent person, other than his or her spouse who is actually maintained by him or her.

(b) The following persons shall be considered dependants:

(i) any unsalaried child who is born of, or adopted by, an official, his or her spouse, or their children, who is below the age of 18 years and who is dependent on an official or his or her spouse for main and continuing support;

(ii) any child fulfilling the conditions laid down in sub-paragraph (i) above, but who is between 18 and 26 years of age and is serving an apprenticeship or is receiving school or university education or vocational training;

(iii) any handicapped child, within the meaning of Rule 17.6, who is dependent on an official or his or her spouse for main and continuing support;

(iv) any other child who is given a home by and is dependent on an official or his or her spouse for main and continuing support;

(v) any person related by blood or marriage for whose main and continuing support an official or his or her spouse is responsible by virtue of legal obligations.

(c) During the period when a child under 25 years of age is carrying out his or her compulsory national service without remuneration, he or she shall be considered as complying with the conditions provided for in paragraph~~s~~ (a) and sub-paragraph (b) (ii).

(d) To obtain payment of a dependant's allowance in respect of a child over 18 years of age, officials shall be required to furnish, at the beginning and end of each academic year, proof that the child is serving an apprenticeship or is receiving a school or university education or vocational training, or is carrying out his or her compulsory national service without remuneration.

(e) To obtain payment of an allowance in respect of a dependant, pursuant to sub-paragraph (b) (v), an official shall be required to furnish evidence that he or she or his or her spouse is providing for the main and continuing support of such dependant.

(f) Where both spouses are employed by the Secretariat, the dependant's allowance shall be paid to the official who receives the household allowance.

(g) Where an official or his or her spouse already receives from another source an allowance for the support of a dependent child of the same nature as the allowance due by virtue of paragraph (a), such amount shall be deducted from the latter, without prejudice to the provisions of Rule 17.6.

Rule 17.5 - DEPENDANT'S ALLOWANCE

Staff Circular

1. In sub-paragraph (b) (i) the term "unsalaried child" means a child who is not receiving a salary under regular employment. Temporary work in academic vacations or part-time work outside normal hours of attendance at school or at a higher education institute will not disqualify a child as a dependant.

2. The general criteria of "main and continuing support" for all of those instances mentioned in the Rule shall mean 50% or more of the amounts paid for the support of the dependant.

3. With regard to the dependant's allowance under sub-paragraph (b) (v), entitlement to this allowance shall be examined by Administration and Finance upon presentation of a written request, on the attached form. That request shall be accompanied by evidence of the legal obligation of the official to maintain the dependant. A written statement that the dependant has no income is required. If the dependant does have an income, official certificates or other documents shall be furnished establishing income and any retirement pension. Evidence of the contribution made to the dependant may also be required.

Determinants of income for*

.....
(Name)

Grade ..... Step .....

Nationality ..... Marital status ..... Residence status .....

All Children ..... Children under 26 ..... Dependent Children .....

All Dependants .....

DEPENDANTS' BREAKDOWN*

Unsalaried children under 26 years of age					
Name	**Relationship**	**Date of birth**	**Dep. All.**	**Exp. Ch. All**	**Ed. All.**
.....					
.....					
.....					
.....					
.....					
.....					
.....					

Handicapped children and children requiring main and continuous support				
Name	**Relationship**	**Date of Birth**	**Dep. All.**	**Exp. Ch. All**
.....				
.....				
.....				

Persons related by blood or marriage			
Name	**Relationship**	**Date of Birth**	**Dep. All.**
.....			
.....			

* Can be changed subject to new family circumstances.

Rule 17.5 (a) - DEPENDANT'S ALLOWANCE

Staff Circular

Independent of the grade of the official, this allowance amounts, as from 1 January 2025, to Euro 368.17 per month per child or other dependant.

Rule 17.6

ALLOWANCE FOR HANDICAPPED CHILD AND REIMBURSEMENT OF EDUCATIONAL OR TRAINING EXPENSES RELATED TO THE HANDICAP

(a) An allowance for a handicapped child and a reimbursement in respect of educational or training expenses related to the handicap shall be paid to any official with a dependent child who is handicapped within the meaning of this Rule whatever the age of the child.

(b) A child shall be deemed to be handicapped within the meaning of this Rule if it is established by medical evidence that he or she is suffering from a serious and permanent disability necessitating either special care or supervision not provided free of charge or special education or training.

(c) The decision to pay the allowance and reimburse educational or training expenses under this Rule shall be made by the Advisory Board, which shall be provided with a medical report from at least one independent medical practitioner. The Secretary-General's decision shall specify the period for which the allowance shall be paid, subject to review.

(d) All information regarding the individual situation shall be preserved and protected by all members of the Advisory Board as a confidential medical information. The examination of each case shall be conducted in a setting, which provides maximum privacy and protects the information from unauthorised individuals.

(e) (i) The criterion for entitlement to the benefits specified in this Rule shall be the serious and continuing impairment of the physical or mental activities.

(ii) Children may be deemed to be handicapped when they suffer from:

- serious or chronic affection of the central or autonomic nervous system, however caused, such as diseases of the brain, diseases or disorders of the spinal cord or bone marrow or autonomic paralysis;
- serious affection of the locomotor system;
- serious affection of one or more sensory systems;
- chronic and disabling mental illness.

(iii) The above list is not exhaustive.

(f) The amount of the allowance shall be equal to the allowance provided for in Rule 17.5 for a dependent person and shall be additional thereto.

(g) In the event that the official concerned is entitled to a similar allowance under a national or international scheme, such amount shall be deducted from the amount of the allowance payable by the Secretariat.

(h) Claims for the reimbursement of educational or training expenses under this Rule may be made solely in relation to expenses incurred in order to provide the handicapped child with education or training specially adapted to his or her needs and designed to obtain the highest possible level of functional capability, and which are not of the same kind as those taken into account for the purpose of the education allowance. The Secretary-General shall assess the reasonableness of the expenses for which the reimbursement is claimed.

(i) Reimbursement of the educational or training expenses referred to in paragraph (h) above shall be at the rate of 90% of such expenses, after deduction of any payment received from any other source for the same purpose.

Rule 17.7

EXPATRIATION ALLOWANCE

RULES APPLICABLE TO OFFICIALS RECRUITED BEFORE 1 DECEMBER 2015

(a) The expatriation allowance shall be paid to officials in categories A and B who, at the time of their appointment, were not nationals of Belgium and had not been continuously resident in Belgium for at least one year, no account being taken of previous service in their own country's administration or with other international organisations. In the event of an official who has been entitled to the expatriation allowance taking up duty in the country of which he or she is a national, he or she shall cease to be entitled to the expatriation allowance.

(b) The rate of the allowance during the first ten years of service shall be:

(i) 18% of basic salary for officials entitled to the household allowance;

(ii) 14% of basic salary for officials not entitled to the household allowance.

The allowance shall be calculated on the first step in grade of recruitment or promotion irrespective of any increase in the official's basic salary by movement up the incremental scale and shall be adjusted in the same proportions and at the same date as basic salary.

(c) In years eleven, twelve and thirteen, the allowance at the rate of 18% shall be reduced by one percentage point per year to 15% and the allowance at the rate of 14% shall be reduced by one percentage point per year to 11%. During this period, and thereafter, the allowance shall be adjusted in the same proportions and at the same date as basic salary.

(d) In the event of an official who has been employed by a Co-ordinated Organisation taking up duty in the Secretariat, or in the event of an official of another international organisation or a member of the administration or armed forces of the country of origin taking up duty in the Secretariat without changing country, the previous service in Belgium will be taken into account in determining the application of paragraphs (b) and (c) above.

(e) Where both spouses are non-resident and are both employed in the same country by the same Co-ordinated Organisation, or by two different Co-ordinated Organisations, they shall each be entitled to an expatriation allowance at the rate of 14% whether or not they are entitled to the household allowance or at the rates on the reduction scale which correspond to the number of each spouse's years of service.

(f) Officials already in the service of a Co-ordinated Organisation at 1 January 1996 and receiving the expatriation allowance in force at that date shall, on the occasion of their marriage, be treated in the same way as other serving staff.

(g) The expatriation allowance shall be paid during the first ten years of service to officials in categories A and B who, at the time of their appointment, were not nationals of Belgium and had not been continuously resident in Belgium for at least one year, no account being taken of the previous service in their own country's administration or with other international organisations. In the event of an official who has been entitled to the expatriation allowance taking up duty in the country of which he or she is a national, he or she shall cease to be entitled to the expatriation allowance.

(h) The rate of the allowance during the first ten years of service shall be:

(i) 18% of basic salary for officials entitled to the household allowance;

(ii) 14% of basic salary for officials not entitled to the household allowance.

The allowance shall be calculated on the first step in grade of recruitment or promotion irrespective of any increase in the official's basic salary by movement up the incremental scale and shall be adjusted in the same proportions and at the same date as basic salary.

(i) As of the eleventh year of service, the expatriation allowance shall be set at 0% of basic salary.

(j) In the event of an official who has been employed by a Co-ordinated Organisation taking up duty in the Secretariat, or in the event of an official of another international organisation or a member of the administration or armed forces of the country of origin taking up duty in the Secretariat without changing country, the previous service in Belgium will be taken into account in determining the application of paragraphs (h) and (i) above.

(k) Where both spouses are non-resident and are both employed in the same country by the same Co-ordinated Organisation, or by two different Co-ordinated Organisations, they shall each be entitled to an expatriation allowance at the rate of 14% whether or not they are entitled to the household allowance or at the rates on the reduction scale which correspond to the number of each spouse's years of service.

(l) Officials already in the service of a Co-ordinated Organisation at 1 December 2015 and receiving the expatriation allowance in force at that date shall, on the occasion of their marriage, be treated in the same way as other serving staff.

Rule 17.8

INSTALLATION ALLOWANCE

(a) An official of grade A or B who at the time of appointment had no residence in the Brussels area and who takes up residence in Brussels area shall receive an installation allowance in accordance with the following scale:

(i) an official who does not receive the household allowance: one month's salary

(ii) an official who receives the household allowance and has no dependent child or only one: one and a half months' salary

(iii) an official who receives the household allowance and has two or more dependent children: two months' salary

(b) The Secretary-General may deem this Rule applicable to specifically qualified category C staff when he or she finds that he or she cannot adequately recruit such staff from local manpower resources.

(c) In calculating the allowance due to an official who receives the household allowance, account shall be taken only of dependent persons who take up, or within one month will take up, residence in the Brussels area.

(d) For the purposes of paragraph (c), the following shall be regarded as dependent persons: spouse, dependent children. No account shall be taken of persons who were not dependent on the official or his or her spouse at the time of taking up duty with the Secretariat.

(e) An official shall be entitled to the complement of the installation allowance in accordance with paragraph (a) where a dependant becomes resident in the Brussels area after the official's appointment. In such case, the request for the complement shall be made by the official within six months from the day the dependant arrives in Brussels.

(f) For the purposes of paragraph (a), an official shall be deemed not to be resident in the Brussels area if at the time of his or her appointment he or she had no house at his or her disposal in Brussels or within a radius of 50 km from Brussels.

(g) The provisions of this Rule shall not apply to an official appointed for one year or less.

(h) An official whose appointment is terminated during the probationary period or who resigns before completing two years' service shall repay to the Secretariat half the installation allowance.

Rule 17.8 - INSTALLATION ALLOWANCE

Staff Circular

For the purposes of this Rule the status of the official at the time he or she takes up his or her appointment will be the one used in determining the scale of the installation allowance. For example, if the official arrives without his or her family he or she will be given an installation allowance under sub-paragraph (a) (i). When his or her spouse and/or other dependants join him or her, the official shall be given the difference in the scales of the installation allowances. The official's salary at the time of the arrival of the other dependants will be the basis used for determining the amount of the allowance. An example would be an official who takes up duties in January whose spouse and two dependant children join him or her in July. In January the official would receive an installation allowance based upon one month's salary at the rate of his or her salary in January. When joined by a spouse and two dependent children in July the official would receive an additional month's salary on the basis of the official's salary for July.

Rule 17.9

ACTING ALLOWANCE

(a) An official who is called upon to act for an official of a higher grade for a temporary but continuous period shall be paid an acting allowance equal to twice the value of the first step in his or her grade.

(b) The allowance shall be paid in respect of the period from the first day of the third month up to the last day of the sixth month following the date of the assignment; it may be renewed for further periods of six months by special decision of the Secretary-General.

Rule 17.9 - ACTING ALLOWANCE

Staff Circular

On the proposal of Administration and Finance and taking into account the immediate superior's view, the Secretary-General may call upon an official to act for an official in a higher grade in writing. The official is required to react to such a call in writing.

Rule 17.10

EDUCATION ALLOWANCE

(a) Officials shall be entitled to an education allowance in respect of each dependent child as defined in Rule 17.5 (b) (i), (ii), (iii) and (iv), who regularly attends an educational establishment on a full-time basis.

(b) The amount of the education allowance shall be 70% of the total expenditure mentioned in paragraph (c) subject to the following maximum limits:

(i) the amount may not exceed two and a half times the dependent child's allowance applying in Belgium.

(ii) where, for imperative educational reasons, education expenditure as defined in paragraph (c) is excessively high, the Secretary-General is authorised to take appropriate measures after an examination of individual cases, within the limit of 70% of the total admissible expenditure and not more than four times the dependent child's allowance, for education up to completion of the secondary cycle

(c) Unless otherwise provided for, the education allowance shall be granted on production of receipts certifying that expenditure of the kind mentioned below has in fact been incurred and paid by the official.

The following items of expenditure shall be taken into account when calculating the education allowance:

(i) school or university registration fees;

(ii) general fees for schooling and education charged by the educational establishment, with the exception of expenses on special courses and activities that are not normally part of the child's basic course of studies and the cost of related equipment;

(iii) examination fees;

(iv) tuition fees for private lessons on condition that:

- tuition is given in subjects which are not contained in the child's syllabus but are part of the compulsory national education programme of the country of which the official is a national, or
- tuition is required to enable the child to adjust to the education curriculum of the establishment attended, or to enable the child to become familiar with the language spoken in the area in which the child lives if the education is given in another language,

provided, however, that such tuition fees may only be taken into account for an adjustment period of not more than two years;

(v) daily expenses for travel between the educational establishment and home by public transport or school bus. If available reduced fares must be taken into consideration. Where a private car is used or when no public transport or school bus is available, an amount equal to 10% of the dependent child's allowance applicable in Belgium, shall be taken into account;

(vi) expenditure on half-board, or on board and lodging in cases where the child does not live at the official's home. If receipts for board and lodging are available, the amount to be taken into account shall not exceed twice the dependent child's allowance applying in Belgium. If no receipts are available, the amount to be taken into account shall not exceed one and a half times, such dependent child's allowance;

(vii) purchase of school books as required by the curriculum, and compulsory school uniforms.

(d) The education allowance shall be paid in monthly instalments for each child from the beginning of the school year.

(e) An official whose child carries out his or her studies at a place more than 300 km away from Brussels, shall also be entitled - on the condition that the amount does not exceed the cost of a return trip between Brussels and the place approved for home leave - to the reimbursement of the cost of one return trip per year between the place of study and Brussels. However, an official who has received such repayment for one, or several, children may not during the same year request payment for the return trip on home leave for the same child or children.

(f) An official whose child, under the age of 18, is educated at a place more than 300 km away from Brussels, may also request reimbursement of 70% of the cost of two return trips per year between the place of education and Brussels, on the condition that the individual amount does not exceed the equivalent percentage of the cost of a return trip between Brussels and the place approved for home leave.

(g) Entitlement to the education allowance shall commence on the first day of the month during which the child begins to attend a primary school. It shall terminate when the child ceases full-time studies, and not later than the end of the month in which the dependent child's allowance will cease to be paid.

(h) At the beginning of the school year, an official requesting an education allowance shall submit a certificate of enrolment established by the educational establishment and shall inform Administration and Finance as fully as possible of the expenditure which will be incurred for the education of each child. On the basis of that information, Administration and Finance shall provisionally calculate the education allowance on an annual basis and make it payable at one twelfth of the total amount from the beginning of the school year.

At the end of the school year, the official shall provide evidence of the total expenditure during the school year in order to allow final calculation of the allowance. Positive or negative discrepancies between the final amount and the total sum of the monthly payments shall be settled as soon as possible.

This final amount may be used as the basis for determining the amount of the provisional allowance to be paid in the next school year provided that the entitlement remains unchanged.

(i) The actual amount of the education allowance shall be determined after deduction, where appropriate, from the total amount of the expenditure by the official for educational purposes as mentioned in paragraph (c), of any allowance received from other sources for the child's education (scholarships or study grants).

(j) The supplement for dependent children, included in the expatriation allowance, and the education allowance shall not be paid concurrently.

Rule 17.10 - EDUCATION ALLOWANCE

Staff Circular

1. At the beginning of the school year, an official requesting education allowance shall fill in the attached application form and submit it to Administration and Finance. The same form shall be used at the end of the school year for the final calculation of education allowance.

2. For the purposes of paragraph (g), participation in a pre-school programme (e.g., nursery or kindergarten) will not be regarded as attending a primary school.

3. For the purposes of paragraph (b) and sub-paragraphs, (c) (v) and (vi) the limits expressed as a multiple or a percentage of the dependent child's allowance applying in Belgium will be calculated on a twelve calendar-months basis if the child has attended school during the full school year, or if the items of expenditure to be taken into account have been incurred during the full school year.

4. Fees referred to in sub-paragraphs (c) (i) to (iv) may in practice be reimbursed to officials directly, on presentation of evidence of expenditure within the limits laid down in Rule 17.10 (b).

5. If their school or university expenses are particularly heavy, officials may receive an advance covering the full amount shown to be incurred.

6. The only cases that will be considered under the provisions of sub-paragraph (b) (iii) are those where an official's child pursues his or her studies in the country of which the official is a national or in Belgium.

REGULATION 18

REMOVAL, TRAVEL AND MISSIONS

Officials may receive reimbursement of travel and removal expenses incurred in the service of the Secretariat as established by the Staff Rules.

REGULATION 18 - TRAVEL AND MISSIONS

Staff Circular

1. All travel undertaken for official purposes must be authorised by the Secretary-General/Deputy Secretary-General and the immediate superior in advance using the attached application form and, as a rule, ten working days prior to departure.

2. The mission form, duly completed and signed by the official, the immediate superior and the Secretary-General/Deputy Secretary-General, has to be certified by Administration and Finance before any liability on the part of the Secretariat can be engaged.

3. Subsistence allowance will be paid in advance to officials in possession of a Secretariat credit card in exceptional cases only and upon specific justified request.

4. As a rule, travel expenses will be paid directly by the Secretariat for ticket bookings made through a travel agent designated by Administration and Finance. Exceptionally, travel booked through other agencies offering more advantageous prices will also be paid.

5. On their return from mission or home leave, officials must submit a claim for reimbursement of travel expenses to Administration and Finance using the attached claim form. All transport ticket stubs and supporting receipts must be attached.

Rule 18.1

REMOVALS

(a) An official shall be entitled in the cases provided for in Rule 18.2, except when taking home leave, to the reimbursement of expenses actually incurred for the removal of his or her personal effects. The officials concerned shall be required, for this purpose, to submit for prior approval estimates of the removal expenses from at least two competing firms, and reimbursement shall be effected only within the limits of the approved figures.

(b) Reimbursement of expenses incurred for the removal of personal effects shall not exceed the cost of removal of the quantities in the following table:

Category	Officials who receive the household allowance	Others
A	8,000 kg net or 40 m³	4,000 kg net or 30 m³
B and C	4,000 kg net or 30 m³	2,500 kg net or 20 m³

These shall be increased by 500 kg net or 4 m³ in respect of each dependent child.

(c) Expenses shall be reimbursed for only two consignments of personal effects in respect of removals occasioned by appointment and for only one consignment in respect of removals occasioned by termination of appointment.

(d) Removal expenses incurred by an official are not reimbursable:

(i) on taking up duty, if the removal has not taken place before notice is given of the termination of the engagement of the official concerned;

(ii) on leaving the service of the Secretariat, if the removal has not taken place and application for reimbursement has not been submitted within two years thereafter.

Rule 18.1 - REMOVALS

Staff Circular

1. In the case of an official whose dependants join him or her after his or her appointment or return to their home country prior to the termination of the official's appointment, the removal expenses under this Rule are subject to the limits provided for in paragraph (b).

2. In a case of a dependant joining the official after his or her appointment, the related consignment will be considered as one of the two consignments in respect of removals on appointment and the Secretariat will reimburse up to the stated limits. The request for this reimbursement must be made within two years after the official's appointment.

3. For the first of the two consignments on appointment and the one consignment on termination of appointment, subject to the limits prescribed under paragraph (b), officials may request that in order to meet immediate installation needs, part of their personal effects be despatched by air freight, within the following limits:

Category	Officials who receive the household allowance	Others
A	750 kg or 5m³	375 kg or 3m³
B and C	375 kg or 3m³	200 kg or 2m³

4. These limits shall be increased by 150 kg or 1m³ in respect of each dependent child.

5. Despatch by airfreight must be previously authorised by Administration and Finance.

6. For the purposes of the limits under paragraph (b) twice the volume or weight of effects thus despatched will be taken into account.

7. For the purposes of insurance, the costs of which shall also be borne by the Secretariat in the context of removals, the following maximum limits on estimated value of total shipment will apply:

Category	Officials who receive the household allowance	Others
A	EUR 200.000	EUR 125.000
B and C	EUR 150.000	EUR 75.000

8. For the purposes of this Rule automobiles will not be considered personal effects and reimbursement for the removal of automobiles will not be allowed.

9. Storage will not normally be considered as removal costs and reimbursement thereof will not be allowed.

Rule 18.2

TRAVEL

(a) Officials shall be entitled, within the limits laid down in Rules 18.2.2 to 18.2.5 to the reimbursement of travel expenses actually incurred:

(i) when taking up duty, for the journey from their place of residence to Brussels;

(ii) when taking home leave under Rule 22.4, for the return journey between Brussels and their home;

(iii) on leaving the service of the Secretariat, for the journey from Brussels to the place where they resided at the time of taking up duty or to their new place of residence, as the case may be, provided that the journey actually takes place and the application for reimbursement is made within one year of leaving the service. This period may however be extended, in special circumstances, by special decision of the Secretary-General, provided that the official bears any expenses over and above those which would have been borne by the Secretariat if the journey had been made within twelve months of his or her departure from the service.

(b) Officials drawing the household allowance shall be entitled, in accordance with paragraph (a), to the reimbursement of travel expenses actually incurred in respect of their spouse and their dependent children. Subject to the prior approval of the Secretary-General, they may also be accompanied, on the conditions set out in paragraph (a), by a person in charge of children under 16 years of age. When the youngest child reaches the age of 16 years, the cost of the return journey of this person shall be reimbursed but no reimbursement shall be allowed in respect of subsequent journeys. For the purpose of this Rule, spouses, dependent children and the person accompanying them shall be assimilated to the grade of the officials concerned.

(c) Except when taking home leave, officials entitled to the reimbursement provided for in paragraph (a) shall be entitled, for travelling time in excess of 24 hours, to the allowances laid down in Rule 18.2.4 (a) and (e).

Rule 18.2 – TRAVEL

Staff Circular

1. In order to cover risks and damages while travelling on duty, all Officials benefit from a "World Business Assistance" insurance subscribed by the Secretariat.

2. Both the General Conditions and the Special Conditions are available in Annex.

Rule 18.2 (a) - TRAVEL

Staff Circular

In the case of an official taking up duty in the Secretariat or an official returning to the place where he or she resided at the time of taking up duty or to his or her new place of residence, as the case may be, on the termination of his or her appointment, excess luggage charges will be allowed, on application, up to the amount granted for business class travel. The value of the excess luggage allowance may be applied towards the cost of shipping the goods as unaccompanied luggage or even as airfreight.

Rule 18.2.1

TRAVELLING ON DUTY - MISSIONS

Officials travelling on duty on behalf of the Secretariat under a travel order shall be entitled to the reimbursement of travel expenses actually incurred for this purpose, as provided in these Rules.

Hours spent working or travelling under a travel order on a Saturday, Sunday or official Secretariat closing day shall not be treated as overtime unless requested by an official and expressly authorised in advance by the Secretary General at his/her discretion. In such case, each half-day served shall give entitlement to a half-day of compensatory leave.

Rule 18.2.1 – TRAVELLING ON DUTY - MISSIONS

Staff Circular

Hours spent working or travelling under a travel order on a Saturday, Sunday or official Secretariat closing day shall not be treated as overtime unless requested by an official and expressly authorised in advance by the Secretary General at his/her discretion. In such case, each half-day served shall give entitlement to a half-day of compensatory leave.

Rule 18.2.2

TRAVEL EXPENSES

The travel expenses incurred and reimbursable under Rules 18.2 and 18.2.1 shall comprise:

(a) the cost of the transport, using the shortest and the most economical route, within the limits laid down in these Rules;

(b) the cost of seat reservations; and

(c) authorised excess luggage charges.

Rule 18.2.2 - TRAVEL EXPENSES

Staff Circular

1. For the purposes of this Rule the “shortest and the most economical route” means, as a rule, the cheapest and most direct connection from Brussels to the point of destination.

2. In the case of official missions by air, excess luggage charges will be reimbursed only if the luggage concerned has been carried for official purposes or specific authorisation has been obtained in advance as part of the travel authorisation.

Rule 18.2.3

MODE OF TRAVEL

(a) Air, Rail and Sea travel.

As a rule, when an official is authorised to travel by air, rail or sea, he or she shall be entitled to the reimbursement of an economy class ticket unless expressly allowed by the Secretary-General to use a different class ticket.

(b) Travel by private vehicle.

The use of a private vehicle for travel on mission may be authorised by the Secretary-General. Officials so authorised shall travel at their own risk, shall be responsible for making arrangements regarding insurance and may not claim against the Secretariat in respect of any damage caused to their vehicles.

An official authorised, in the interest of the Secretariat, to use his or her own vehicle shall be entitled to a kilometric allowance, calculated at the rate prescribed in the relevant Staff Circular corresponding to the shortest route. An official authorised to use his or her own vehicle for personal reasons shall be entitled to the same allowance, which shall in no case exceed the cost of the normal transport which would otherwise be authorised, no account being taken of any supplements or reductions to which he or she may be entitled, or of the cost of any sleeping accommodation to which he or she would have been entitled if he or she had travelled by train. For the purposes of this provision, the cost of normal transport shall be:

- for a journey of 500 km or less involving no sea crossing, the train fare, the distance to be taken into account being that used for fare calculations by the railway company;

- for all other cases, the fare for the mode of transport generally used by the Secretariat.

If the quickest usual route followed involved special charges (such as tolls, transport of the car by a car ferry), such charges shall be reimbursed on application supported by receipts.

An official authorised to use his or her own vehicle for personal reasons shall not be entitled to subsistence allowance for any period in excess of the length of the journey corresponding to the use of the mode of transport on which the refund of travel expenses is based. Any additional official time taken to complete the journey will be deducted from the official's annual leave.

An official authorised to use his or her own vehicle and to carry passengers shall be entitled to a supplementary kilometric allowance equal to 10% of the rate prescribed in the relevant Staff Circular for the first passenger and to 8% of that rate for each additional passenger.

(c) Local journeys.

An official expressly authorised to undertake a journey by taxi or public transport when on duty shall be entitled to reimbursement of the expenses actually incurred or, if using a private car, to the payment of the kilometric allowance specified in the relevant Staff Circular.

Rule 18.2.3 (b) - KILOMETRIC ALLOWANCE

Staff Circular

The amount of the kilometric allowance as from 1 January 2023 is EUR 0,50.

Rule 18.2.3 (c) - LOCAL JOURNEYS

Staff Circular

All journeys in the Brussels area, when on duty, are reimbursed based, as a general rule, on the use of public transport.

Subject to approval by their immediate superior, officials may use a private vehicle and are entitled to the reimbursement of a kilometric allowance calculated at the rate prescribed in the relevant Staff Circular. They are also entitled to the reimbursement of parking fees upon presentation of receipts. Officials shall ensure appropriate and adequate insurance cover when using private vehicles whilst on duty.

Subject to approval by their immediate superior, officials may, exceptionally, use a taxi and are entitled to the reimbursement of expenses upon presentation of receipts.

Rule 18.2.4

SUBSISTENCE ALLOWANCE

(a) Officials travelling on duty shall be entitled to a daily allowance at the rates laid down in the relevant Staff Circular in accordance with Coordinated Organisations rates. Where an official travels on duty in a country other than one of those appearing in the Coordinated Organisations rates he or she shall be entitled to a daily subsistence allowance equivalent to 100% of the standard rate applying to the United Nations International Staff.

(b) The number of days spent on mission shall be calculated in periods of 24 hours from the hour of departure of the official to the hour of his or her return, it being understood that, in the case of a journey by train or boat, the mission shall begin one hour before the departure of the train or boat and, in the case of a journey by air, one hour and a half before the time of take-off. Likewise, such missions shall end respectively one hour after the time of arrival in the station or port and one hour and a half after landing at the airport.

(c) (i) No subsistence allowance shall be payable for periods of less than four hours.

(ii) Where the period of duty is four hours or more but less than eight hours the officials shall be entitled to one quarter of the daily allowance. The officials shall likewise be entitled to one quarter of the daily allowance in respect of any period of four hours or more but less than eight hours in excess of any complete period of 24 hours.

(iii) Where the period of duty is eight hours or more without hotel accommodation the officials shall be entitled to one half of the daily allowance. The officials shall likewise be entitled to one half of the daily allowance in respect of any period of eight hours or more but less than 24 hours in excess of any complete period of 24 hours.

(iv) Where the period of duty is eight hours or more, but less than 24 hours, with hotel accommodation, the officials shall be entitled to the full daily allowance.

(d) An official authorised, in the interest of the Secretariat, to use his or her own vehicle or an official motorcar shall be entitled to the daily subsistence allowance throughout his or her mission. However, an official authorised to use his or her own vehicle for personal reasons shall be entitled only to the subsistence allowance which would be due in respect of travel by the shortest route; any extra time for the journey shall be counted as annual leave.

(e) The allowances provided under paragraph (a) shall be reduced as follows:

(i) by seven-tenths for sea voyages, when more than 24 hours are spent at sea during a single journey on duty;

(ii) in proportions to be determined by the Secretary-General in each case where an official travelling on duty receives hospitality from the Government or a third party of the country visited.

(iii) Where the Government or a third party pays fares for duty travel and those fares include provision for meals or overnight accommodation, the daily subsistence allowance shall be abated by 15% for each main meal and by 50% for overnight accommodation provided in the fare.

(f) The allowances provided under paragraph (a) shall be deemed to cover all the expenses liable to be incurred by an official travelling on duty, except expenses of the nature mentioned hereunder, for which additional reimbursement may be claimed:

(i) postal, telegraphic and telephone expenses incurred for official purposes;

(ii) entertainment expenses incurred by officials specially authorised by the Secretary-General;

(iii) exceptional and unforeseen expenses incurred under force-majeure in the interest of the Secretariat and resulting in disbursements out of reasonable proportion to the allowance provided.

(g) If under certain circumstances the expenditures for accommodation exceed 60% of the daily subsistence allowance, it is at the discretion of the Secretary-General to reimburse the excess amount partially or totally on presentation of receipts and sufficient proof that the additional expenditures were unavoidable. This reimbursement should normally not exceed 30% of the daily subsistence allowance.

(h) Special provision shall be made for travelling on duty entailing an absence of more than two months.

Rule 18.2.4 - SUBSISTENCE ALLOWANCE

Staff Circular

- **Hospitality from a Government or a third party**

  Where officials travelling on duty receive hospitality from a Government or a third party, it shall be indicated on the mission claim and subsistence shall be abated as follows:

  - overnight accommodation: 50%
  - breakfast: 10%
  - lunch or dinner: 15%

  For the purposes of Rule 18.2.4 (g) "accommodation" includes hotel cost and breakfast.

  When requesting travel authorisation under conditions that all costs (travel, accommodation and meals) are covered by a third party, the traveller agrees not to claim any DSA regarding the time spent on destination The reimbursement of "Other expenses, which are not in DSA" will be done according to the standard practice.

- **Missions during annual and home leave with reimbursement**

  When officials meet with the local authorities while travelling on annual or home leave with travel costs reimbursed, officials may claim their time, relevant meals and costs of local transportation. The content of such meetings will be reviewed and agreed with the official's immediate superior, who will convey the details to the Management meeting for approval, prior to the official's departure on home leave. In order to receive reimbursement, the mission authorisation and mission claim forms must be submitted in accordance with the standard missions procedure.

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
Albania	179	EUR
Andorra	152	EUR
Armenia	243	EUR
Australia	391	AUD
Austria	210	EUR
Azerbaijan	194	EUR
Belgium	260	EUR
Bosnia and Herzegovina	153	EUR
Bulgaria	175	EUR
Canada	386	CAD
Chile	247	EUR
Colombia	161	EUR
Croatia	219	EUR
Cyprus	190	EUR
Czech Republic	177	EUR
Denmark	2 108	DKK
Estonia	172	EUR
Finland	241	EUR
France - Paris	276	EUR
France - Elsewhere	241	EUR
Georgia	183	EUR
Germany	246	EUR
Greece	194	EUR
Hungary	194	EUR
Iceland	263	EUR
Ireland	236	EUR
Israel	285	EUR
Italy	232	EUR
Japan	42 471	JPY
Korea	290 037	KRW
Latvia	175	EUR
Liechtenstein	252	CHF
Lithuania	180	EUR

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
Luxembourg	273	EUR
Malta	181	EUR
Mexico	247	EUR
Moldova	160	EUR
Monaco	277	EUR
Montenegro	155	EUR
Netherlands	227	EUR
New Zealand	387	NZD
North Macedonia	149	EUR
Norway	2 890	NOK
Poland	186	EUR
Portugal	203	EUR
Romania	193	EUR
San Marino	171	EUR
Serbia	181	EUR
Slovak Republic	185	EUR
Slovenia	196	EUR
Spain	213	EUR
Sweden	2 960	SEK
Switzerland	301	CHF
Türkiye	175	EUR
Ukraine	214	EUR
UK - London	262	GBP
UK - Elsewhere	216	GBP
USA - Washington	371	USD
USA - New York	466	USD
USA - Elsewhere	353	USD

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
Afghanistan	198	EUR
Algeria	206	EUR
American Samoa	245	EUR
Angola	302	EUR
Anguilla	337	EUR
Antigua and Barbuda	302	EUR
Argentina	195	EUR
Aruba	254	EUR
Bahamas	288	EUR
Bahrain	270	EUR
Bangladesh	231	EUR
Barbados	327	EUR
Belarus	184	EUR
Belize	210	EUR
Benin	160	EUR
Bermuda	333	EUR
Bhutan	243	EUR
Bolivia	151	EUR
Bonaire	265	EUR
Botswana	165	EUR
Brazil	191	EUR
British Virgin Islands	280	EUR
Brunei Darussalam	167	EUR
Burkina Faso	221	EUR
Burundi	187	EUR
Cabo Verde	158	EUR
Cambodia	221	EUR
Cameroon	200	EUR
Cayman Islands	286	EUR
Central African Republic	176	EUR
Chad	181	EUR
China	227	EUR
Comoros	188	EUR
Congo	261	EUR

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
Cook Islands	276	EUR
Cote d'Ivoire	202	EUR
Cuba	215	EUR
Curacao	234	EUR
Democratic People's Republic of Korea	208	EUR
Democratic Republic of the Congo	264	EUR
Djibouti	302	EUR
Dominica	307	EUR
Dominican Republic	180	EUR
Ecuador	186	EUR
Egypt	208	EUR
El Salvador	187	EUR
Equatorial Guinea	247	EUR
Eritrea	165	EUR
Eswatini	149	EUR
Ethiopia	234	EUR
Fiji	234	EUR
French Guiana	269	EUR
French Polynesia	279	EUR
Gabon	258	EUR
Gambia	196	EUR
Ghana	257	EUR
Gibraltar	185	EUR
Greenland	258	EUR
Grenada	262	EUR
Guadeloupe	258	EUR
Guam	228	EUR
Guatemala	182	EUR
Guinea	218	EUR
Guinea-Bissau	154	EUR
Guyana	273	EUR
Haiti	206	EUR
Honduras	181	EUR
Hong Kong (China)	268	EUR

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
India	212	EUR
Indonesia	202	EUR
Iran	157	EUR
Iraq	260	EUR
Jamaica	227	EUR
Jordan	192	EUR
Kazakhstan	206	EUR
Kenya	226	EUR
Kiribati	139	EUR
Kosovo	142	EUR
Kuwait	318	EUR
Kyrgyzstan	168	EUR
Lao People's Democratic Republic	164	EUR
Lebanon	251	EUR
Lesotho	159	EUR
Liberia	226	EUR
Libya	230	EUR
Macau (China)	255	EUR
Madagascar	185	EUR
Malawi	183	EUR
Malaysia	145	EUR
Maldives	321	EUR
Mali	203	EUR
Marshall Islands	221	EUR
Martinique	259	EUR
Mauritania	148	EUR
Mauritius	211	EUR
Micronesia	185	EUR
Mongolia	149	EUR
Montserrat	193	EUR
Morocco	203	EUR
Mozambique	202	EUR
Myanmar	190	EUR
Namibia	151	EUR

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
Nauru	210	EUR
Nepal	212	EUR
New Caledonia	255	EUR
Nicaragua	168	EUR
Niger	174	EUR
Nigeria	230	EUR
Niue	183	EUR
Northern Mariana Islands	215	EUR
Oman	229	EUR
Pakistan	210	EUR
Palau	262	EUR
Palestine	198	EUR
Panama	166	EUR
Papua New Guinea	244	EUR
Paraguay	154	EUR
Peru	208	EUR
Philippines	181	EUR
Puerto Rico	254	EUR
Qatar	264	EUR
Reunion	251	EUR
Russia	264	EUR
Rwanda	195	EUR
Saba	228	EUR
Saint Eustatius	228	EUR
Saint Kitts and Nevis	286	EUR
Santa Lucia	291	EUR
Saint Martin	259	EUR
Saint Vincent and the Grenadines	228	EUR
Samoa	223	EUR
Sao Tome and Principe	203	EUR
Saudi Arabia	257	EUR
Senegal	213	EUR
Seychelles	261	EUR
Sierra Leone	247	EUR

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

COUNTRY	Rates 01/01/2024 to 31/12/2026	Currency
Singapore	278	EUR
Solomon Islands	279	EUR
Somalia	180	EUR
South Africa	147	EUR
South Sudan	210	EUR
Sri Lanka	145	EUR
Sudan	199	EUR
Suriname	200	EUR
Syrian Arab Republic	216	EUR
Chinese Taipei	210	EUR
Tajikistan	171	EUR
Tanzania	176	EUR
Thailand	177	EUR
Timor-Leste	191	EUR
Togo	200	EUR
Tokelau	130	EUR
Tonga	190	EUR
Trinidad and Tobago	254	EUR
Tunisia	151	EUR
Turkmenistan	195	EUR
Turks and Caicos Islands	356	EUR
Tuvalu	166	EUR
Uganda	243	EUR
United Arab Emirates	282	EUR
United States Virgin Islands	358	EUR
Uruguay	158	EUR
Uzbekistan	182	EUR
Vanuatu	260	EUR
Venezuela	176	EUR
Viet Nam	162	EUR
Wallis and Futuna	202	EUR
Yemen	197	EUR
Zambia	221	EUR
Zimbabwe	193	EUR

Rule 18.2.4 (a) - DAILY SUBSISTENCE ALLOWANCE RATES

Staff Circular *(continued)*

Rule 18.2.5

LIMITATION OF REIMBURSEMENTS

(a) Officials shall not be entitled to the reimbursements provided in Rules 18.1 to 18.2.4 if the expenses actually incurred by them are reimbursed to them by a Government or by any third party or if such expenses can be met in virtue of a right acquired by them prior to their appointment.

(b) Travel and removal expenses incurred by officials when leaving the service of the Secretariat shall be reimbursed to an amount not exceeding the costs which would be incurred if they returned to the place where they resided before taking up duty with the Secretariat.

(c) The reimbursement of travel and removal expenses incurred on leaving the service of the Secretariat may be refused in whole or in part if the official concerned resigns before completing twelve months' service.

(d) The provisions of Rules 18.1 and 18.2 shall apply if the engagement of an official is terminated as a result of his or her death.

Rule 18.2.5 – LIMITATION OF REIMBURSEMENTS

Staff Circular

Officials travelling on duty shall request their travel expenses and subsistence allowance, if any, within 10 working days after their return to Brussels. Unless otherwise expressly authorised by the Secretary-General, claims received after such deadline are time barred and shall not be accepted.

REGULATION 19

STAFF BENEFITS AND GRANTS

Officials may receive benefits as established by these Staff Regulations and the Staff Rules and, in particular:

i) in case of sickness, accident, disablement, birth or death;

ii) on termination of service in the Secretariat.

Rule 19.1

INSURANCE

(a) Officials and, where indicated, their spouse and dependants shall receive the benefits in respect of medical care, temporary or permanent incapacity and death as established in and under the terms of the group insurance contract entered into by the Secretariat. These are described in general terms below. The purpose of the group insurance contract is to indemnify officials and where indicated, their spouse and dependants, for reasonable and customary expenses resulting from medical attention; and to provide benefits in case of temporary incapacity, permanent disability or death of the official.

(b) Temporary incapacity:

In the event of temporary incapacity due to accident or illness, an indemnity of 100% of the official's monthly emoluments shall be paid, after a waiting period of three months, during the first six months following the waiting period. For the next four months the indemnity shall be equal to 50% of the official's monthly emoluments.

Where temporary incapacity is due to a service - incurred condition (accident or illness) the official shall receive 100% of his or her monthly emoluments after the waiting period of four months.

These benefits are payable for as long as the insured person is prevented by the accident or sickness from resuming work, until he or she is recognised to be in a state of permanent invalidity.

(c) Permanent disability:

An official in a state of permanent disability due to sickness or accident shall be entitled to a disability pension and a capital sum.

Payment of disability pension:

In case of total disability the pension shall be equal to 50% of the official's monthly emoluments. Disability of 70% or more is deemed to be total.

Where disability is or becomes partial (equal to or above 20% but less than 70%) the pension payable will be proportionally reduced.

Where disability is or becomes less than 20% no pension is due.

These benefits are paid at the end of each month but no later than the 65th birthday of the official.

Payment of a capital sum:

In case of total disability the official shall be entitled to the payment of a capital sum equal to three times his or her annual emoluments.

Where total disability is due to a service-incurred condition (accident or illness) the official shall be entitled to payment of a capital sum equal to five times his or her annual emoluments.

Where the degree of disability is partial (equal to or above 20% but less than 70%) a portion of this capital will be paid according to the degree of disability.

Where the degree of disability is or becomes less than 20% no capital is due.

(d) Death:

On the death of an insured person, a capital equal to three times the official's annual emoluments will be paid. Where death is due to a service-incurred condition (accident or illness) the capital payment will be equal to five times the official's annual emoluments.

(e) Where medical expenses are incurred as a consequence of a service-incurred condition (accident or illness), the expenses listed in the Staff Circular (Medical Care) to Rule 19.1 shall be reimbursed at 100% and without application of the limits defined in the relevant insurance contract.

(f) Exclusion of medical cover: the following items are not reimbursed:

(i) routine health examinations and preventive medicine;

(ii) spa cures, rejuvenation cures and cures in nature clinics and health farms;

(iii) cosmetic treatment, except as the result of an accident for which coverage is provided; and

(iv) non-prescription items, hygienic and dietary products.

(g) Any capital sum payable under paragraph (d) in the event of death shall be paid to such person or persons who have been nominated to the Secretary-General by the deceased to receive it, such nominations being restricted to spouse, descendants or ascendants, or, in the absence of any such nomination, to the person or persons otherwise having legal title to receive it.

Rule 19.1 – INSURANCE (Medical Care)

Staff Circular

Officials and where indicated their spouse and dependants shall receive reimbursement of medical expense as described in the table of Benefits issued by Allianz Care (see Annex). Staff contribution to medical insurance should be 3% from emoluments until further notice.

All officials travelling on mission on behalf of the Secretariat shall ensure full and up-to-date compliance with all obligatory and recommended vaccination (and other medical, e.g. malaria) requirements for any given country to which they may be required to travel for work purposes.

All officials whose work duties are such that they may be realistically expected to travel to countries on behalf of the organization where certain vaccinations are mandatory (for entry and for health requirements), shall ensure they are up to date with all required vaccinations in order to avoid situations where they may not be fully protected if required to travel at short notice. In this context all officials may be realistically expected to travel to such countries, with the exception of administrative staff and personal assistants.

The Secretary General may grant an exception from this requirement on a case by case basis at the express request from an official and predominantly on health grounds

In order to check that inoculations for the country to which you may be travelling are in order, check the relevant country details on the following link:

http://wwwnc.cdc.gov/travel/destinations/list/

Clicking on the country of travel will provide a list of obligatory vaccination requirements and also recommended vaccinations and/or treatments prior to departure.

It should be noted that most vaccinations must be obtained at least one month prior to departure and in some cases longer (up to six months), as multiple vaccinations may be required to ensure full protection (this is the case, for example, with hepatitis).

If you are in any doubt with respect to a given country, or vaccination/medical treatment prior to departure, our medical insurance provider, Allianz, can provide additional information.

It is strongly recommended that all officials who are susceptible to travel to tropical countries on behalf of the organisation ensure they are up to date with all general vaccinations in order to avoid situations where they may not be fully protected if required to travel at short notice. A list of routine and required vaccines can be found at this link:

http://www.who.int/ith/vaccines/en/

The local hospital, Cliniques St Luc, has a dedicated service for travel vaccinations.

The phone number is 02/764 21 22. The number may be difficult to reach during peak times just before summer holiday departures (May/June) and the travel centre is likely to be very busy during this period, so it is better to avoid this where possible.

Rule 19.2

OTHER PROVISIONS APPLICABLE IN THE EVENT OF DEATH

(a) In the event of the death of an official otherwise than in circumstances giving rise to benefits under an insurance policy maintained by the Secretariat in respect of officials of the Secretariat an indemnity equal to one year's emoluments shall be payable by the Secretariat.

(b) In the event of the death of an official during service with the Secretariat, the official's salary and all allowances shall be paid up to the end of the month of death.

(c) The Secretary-General shall designate the person or persons who shall be entitled to payments under this Rule.

Rule 19.3

BENEFITS IN THE CASE OF PARENTHOOD

On the birth of a child to an official, he or she shall receive a grant similar to the dependant's allowance.

The same grant shall be paid to an official who adopts a child who is less than six years of age and is a dependant within the meaning of Rule l7.5.

In both cases, the grant shall be requested within 3 months of the birth or adoption.

Rule 19.4

TERMINAL ALLOWANCE

(a) As a contribution towards a Terminal Allowance the Secretary-General will deduct 7% from the salary of each official as it accrues. The salary on which the official's contribution is calculated shall be the monthly basic salary, increased by any cost of living percentage fixed under Regulation 17 c) and without regard to any reduction in emoluments under Rule 22.5 (b) or when Regulation 16 is applied, the corresponding benefits paid to the official under the insurance provisions of Rule 19.1.

(b) On the termination of his or her permanent service with the Secretariat an official shall be entitled to payment of a Terminal Allowance, which shall be the product of his or her total contributions during the last twelve months of service and four and a half times the length of service in years and fractions of years.

(c) Sick leave involving reduction in salary under Rule 22.5 (b) and any period of non-activity under Regulation 16 a) (i) shall count as service for the purposes of paragraph (c), except if the period of non activity following a sick leave is longer than ten months after which an official is not supposed to receive any salaries or benefits in accordance with Rule 19.1 (b) and Rule 19.4 (b).

(d) Any reduction in or cessation of salary (other than the postponement of increments under Rule 12.1 (d) shall be ignored for the purposes of paragraph (c).

(e) On good reason being shown to the Secretary-General, up to 75% of the official’s Terminal Allowance may, on request, be paid to him or her at any time within his or her last six months of service provided this period has been irrevocably determined under Regulation 13, 14 or 15 and subject to adequate notice being given before payment is required.

(f) In the event of the death of an official the Terminal Allowance shall be paid to such person or, persons who may have been nominated to the Secretary-General by the deceased to receive it, such nomination being restricted to husband or wife, descendants or ascendants, or, in the absence of any such nomination, to the person or persons otherwise having legal title to receive it.

Rule 19.4 - TERMINAL ALLOWANCE

Staff Circular

1. Officials are entitled to the payment of the Terminal Allowance at the end of their permanent service with the Secretariat.

2. In case of a financial debt towards the Secretariat, the Secretariat may deduct the relevant amount from the official's Terminal Allowance. “Financial debts” include Advances on emoluments (Rule 19.5), Loans (Rule 19.6), Financial assistance (Rule 19.7) and Undue payments (Regulation 21). In case of financial debt towards the official, the Secretariat will increase the relevant amount of the Terminal Allowance.

3. Full and final payment of the Terminal Allowance is subject to the completion of all necessary formalities, both substantive and administrative, by the official. These formalities include:

   - A formal handover report to be prepared one month before departure and to be approved by the official’s immediate superior. The handover report shall contain, as a minimum:
     - A list of all the files of which the official was in charge, including a brief description as to the current activity in respect of each file and their location;
     - A list and description of all issues on which the official is currently working, together with a proposed follow-up strategy/course of action;
     - A list of all professional contacts deemed important for the continuation of the work of the unit and pertaining to each of the files above;
     - Any other professional information deemed necessary for the good process of the handover to the immediate superior.
   - The settlement of all outstanding financial claims other than those covered by paragraph 2, notably related to official travels on mission, representation, allowance, telephone bills, parking bills and/or the ECS credit card.
   - The submission of a forwarding address, telephone number and bank account details.
   - Where applicable, the return of the following items:
     - ID card, if it has been obtained by the Secretariat through the Ministry of Foreign Affairs, to be returned by the end of the contract period;
     - Any keys and badges of the offices and remote controls. The official will receive a receipt indicating that these have duly been returned. Keys and remote controls must be returned on the last official day of work in the office and prior to final leave days to be taken;
     - Laptops, IT peripherals and mobile;
     - ECS credit card;
     - Any other items belonging to (or purchased by) the Secretariat, which may still be in the possession of the official.

4. In case the official has not completed his or her formalities at the end of his or her permanent service, ninety percent of the official's Terminal Allowance, taking into account, if applicable, any payment made under Rule 19.4 (e) and the financial debts as indicated in paragraph 2 above, shall be paid at the end of his or her permanent service with the Secretariat. The remaining 10% will be paid following completion of all necessary formalities, as detailed in paragraph 3 above.

5. Quotes for removal of personal effects can be obtained either through Administration and Finance who will ask three companies to take direct contact with the official concerned or at the official's own preference choice. In either cases, the cheapest company will be awarded the contract.

   In the event that the official does not wish to use the cheapest company, the Secretariat will reimburse the official up to a maximum of the lowest quote.

6. Upon termination of service, the official may ask the organisation to produce him or her the following items:

   - An end of service certificate confirming employment with the Secretariat and stating the official's length of service, position and main duties performed. It would be issued by the Deputy Secretary-General;
   - A reference letter to be supplied by the immediate superior;

   Any papers pertaining to the Belgian Tax Authorities for the last year of the official's contract shall also be supplied to the official through Administration and Finance.

7. By the last official day of work (prior to holidays that may be owing and taken at the end of the contract period), the official shall ensure that all his or her personal belongings are removed from his or her office so that the latter is cleared out and left ready for the next occupant.

   All files/papers for another official and which are related to Administration and Finance shall be given to Administration and Finance for filing/archiving. All other documents shall be securely destroyed by the official.

Rule 19.5

ADVANCES

An official may be granted advances on his or her emoluments up to one half of his or her total emoluments for the current month.

Rule 19.6

LOANS

(a) On good grounds, an official may be granted interest-bearing loans in an amount not exceeding three months' emoluments. Such loans shall be repayable within a period not exceeding ten months and the rate of interest during the repayment period shall fluctuate with current money market rates.

(b) An official entitled to the installation allowance who needs financial assistance to facilitate his or her installation may obtain an interest-bearing loan in an amount not exceeding twice the amount of that allowance. Such loans shall be repayable within a period not exceeding the duration of the official's contract and the rate of interest during the repayment period shall fluctuate with the current money markets' rates.

(c) In exceptional circumstances loans may be granted for the purchase of real estate. Such loans shall be interest bearing and shall be repayable within a period not exceeding the remaining period of contract.

(d) Taken together, the loans made to an official under paragraphs (a), (b) and (c) shall be guaranteed by the amount of that official's Terminal Allowance entitlement at the time of requesting the loan. This guarantee shall not, however, be required in full at the time of obtaining a loan under paragraph (b).

Rule 19.6 - LOANS

Staff Circular

In their applications for a loan under this Rule, officials are required:

(a) to confirm in writing that they have no commitments to make repayments to third parties in respect of loans, mortgages or similar contracts, or if they have such commitments to provide particulars thereof, and

(b) to undertake that they will immediately inform the Deputy Secretary General of any such commitments they intend to incur during the period of repayment of the loan.

The interest rate applicable to loans will be based on the latest European Central Bank (ECB) Euribor-1 year rate[5] and the Euro area 10-year Government Benchmark bond yield[6] available at the date of the application for a loan using the following formula:

$$interest\ rate\ = 1 + \frac{a_1 + a_2}{2}$$

Where:

a_1 is the ECB Euribor-1 year rate

a_2 is the Euro area 10-year Government Benchmark bond yield

[5] Available at http://sdw.ecb.europa.eu/quickview.do?SERIES_KEY=143.FM.M.U2.EUR.RT.MM.EURIBOR1YD_.HSTA

[6] Available at http://sdw.ecb.europa.eu/quickview.do?SERIES_KEY=143.FM.M.U2.EUR.4F.BB.U2_10Y.YLD

Rule 19.7

FINANCIAL ASSISTANCE

Special financial assistance in the form of a grant or loan without interest may, subject to conditions laid down by the Secretary-General, be given to an official in financial distress arising out of an accident, serious or prolonged illness, or family difficulties. Such loans shall be repayable within a period not exceeding ten months. Grants and loans made under this rule shall not exceed the equivalent of the emoluments for three months of the official concerned unless otherwise specially decided by the Secretary-General.

Rule 19.8

ENTERTAINMENT ALLOWANCE

Officials designated by the Secretary-General shall be entitled to claim the reimbursement of expenses actually incurred for entertainment.

Rule 19.8 - ENTERTAINMENT ALLOWANCE

Staff Circular

(Instruction 26 of the Financial Rules and Implementing Instructions)

1. Supporting documents for credit card expenses and claims must be sent to Administration and Finance, accompanied by receipts and the list of the guests.

   No repayment will be made in respect of the representation solely of officials of the Secretariat, except in special cases previously authorised by the Secretary-General.

2. Where appropriate, officials who do not have a representation allowance may be required by their immediate superior to undertake official entertaining on behalf of the Secretariat. Expenditure will then be booked against that immediate superior's representation in accordance with standard procedures.

3. The limits of the costs of official representation as indicated in Instruction 26 of the Implementing Instructions to the Financial Rules have been revised and are established as follows with effect from 1 January 2021:

In official's own home	- reception	EUR 14.49
	- lunch/dinner	EUR 45.15
In the restaurant	- reception	EUR 15.35
	- lunch/dinner	EUR 63.17

Rule 19.9

INDEMNITY FOR LOSS OF EMPLOYMENT

(a) An official shall be entitled to an indemnity for loss of employment if, after he or she has completed the period of probation provided for by Regulation 10, his or her appointment is terminated for one of the following reasons:

(i) suppression of his or her Establishment Table post;

(ii) changes in the duties of his or her Establishment Table post of such a nature that he or she no longer possesses the qualifications required for that post;

(iii) general staff cuts, including those due to a reduction in or termination of the activities of the Secretariat;

(iv) withdrawal of the Contracting Party or the Signatory of which the official is a national;

(v) transfer of the Secretariat or of any of its units to another country and the consequent transfer of the whole staff concerned;

(vi) refusal by the official, where his or her instrument of engagement does not cover the point, to be permanently transferred to a country other than that in which he or she is serving.

(b) Notwithstanding the provisions of paragraph (a), no indemnity shall be payable to an official who has been offered another post carrying emoluments comparable to that he or she was receiving from the Secretariat or who has been immediately re-integrated into Government service in his or her own country.

(c) Officials engaged for a definite period shall be entitled to an indemnity for loss of employment equal to half the product of their monthly remuneration (as defined in paragraph (d) below) multiplied by the number of months remaining up to the expiry of their engagement, provided that the indemnity payable shall in no case exceed:

- five months' remuneration in the case of an engagement for three years or less;

- eight months' remuneration in the case of an engagement for any term between three and six years;

- ten months' remuneration in the case of an engagement for more than six years.

(d) For the purpose of the indemnity, the remuneration shall consist of the basic salary including the cost of living allowance, plus the Secretariat’s contribution to the Terminal Allowance and, where appropriate, the household allowance and the dependant's allowance, at the date on which the termination of appointment takes effect.

(e) The indemnity shall be paid to the official in full on the date on which the termination of his or her appointment takes effect.

REGULATION 20

CURRENCY OF EMOLUMENTS

The salaries, allowances, and benefits due to an official by virtue of Regulation 17 and 19 shall be paid in Belgian francs or in Euro.

REGULATION 21

RECOVERY OF UNDUE PAYMENT

a) Any sum paid in error to an official shall be recovered from subsequent monthly pay. If the amount is substantial the Secretary-General may authorise recovery by instalments. However, where the Secretary-General is satisfied that the recipient could not reasonably have been expected to realise that he or she had been, or might have been overpaid and that recovery would cause hardship, he or she may authorise remission of the amount involved, subject to a limit of BEF 20.000 or 495,79 Euro. The Budget Committee may, after full consideration of the facts and if the Secretary-General so recommends, authorise remission beyond his or her limit.

b) A claim for recovery of undue payment must be brought within two years.

c) Where a sum was paid in fraud as a result of a deliberate action of the official, the sum unduly received must be reimbursed and the Secretary-General may decide to :

- Suspend all or some of the benefits to the individual concerned or to one of his or her beneficiaries and/or,

- Apply disciplinary measures as provided for in Rule 24.1.

d) All amounts paid in error and not recovered shall be written off as losses and shall be brought to the notice of the Auditors and noted in the annual accounts in accordance with the Financial Rules.

TITLE V

GENERAL CONDITIONS

REGULATION 22

WORKING CONDITIONS

a) The hours of work of the staff of the Secretariat shall be determined by the Secretary-General, who shall also decide on what conditions officials may be employed part-time.

b) When an official is required to work overtime he or she shall be entitled to compensation within the limits and according to the conditions laid down in the Staff Rules.

c) The Secretary-General may, as their normal working hours, require officials to do night work. An official doing night work shall be entitled to an allowance.

d) The public holidays to which an official shall be entitled shall be determined in accordance with Belgian Government practice.

e) An official shall be entitled to paid annual leave at the rate of two and a half working days for each month of service completed.

f) Officials who are entitled to the expatriation allowance shall be entitled to eight days supplementary leave after the first two years of service, and to four days each year thereafter, for the purpose of visiting their homes. Travel expenses in respect of home leave shall be reimbursed to the officials concerned once every two years.

g) Officials shall be entitled to paid sick leave as prescribed in the Staff Rules.

h) The Secretary-General may grant to an official called to serve in the national armed forces of a Contracting Party or a Signatory, unpaid military service leave at the rate of 15 days for each year of service.

i) The Secretary-General shall provide for paid maternity leave in accordance with Belgian practice.

j) The Secretary-General may grant special paid leave, up to a maximum of eight days in any one year.

k) The Secretary-General may grant unpaid leave for urgent or private reasons.

REGULATION 22 (d) - SECRETARIAT CLOSING DAYS

Staff Circular

The list of public holidays and other Secretariat closing days, which will be observed by the Secretariat in 2025, are as follows:

January	1st Wed	New Year
	2nd Thu	Day after New Year's Day
April	17th Thu	Maundy Thursday
	18th Fri	Good Friday
	21st Mon	Easter Monday
May	1st Thu	Labour Day
	9th Fri	Schuman Day / Ascension
	29th Thu	Ascension
	30th Fri	Ascension additional day
June	9th Mon	Whit Monday
July	21st Mon	Belgian National Day
August	15th Fri	Assumption
December	24rd Wed	Christmas
	25th Thu	Christmas
	26th Fri	Christmas
	29th Mon	New Year
	30th Tue	New Year
	31st Wed	New Year

TOTAL 2025: 18 DAYS

Rule 22.1

WORKING HOURS

The normal working week shall be 38 hours and 20 minutes, and the normal working hours shall be 7 hours and 40 minutes a day from Monday to Friday.

Rule 22.1 - WORKING HOURS

Staff Circular

The normal Secretariat opening hours will be 8 a.m. to 6 p.m. from Monday to Friday.

Staff members can decide upon consultation with his or her immediate supervisor, and within this timeframe, their time of arrival and departure on normal working days providing that they work 7h and 40 minutes for a full day of work. Where the exigencies of the Service so require (e.g. official meetings), officials may be required to work overtime or to attend at different hours. External meetings, relating to the duties of official work and which take place outside the office, will also count as part of regular working hours as far as confirmed by Management and Coordination Meeting (MCM) or by the Secretary-General. The Secretary-General may, after consulting staff in accordance with Rule 4.1, determine suitable working hours for certain groups of officials who perform particular tasks.

Rule 22.2

OVERTIME

(a) Hours worked at the Secretariat in excess of normal hours, or on a Saturday, Sunday or official Secretariat closing day, shall be considered as overtime provided that such overtime has been authorised prior to the fulfilment by the immediate superior concerned. Such authorisation shall not be given for more than 13 hours a month or, in exceptional cases, for more than 30 hours a month.

(b) Overtime worked by A-grade officials shall carry no right to compensatory leave or compensatory payment. However, compensatory leave may be granted to officials of this grade if they are required to work when a meeting is scheduled on a Secretariat closing day.

(c) (i) For each hour of overtime, B and C grade officials shall be entitled to one hour off as compensatory leave. If the hour of overtime is worked between 10 p.m. and 7 a.m. or on a Secretariat closing day, the entitlement to compensatory leave shall be one hour and a half. In the granting of compensatory leave, account shall be taken of the requirements of the service and the preference of the official concerned.

(ii) Where the requirements of the service do not permit compensatory leave during three months following that during which the overtime was worked, remuneration at the rate of 0.80% of the monthly basic salary shall be paid for each uncompensated hour.

(iii) To qualify for compensatory leave, the extra time worked must have been more than one hour.

Rule 22.3

ANNUAL LEAVE

(a) Authorisation to take annual leave shall be given by the immediate superior of the official concerned.

(b) The entitlement of officials to annual leave in respect of the calendar year shall be calculated on their appointment and thereafter at the beginning of each year.

(c) An official may not take annual leave in the three months immediately following his or her appointment without special authorisation from the Secretary-General. Annual leave shall normally be taken in the year for which it is due. If, for good reasons, an official is unable to take the whole of the annual leave due to him or her during the calendar year, he or she may be authorised by the Secretary-General, to carry forward into the following year up to 30 days of his or her outstanding leave entitlement.

(d) An official who has not taken the whole of the leave due to him or her when his or her appointment ends, shall receive, in lieu thereof, his or her emoluments as defined in Rule 13.1 (e). An official who has taken leave in advance and in excess of that due to him or her when his or her appointment ends shall repay the emoluments paid for the corresponding period.

(e) If, during a period of annual leave, an official is incapacitated, this period of incapacity shall, subject to production of a medical certificate, be deemed to be sick leave and shall not be deducted from his or her annual leave. If the official has exhausted his or her sick leave rights, he or she shall be placed on non-active status in accordance with Regulation 16.

Rule 22.3 - ANNUAL LEAVE

Staff Circular

1. Annual leave is to be approved by the immediate superior on the attached form and submitted to Administration and Finance who will authorise the leave and communicate the balance of leave days remaining to the official.

2. Where an official has not taken all his or her annual leave, the balance, up to a maximum of 30 days, shall be carried over to the following year and should be used by 31st July of that year.

3. Officials should, as a rule, try to exhaust remaining holidays before the end of their contract. Where, under exceptional circumstances in the professional interest of the Secretariat, an official has been unable to exhaust his/her leave days, he/she shall, at the end of his/her contract, receive payment for untaken holidays up to a maximum of 30 days.

Rule 22.4

HOME LEAVE

(a) The first period of home leave (eight days) shall accrue in respect of the first completed period of 24 months' service. Subject to the exigencies of work, it may be taken at any time not earlier than eight months before and not later than twelve months after the date on which it accrues. Further periods of home leave (four days) shall accrue for each subsequent period of twelve months' service. Subject to the exigencies of work, they may be taken at any time not earlier than eight months before and not later than eight months after the date on which they accrue. The fact that the date of home leave is advanced or retarded shall not affect the date on which the next ensuing period of home leave accrues.

(b) No home leave shall be granted within a period of four months before the date when the appointment of an official is due to end. Where officials have taken home leave in advance and their appointment terminates by resignation before the date at which home leave accrues they shall repay a sum corresponding to their emoluments for the number of days taken and the amount reimbursed in respect of travel.

(c) Officials may be required to take home leave in conjunction with travel on mission, due regard being paid to the interest of the officials and their families.

(d) For the purposes of Regulation 22 f), the home of an official shall be that place with which he or she has the strongest ties outside Belgium. The Secretary-General shall determine this place having regard to the place of residence of the official's family, to the place of his or her up-bringing and to any place where he or she may possess property. In case of doubt, the Secretary-General may decide, at the request of the official concerned, that he or she shall take his or her home leave in the capital of the State of which he or she is a national.

(e) Where the time taken by an official to travel from Brussels to his or her home, and back again, by a direct route and means approved by the Secretary-General, exceeds twelve hours, it shall not be included in the number of days of home leave granted.

(f) Reimbursement of expenses incurred in travelling on home leave shall be made according to the provisions of Rule 18.2. Notwithstanding the provisions of paragraph (a) above, entitlement to home leave travel reimbursement falls due only every two years.

(g) Where officials receive the household allowance, return travel expenses shall also be borne by the Secretariat in respect of the persons specified in Rule 18.2 (b), whether or not travelling in company with the officials provided that they travel within the time limits set in paragraph (a) above and that the officials themselves take their home leave within those time limits. Where officials fail to take a period of home leave within the time limits they shall repay any travel expenses borne by the Secretariat in respect of a member or members of their household for such leave.

(h) If, during home leave, an official is incapacitated, this period of incapacity shall, subject to production of a medical certificate, be deemed to be sick leave and shall not be deducted from his or her home leave. If the official has exhausted his or her sick leave rights, he or she shall be placed on non-active status in accordance with Regulation 16.

Rule 22.4 - HOME LEAVE

Staff Circular

1. Home leave is to be approved by the immediate superior on the form applicable for annual leave and submitted to Administration and Finance for authorisation.

2. Home leave may be added to annual leave. It may also be taken in two periods in which case the travel time will be taken into account only once and only one set of travel expenses will be borne by the Secretariat.

3. Officials may choose to travel by private vehicle. In such cases they will receive compensation equivalent to the most economical return airfare for the journey.

4. With respect to Rule 22.4 (e), travel time, which exceeds the direct and most economical route, shall not be taken into account. Any additional days taken to cover travel time linked to home leave will be deducted from annual leave.

Rule 22.5

SICK LEAVE

(a) Any official who is unable, owing to sickness or accident, to attend his or her duties is required to notify his/her immediate superior as soon as practically possible. The immediate superior shall immediately inform Administration and Finance. Where the absence of an official, owing to sickness or accident, exceeds one day without a medical certificate, the official shall be reasonably available to answer phone calls and e-mails regarding urgent issues. An absence of more than four days, including any intervening days when the Secretariat's offices are closed, must be covered by a medical certificate, to be sent to the Secretary-General not later than the third day. The certificate should state the probable term of absence from duty; and in the case of a prolonged absence further certificates may be required from time to time if this term is extended. Absences in excess of twelve days in any calendar year unsupported by medical certificates, will be counted against annual leave or, if the official concerned has already exhausted his or her annual leave, will entail a deduction from his or her emoluments.

(b) Subject to these provisions and the limitation of sick leave covered by medical certificates to the periods specified therein, sick leave may be granted with full emoluments provided that any continued period of absence does not exceed four months and provided also that there is a reasonable prospect of recovery and return to full duties and that a total absence of more than nine months in any continuous period of two years has not been exceeded. Absence beyond these limits may result in the official's appointment being terminated, but in the case of illness, which in the opinion of the Secretary-General is of long duration or of temporary incapacity resulting from an accident the Secretary-General may grant further periods of sick leave on half emoluments up to six months.

Rule 22.6

COMPULSORY LEAVE FOR HEALTH REASONS

(a) Serving officials may be required to undergo a medical examination by a doctor designated by the Secretary-General and may be required to take sick leave in the interest of their health.

(b) In a case of an outbreak of an infectious disease at the home of an official, he or she shall report it immediately and shall produce a medical certificate stating the nature of the disease and the date on which it was established. The official concerned is then forbidden to attend the office for as long as may be deemed necessary but while absent, he or she shall remain on duty and be required to hold himself at the disposal of the Secretary-General. This period may be counted as worked if the official fulfils the work duties. If the official can not fulfil the work duties, the period would be counted as a sick leave.

Rule 22.7

MILITARY SERVICE LEAVE

An official called up or recalled for service in the armed forces shall immediately inform the Secretary-General who shall take all necessary steps, in consultation with the immediate superior of the official concerned and the Deputy Secretary-General, to provide for military service leave.

If the official is unable to resume duty at the end of this leave, he or she shall be placed on non-active status in accordance with Regulation 16.

Rules 22.7 to 22.11 - OTHER LEAVE

Staff Circular

Applications must be submitted on the form attached to the Staff Circular to Rule 22.3, approved by the immediate superior and submitted to Administration and Finance.

Rule 22.8

MATERNITY OR PATERNITY LEAVE

(a) An expectant mother shall be entitled, on the basis of a medical certificate stating the probable date of confinement, to maternity leave on full pay beginning not more than six weeks before the date indicated in the certificate and ending ten weeks after the date of the confinement.

(b) Any medically authorised extension of the foregoing maternity leave shall be regarded as sick leave under the provisions of Regulation 22 g).

(c) Following the birth of his child or children, an official who is a new father shall be entitled to paternity leave of 10 working days. This leave must be taken within 4 months after the birth or it will be lost.

Rule 22.8 - MATERNITY LEAVE

Staff Circular

1. Maternity leave is granted for a period of 16 weeks divided, in principle, as follows: six weeks before the expected date of confinement and ten weeks after the birth.

2. Expectant mothers may, however, opt for different arrangements.

   For example, if their health permits, they may take two weeks before the expected date of confinement and 14 weeks afterwards, or continue working up to the time of confinement and take their full 16 weeks of maternity leave after the birth.

3. However, if during the six weeks prior to the expected date of confinement the official's doctor feels that the official should stop working, for reasons connected with her pregnancy, then that leave will be deducted from her maternity leave. This does not apply in cases where the official is absent for a short period of time for reasons of sickness unrelated to her pregnancy (e.g. influenza) and covered by a medical certificate.

Rule 22.9

ADOPTION LEAVE

An official with whom a child is placed for adoption shall be entitled to ten weeks leave on full pay starting from the date of the child's arrival in his or her home. This leave shall normally be granted where the child is less than six years of age. The Secretary-General may allow exceptions to this Rule upon written request stating the circumstances, which warrant the exception.

Rule 22.10

SPECIAL PAID LEAVE

(a) The Secretary-General may grant special paid leave subject to an overall limit of eight days in any one year.

(b) An official who has served with the Secretariat for 20 or 30 years shall be entitled to a special paid leave of 3 or 5 days respectively per annum.

(c) In the following cases special leave in terms of working days shall be granted as follows:

(1) marriage of the official: four days;

(2) change of residence of the official: up to two days;

(3) serious illness of spouse: up to three days;

(4) death of spouse: four days;

(5) serious illness of a relative in the ascending line: two days;

(6) death of a relative in the ascending line: two days;

(7) birth or marriage of a child: two days;

(8) serious illness of a child: up to two days;

(9) death of a child: four days;

(10) death of another immediate relative (e.g. grandchild, brother, sister): two days;

(11) serious illness of parents-in-law: two days;

(12) death of parents-in-law: two days;

(13) death of any other person related by blood or marriage: one day;

(14) voting in national elections or referenda in the country of origin when required by law: determined by the Secretary-General in each case;

(15) court appearances: necessary periods fixed by the Secretary-General in each case.

(d) Special leave shall be supplemented, where applicable, by necessary travel time.

(e) If the reason of special paid leave is foreseeable, the official shall submit the request to the Secretary-General no later than two weeks before the anticipated commencement of the leave.

Rule 22.10 (c)(8), 22.10, 22.11 and 23.1 - SPECIAL CASES OF LEAVE

Staff Circular

1. Special leave with regard to a sick child shall be decided on a case-by-case basis. In the case of serious illness of a child up to the age of 12 and on production of (a) a medical certificate stating that the sick child cannot be placed in child care or attend school and (b) a statement indicating that no other person is available to look after the child, special leave of up to two days per child may be granted (not exceeding the maximum annual amount of eight special days leave, as covered by all cases listed under Rule 22.10).

2. Requests for Special Paid Leave under Rule 22.10, for Unpaid Leave under Rule 22.11 and Leave for Training under Rule 23.1, must be submitted in writing to Administration and Finance, through the immediate superior for decision by the Secretary-General.

3. Requests for Special Paid Leave under Rule 22.10 (c) (15) shall be granted for cases where the court appearance is a matter of civic obligation (e.g. jury service). No Special Paid Leave shall be granted for court appearances of a personal nature.

Rule 22.11

UNPAID LEAVE

(a) Unpaid leave not exceeding two months may be granted by the Secretary-General after consultation with the immediate superior of the official concerned and the Deputy Secretary-General, for advanced study or research deemed to be in the interest of the Secretariat, or for exceptional or urgent reasons not falling within the provisions of the Staff Regulations or Staff Rules.

(b) An official may be required to exhaust his or her accrued annual leave before being placed on unpaid leave.

(c) Periods of unpaid leave shall not affect the accrual of service credits toward annual, sick or home leave or advancement. Such periods shall not affect entitlements to benefits in case of sickness, accident, disablement or death, unless the official obtains such benefits from another source. However, periods of unpaid leave shall not be taken into account in determining entitlement to Terminal Allowance under Rule 19.4.

Rule 22.12

WORKING PART TIME

(a) An official may, at his or her request and providing the reasons for it, be authorised by the Secretary-General to work part-time provided that such arrangement is compatible with the exigencies of the service and the needs of the Secretariat. An official authorised to work part-time shall in each month work at least half the normal working time.

(b) The authorisation may be initially granted for a maximum period of one year. The authorisation may, however, be renewed on the same conditions. Applications for renewal shall be made by the official concerned at least one month before expiry of the period for which the authorisation was granted. The total period of part-time work shall not exceed six years throughout the whole of the official's career, except where authorisation is granted for reasons of the official's own health.

(c) If the reasons for which the authorisation was granted no longer apply, the Secretary-General may withdraw the authorisation before expiry of the period for which it was granted, giving one month's notice. The Secretary-General may, likewise, on application by the official concerned, withdraw the authorisation before expiry of the period for which it was granted.

(d) An official shall be entitled, during the period for which he or she is authorised to work part-time, to a salary proportionate to the working time authorised. He or she shall receive the following allowances and benefits in the same proportion in case he or she is entitled to them:

(i) The payment of a capital sum in the event of death or total permanent invalidity, calculated on the basis of the emoluments the official would receive had he been working fulltime at the same grade and step

(ii) The reimbursement of travel and removal expenses incurred in the service of the Organisation

(iii) Expatriation allowance. In relation to Rule 17.7, the period of ten years of service refers to natural years from the date the official was first appointed, even if the official has been working part-time during some periods.

(iv) The only exception being that he or she shall, however, continue to receive in full any dependant's allowances, grant for the birth or adoption of a child, education allowances, allowances for a handicapped child and health care expenses in the event of sickness, maternity, work accident or occupational disease, to which he or she is entitled.

During that period he or she may only engage in any other gainful employment if expressly authorised by the Secretary-General. Contributions to the Terminal Allowance and to medical insurance shall be calculated by reference to his or her salary, taking into account the ratio of the official's part-time working hours to the normal working hours.

(e) The entitlement of an official working part-time to annual leave, home leave and exceptional paid leave shall be calculated on the basis of the ratio of the official's part-time working hours to the normal working hours. Portions of days shall be disregarded.

(f) The Secretary-General may also, depending on the requirements of the service, recruit part-time officials. In such case, previous paragraphs (d) and (e) apply to such official recruited part-time.

Rule 22.13

TELEWORKING

(a) Teleworking is a method of performing duties outside the premises of the Secretariat, with the help of information and communication technologies. Performing duties whilst on mission is not considered to be teleworking.

(b) Officials may work from an alternative work site, provided they have access to the necessary equipment and may always be reached by telephone or e-mail. The Regulations and Rules shall remain applicable in their entirety to officials authorised to telework. The following provisions shall in addition apply to teleworking.

(c) An official wishing to telework shall make in writing a request to his or her immediate supervisor, specifying the duration of telework desired as well as the place in which it would be performed.

(d) Under special circumstances, authorization shall be granted by the immediate supervisor under his or her discretion for a maximum of 60 teleworking days per calendar year, but no more than 10 consecutive teleworking days. If authorisation is not granted, the official can bring the request to the attention of the Secretary-General for his or her decision. Any such request for teleworking should be sent before 8 am of the day for which teleworking is requested.

(e) The following conditions apply in case of a request for regular teleworking

(i) When examining any request, account shall be taken of the compatibility of teleworking with:

- the nature of the official's duties, the performance of those duties and the achievement of the official's assigned annual objectives;
- organisational and efficiency-related requirements of the service concerned.

(ii) Authorisation shall be given by the Secretary-General, on the recommendation of the immediate supervisor of the official and after consultation under Rule 25.1 and with the Head of Unit in charge of Administration and Finance. The decision of the Secretary-General on teleworking shall be justified.

(iii) Authorisation shall be formalised by the signature of an agreement with the official concerned. This agreement shall stipulate:

- the official's teleworking location;
- the days worked on the premises of the Secretariat;
- the teleworking hours;
- where appropriate, the equipment made available to the official by the Organisation;
- the date the agreement takes effect and the date on which it terminates.

(iv) A probationary period is established from the date of the signature of the agreement. This probationary period shall be of a duration of two weeks where the teleworking duration under the agreement is two months. The duration of this period is one month where the teleworking duration under the agreement exceeds two months. At the end of the probationary period, the teleworking agreement will be confirmed or terminated in accordance with the provisions of sub-paragraph (vi) below.

(v) On expiry, the teleworking agreement may be renewed by the Secretary-General, at the official's request and upon the recommendation of the official's immediate supervisor. When considering this request, the Secretary-General shall verify that the conditions referred to in paragraph (e), above, continue to be met and that the official's performance is not unsatisfactory or has not been affected as a result of teleworking.

(vi) A teleworking agreement may be terminated at any time:

- by the Secretary-General, after consultation with the Senior Management and the Head of Unit in charge of Administration and Finance, if:
  - the conditions referred to in paragraph (e), above, are no longer met, in particular in the event of a change in the official's assignment or duties;
  - the official's performance is unsatisfactory or affected as a result of teleworking;
- by the official concerned, due to imperative and exceptional circumstances acknowledged as such by the Secretary-General.

The termination of a teleworking agreement is subject to a notice period of two weeks when the teleworking duration under the agreement does not exceed two months and to a notice period of one month when the teleworking duration under the agreement is more than two months. The termination shall be notified by the Secretary-General to the official concerned and to his or her immediate supervisor.

(f) in case of special or regular teleworking outside of Belgium, the following requirements shall apply in addition to those laid down in paragraph (d) or (e) respectively:

- no teleworking is possible during the probation period;
- such teleworking shall not exceed 60 teleworking days per calendar year.

Rule 22.13 - TELEWORKING

Staff Circular

The Secretariat will not incur additional costs derived from teleworking.

REGULATION 23

TRAINING

The Secretary-General shall facilitate such further training and instruction for officials as is compatible with the proper functioning of the service and is in accordance with the interest of the Secretariat and the officials. Such training and instruction shall be taken into account for the purposes of promoting their careers.

REGULATION 23 - TRAINING

Staff Circular

This policy applies to training requests from officials of the Secretariat (both establishment table and temporary officials) for promoting their careers. It does not apply to cases where Senior Management identifies a particular need for the effective work of the Secretariat and requests an official to pursue a particular training in order to cover such identified gap.

1. **Identifying development needs**
   The training should have one or both of the following justifications.

   - Training or development assignment mentioned in the PAR
   - The skills and/or knowledge to be gained from the training should be relevant to his/her tasks at the Secretariat, so that the development also benefits the work of the Secretariat.

2. **Procedures**

   Submit a request form to the immediate supervisor for approval together with the following supporting documents.

   - Details of the training programme
   - Detailed cost breakdown

   The form approved by the immediate supervisor should be submitted to SG. SG has discretion to take a decision in the interests of the Secretariat.

   The Official is expected to use his/her annual leave for the training and only if necessary SG will consider whether to grant special leave for training (Staff Rule 23.1). Special leave for training will not be granted at least in 2018 due to constraints in human resource of the Secretariat.

   After the training, the official should submit a proof of completion such as a certificate.

3. **Financial Assistance**

   The Secretariat will cover 80% of the total costs for the training up to a maximum of 1000 Euro per year per entitled official. Training costs include expenses for tuition, travel, meals and accommodation . There is no possibility to increase such annual limit even if an official has not requested financial assistance for trainings in previous years. Even if the training is recommended in the PAR by the immediate supervisor, the cost will be reimbursed only up to 80% with the limit of 1,000 euro (i.e. 1,000 euro is the maximum reimbursable amount if training costs are 1,250 euro or more).

4. Time spent on training is not regarded as a mission unless the Secretariat (Senior Management) specifically requests an official to take part in the training.

Rule 23.1

LEAVE FOR TRAINING

Officials may, upon request, be granted up to ten days special leave per year for further training and/or examinations. In granting such leave, which may be with or without pay, due account shall be taken of the requirements of the service.

REGULATION 24

DISCIPLINE

Any failure by an official or former official to comply with his or her obligations under these Staff Regulations and Staff Rules, whether intentional or through negligence on his or her part shall make him or her liable to disciplinary action.

Rule 24.1

DISCIPLINARY MEASURES

(a) Disciplinary measures shall take one of the following forms:

(i) written warning;

(ii) written reprimand;

(iii) deferment of advancement to a higher step;

(iv) relegation in step;

(v) downgrading;

(vi) dismissal, accompanied, in duly justified circumstances, by forfeiture of part or all of the contractual period of notice.

(b) Officials may be required to reimburse, either in part or in full, any loss sustained by the Secretariat through their gross negligence or wilful act.

(c) A single offence shall not give rise to more than one disciplinary measure.

(d) Disciplinary proceedings under sub-paragraphs (a) (iii) to (vi) shall be initiated by the Secretary-General, should the case arise on a report made by the immediate superior of the official concerned and where the report is supported by Administration and Finance. The Secretary-General shall appoint the General Counsel to provide him or her with a report on the matter.

(e) The proceedings in disciplinary matters shall be recorded in writing. No disciplinary measure may be decided unless the official concerned has been informed of the charges made against him or her and has had the opportunity to state his or her case. The official shall be entitled to be assisted by a person of his or her choice in his or her defence and to see all written material relating to the charge.

(f) Unless the Secretary-General acting on a recommendation of the General Counsel decides otherwise, costs incurred by an official in the course of disciplinary proceedings, in particular fees payable to a person chosen for his or her defence from outside the Secretariat, shall be borne by the official where the disciplinary proceedings result in any disciplinary measure being taken.

(g) Where there are new facts, which are supported by relevant evidence disciplinary proceedings may be reopened by the Secretary-General on his or her own initiative, or on application by the official concerned.

Rule 24.2

SUSPENSION

(a) If an allegation of serious misconduct is made against an official and if the misconduct alleged is of its nature incompatible with his or her continuing in service, whether the misconduct amounts to failure to carry out his or her official duties or to a breach of law, the Secretary-General may decide to suspend him or her forthwith.

(b) The decision suspending the official shall specify whether he or she is to continue to receive his or her remuneration during the period of suspension or what part thereof is to be withheld; the part withheld shall not be more than half the official's basic salary.

(c) A final decision shall be given within four months from the date of suspension. If no decision has been given by the end of this period, the official shall again receive his or her full remuneration.

(d) If no disciplinary action has been taken in respect of an official, or no measure other than a written warning, reprimand or deferment of advancement to a higher step has been taken, or if no final decision has been given within the period specified in paragraph (c), the suspension shall be lifted and the official shall be entitled to reimbursement of the amount of remuneration withheld.

(e) If, however, the official is subject to criminal proceedings for the conduct giving rise to his or her suspension, a final decision in his or her case shall be taken only after a verdict of the court hearing the case has become final.

Rule 24.3

REFERENCE IN PERSONAL FILE

(a) An official against whom a disciplinary measure other than dismissal has been taken may, after three years in the case of a written warning or reprimand or after six years in the case of any other measure, submit a request for the deletion from his or her personal file of all reference to such measure.

(b) The Secretary-General shall decide whether to grant the request; if the Secretary-General decides to do so, the file as constituted following such deletion shall be communicated to the official.

TITLE VI

DISPUTES

REGULATION 25

DISPUTES

a) The Secretary-General shall establish the Advisory Board.

b) Provided that the number of officials employed at the Secretariat is no less than 20, the Advisory Board shall comprise of:

- a Chairperson outside of the Secretariat nominated by the Secretary-General and appointed by the Conference;
- two officials of the Secretariat appointed by the Staff Committee in accordance with its Rules of Procedure; and
- two officials of the Secretariat appointed by the Secretary-General.

c) In all other cases, the Advisory Board shall comprise of a Chairperson from outside of the Secretariat nominated by the Secretary-General and appointed by the Conference. Such Chairperson shall be assisted by the Secretary of the Advisory Board. Such Secretary shall be elected by simple majority of staff by secret ballot. The Secretary's functions shall be limited to providing secretariat services to the Chairperson and may not encompass decision-making, including participating in deliberations or drafting the report envisaged in Rule 26(3) (a).

d) The Chairperson referred to in paragraphs b) and c) must have a proven background in labour law, international civil service law and human resources as a senior government official or official of an international organisation. The term of office of the Chairperson shall be three years and may be renewed. In case meetings of the Advisory Board take place in-person, the Chairperson shall be entitled to reimbursement of his or her travel expenses for attending such meetings as well as a subsistence allowance (as provided in Rule 18.2.4) for any day or part of a day in which he or she has an in-person meeting of the Advisory Board and has worked on a request received by the Advisory Board.

e) The members of the Advisory Board shall be completely independent and impartial in the exercise of their duties. They shall not receive any instructions nor be subject to any constraint. For the avoidance of doubt, the Secretary of the Advisory Board shall not be considered as a member of the Advisory Board. However, the Secretary shall be completely independent and impartial in the exercise of his or her duties. The Secretary may receive instructions only from the Chairperson.

f) The Advisory Board shall advise the Secretary-General, at the request of the official concerned:

i) on any individual dispute arising from a decision of the Secretary-General and which an official, former official or the duly qualified claimants to their rights consider inequitable to themselves or contrary to the terms of the appointment or to the provisions of these Staff Regulations or of applicable Staff Rules or applicable Staff Circulars;

ii) when the official considers that an administrative decision on job classification is inequitable to him or her or contrary to the provisions of these Staff Regulations or of applicable Staff Rules;

iii) when the official considers that he or she is exposed to harassment, as defined in Regulation 25-bis b)(i), by another member of the Secretariat, and has already made a communication required by Regulation 25-bis c).

g) For the avoidance of doubt, any reference to "Advisory Board" in these Rules and Regulations encompasses any composition of the Advisory Board as envisaged in paragraphs b) and c).

h) The Secretary-General shall establish, as the need arises and in accordance with the standards and practices of international organisations, administrative judicial arrangements for the resolution of individual disputes arising from a decision of the Secretary-General, which he or she has taken on his or her own authority or in application of a decision of the Conference and which officials, former officials or the duly qualified claimants to their rights consider as prejudicial to themselves, including as elements of such arrangements:

- the jurisdiction to resolve, with due regard to vested rights, all questions regarding the interpretation and application of these Staff Regulations or of any applicable Staff Rules and of the terms of appointment;
- the power to annul such decisions of the Secretary-General as are contrary to the terms of appointment of the official concerned or the provisions of these Staff Regulations or to any applicable Staff Rules; and
- the power to order the Secretariat or the Conference to redress any damage resulting from any irregularity committed by the Secretary-General.

REGULATION 25-bis

HARRASMENT CLAIMS

a) Any official shall not conduct any harassment.

b) i) Harassment is defined as any deliberate conduct, in the workplace or in connection with the work of the Secretariat, which is reasonably perceived as offensive or unwelcome by the subject person and has the purpose or effect of: an affront to the identity, dignity, personality or integrity of the subject person; or the creation of an intimidating, hostile, humiliating or offensive work environment.

ii) Harassment may take the form of sexual harassment but is not limited to it. Sexual harassment may occur between officials of the same sex as well as different sexes.

c) When an official believes that he or she is exposed to harassment, he or she shall clearly communicate it, directly or through a third party, to the other party (i.e. the alleged harasser).

d) When the alleged harassment continues after the communication described in paragraph c), the official who believes that he or she is exposed to harassment may refer the matter to any of the following proceedings:

i) an informal counselling;

ii) mediation; or

iii) a complaint to the Advisory Board.

It is not required, but strongly recommended, that an official refers to at least one of the proceedings mentioned in subparagraphs (i) and (ii) before submitting a complaint to the Advisory Board.

e) Any referral to proceedings listed in paragraph d) shall be made within six months of the occurrence of the alleged harassment. If the subject matter is a series of actions, these six months shall start from the occurrence of the latest action.

f) Any official shall act in good faith when referring the matter of alleged harassment to any of the proceedings listed in paragraph d). Any proven false or malicious accusation of harassment may be subject to disciplinary measures.

Rule 25-bis.1

INFORMAL COUNSELLING

(a) When an official refers the matter of alleged harassment to the proceedings of informal counselling in accordance with Regulation 25-bis d)(i), the complaining official may ask any one of the following officials to act as the informal counsellor:

(i) The Deputy Secretary-General;

(ii) Any member of the Staff Committee; and

(iii) Any other official of his or her choice.

The officials listed in subparagraphs (i) and (ii) shall accept this request and act as the informal counsellor. Other officials may refuse such request, but they are encouraged to accept it and act as the informal counsellor.

(b) The informal counsellor shall discuss with the complaining official about the conduct(s) which may constitute harassment. The informal counsellor shall not take any action, including the contacts described in paragraph (c), without a prior agreement by the complaining official.

(c) The informal counsellor may contact the other party or third parties to collect information or to discuss a solution which is mutually agreeable to the complaining official and the other party.

(d) The informal counsellor shall:

(i) Listen to the complaining official (and the other party as well as any third party, if applicable) carefully, and remain objective and impartial;

(ii) Endeavour to compose a resolution within three months of the complaining official's request for informal counselling; and

(iii) Keep the confidentiality of any information which he or she comes to know in the course of acting as the informal counsellor.

(e) The complaining official may at any time cancel the proceedings of informal counselling. He or she may refer the matter which was the subject of informal counselling to mediation or to the Advisory Board, provided that such referral is made within the timeframe specified in Regulation 25-bis e). If a request for mediation or a complaint to the Advisory Board is submitted without a prior cancellation of the informal counselling, the ongoing informal counselling shall be deemed cancelled as of the time of such submission.

(f) There shall be no official report on the informal counselling. However, when the complaining official and the other party have reached agreement on a solution, the informal counsellor shall prepare a document to record such agreement and give a copy to each party.

Rule 25-bis.2

MEDIATION

(a) When an official refers the matter of alleged harassment to the proceedings of mediation in accordance with Regulation 25-bis d)(ii), the complaining official may ask any one of the following officials to act as the mediator:

(i) The Deputy Secretary-General;

(ii) Any member of the Staff Committee; and

(iii) Any other official of his or her choice.

The officials listed in subparagraphs (i) and (ii) shall accept this request and act as the mediator. Other officials may refuse such request, but they are encouraged to accept it and act as the mediator.

(b) The mediator shall discuss with the complaining official and the other party about the conduct(s) which may constitute harassment and about a mutually agreeable solution.

(c) The mediator may discuss with the two parties separately; in this case, the mediator shall not disclose the information which one party disclosed to him or her to the other party or third parties without a prior agreement by the disclosing party.

(d) When the complaining official agrees, the mediator may convene a meeting or meetings involving himself or herself, the complaining official, and the other party.

(e) The mediator may invite third parties to the meetings described in paragraph (d) with a prior agreement by both the complaining official and the other party.

(f) The mediator shall:

(i) Listen to the two parties (and any third party, if applicable) carefully, moderate the discussion at the meetings described in paragraph (d) properly, and remain objective and impartial;

(ii) Assist the two parties to reach agreement on a resolution and endeavour to obtain such agreement within three months of the complaining official's request for mediation; and

(iii) Keep the confidentiality of any information which he or she comes to know in the course of acting as the mediator.

(g) The mediator shall not have any authority to impose on the two parties any resolution or compromise.

(h) The complaining official may at any time cancel the proceedings of mediation. He or she may refer the matter which was the subject of mediation to the Advisory Board, provided that such referral is made within the timeframe specified in Regulation 25-bis e). If a complaint to the Advisory Board is submitted without a prior cancellation of the mediation, the ongoing mediation shall be deemed cancelled as of the time of such submission.

(i) There shall be no official report on the mediation. However, when the complaining official and the other party have reached agreement on a solution, the mediator shall prepare a document to record such agreement and give a copy to each party.

Rule 25-bis.3

COMPLAINT TO THE ADVISORY BOARD

(a) Contrary to the informal and mediation procedure, the Advisory Board is able to record facts and to propose disciplinary measures among the ones listed in Rule 24.1 (a). Any person who feels victim of harassment is entitled to initiate a formal procedure, either immediately, without first going through the informal procedure, or in the course of or at the end of the informal procedure.

(b) Any person who feels they are the victim of sexual harassment must provide all details which might support their allegations to the Advisory Board, which will conduct an investigation. The complaint should describe the specific offensive acts, the time, location and circumstances under which they took place and any other information relevant to the case. The complaint should identify the alleged harasser/respondent as well as any witness to the acts or anyone else who may have information relevant to the complaint. The complaint should also specify whether and in which circumstances the complainant made it clear to the respondent that his/her behaviour was unwelcome and, where appropriate, any reasons that prevented the complainant from doing this. The complaint must be signed and dated by the complainant and the information provided should be as precise and concise as possible.

(c) The Advisory Board will send within five days written acknowledgement of receipt of the complaint to the respondent, who will be given the right to respond in writing to the allegations within 10 working days of receipt of the copy of the complaint.

Rule 25-bis.4

INTERIM MEASURES

(a) The informal counsellor, mediator or the Advisory Board may make, at any time after the beginning of the respective proceedings in accordance with Regulation 25-bis d), a recommendation for interim measures to the Secretary-General, provided that the complaining official agrees on the submission of such recommendation. The recommended interim measures shall be aimed at the minimisation of negative effects of the alleged harassment on the complaining official.

(b) The interim measures described in paragraph (a) may include a re-organisation of work assignments or a re-allocation of office space to the effect that the complaining official will not have direct personal contacts with the other party.

(c) The Secretary-General shall, at his or her earliest convenience, make the decision on whether the recommended interim measures shall be implemented.

TITLE VII

SECRETARIAT'S ADVISORY BODY & EXTERNAL REDRESS MECHANISM

REGULATION 26

SECRETARIAT'S ADVISORY BODY AND EXTERNAL MECHANISM

The Advisory Board is the advisory body of the Secretariat. The Administrative Tribunal of the International Labour Organisation is the external redress mechanism of the Secretariat.

Rule 26.1

CONSULTATION ON PERSONNEL ISSUES

(a) The Secretary-General shall consult with the Senior Management, as defined in Rule 1.3 (a), before personnel decisions are taken in accordance with Staff Regulations and Staff Rules, in particular regarding appointments, probation, promotion, advancement, disciplinary actions, termination of employment.

(b) Conclusions of the Senior Management consultations shall be recorded in writing.

Rule 26.2

THE ADVISORY BOARD

(a) Where a five-member Advisory Board is established under Regulation 25 c), the Advisory Board shall meet:

(i) within no more than ten days of receipt of a properly documented written request from the Secretary-General for consultation in respect of decisions under Regulations 10 b), 12 a) or 13 a);

(ii) within no more than 30 days of receipt of a properly documented written request from an official for its advice in respect of disputes referred to in Regulation 25 f) (i) and (ii).

(iii) within no more than ten days of a properly documented written request if the Advisory Board is seized by a complaint of harassment in accordance with Regulation 25-bis d)

(b) Before advice is requested in respect of disputes referred to in Regulation 25 f) (i) and (ii), the official concerned shall address the Secretary-General in writing within ten days following notification of the impugned decision, requesting that it be modified or withdrawn.

Where the Secretary-General rejects a request or fails to reply within ten days of its receipt, the official concerned shall submit a written request to the Advisory Board for advice.

The request shall be submitted to the Advisory Board for advice not later than thirty days from the notification of the rejection to modify or withdraw the impugned decision or failure to reply to such a request within ten days of its receipt.

Nevertheless, in exceptional cases and for duly justified reasons, requests lodged after the time allowed may be admitted.

(c) The composition of the Advisory Board and the Secretary of the Advisory Board, where applicable, shall be made known to all officials.

(d) The Advisory Board shall act with the maximum of dispatch consistent with a fair review of the issue before it. Normally, proceedings before the Advisory Board shall be limited to the original written presentation of the case, together with brief statements and rebuttals. The Advisory Board may also call for any additional document or information relevant to the decision and may require any official to furnish evidence orally or in writing.

(e) The official concerned shall have the right to present his or her case to the Advisory Board orally and in writing and may be assisted in this by any Secretariat official or by an external counsellor.

(f) The members of the Advisory Board and the Secretary of the Advisory Board, where applicable, shall be bound to secrecy.

(g) Persons who have attended a meeting of the Advisory Board or have been called before it as a witness shall be bound to total secrecy in respect of any facts brought to their knowledge and any opinions expressed.

(h) The official concerned shall be informed of any document or new factor produced during the Advisory Board's investigation.

Rule 26.2 - ADVISORY BOARD COMPOSITION

Staff Circular

In accordance with Regulation 25 c), as of 9 September 2024, in the absence of 20 officials employed at the Secretariats, the composition of the Advisory Board and the Secretary of the Advisory Board, are as follows:

Advisory Board (Chairperson): Ms Marie-Anne Birken.

Secretary: Ms Ishita Pant.

Rule 26.3

PROCEDURE AND RECOMMENDATIONS

(a) The Advisory Board shall adopt and submit to the Secretary-General a report containing a record of its proceedings and a summary of the matter and its advice.

(b) In cases relating to consultation in respect of Regulation 10 b) the Advisory Board shall give its advice to the Secretary-General no later than ten days after his or her request to the Advisory Board's Chairperson. In case of a complaint in accordance with Regulation 25-bis d) the Advisory Board shall give its advice no later than ten days after receiving the reply from the respondent. In all other cases the Advisory Board shall give its advice no later than 30 days after the receiving the request for consultation or advice.

(c) The final decision in the matter, which shall be taken by the Secretary-General within 60 days after the Advisory Board has transmitted its report to him or her, shall be notified to the official concerned, who shall at the same time be sent a copy of the Advisory Board's advice.

(d) In cases of consultation where a five-member Advisory Board is established under Regulation 25 c) and all members of the Advisory Board cannot be present at the meeting referred to in Rule 26.2 (a), the Advisory Board shall comprise the Chairperson, one member appointed by the Secretary-General and one member appointed by the Staff Committee.

Rule 26.4

APPEALS TO THE ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANISATION

(a) Once the internal means of appeal have been exhausted, officials or, where applicable, any other persons designated in Article II (6) of the Statute of the ILO Administrative Tribunal, may appeal to the Tribunal against an administrative decision which they consider as an injury to them, alleging non-observance, in substance or in form, of the terms of appointment, the Staff Regulations or Staff Rules.

(b) In accordance with the provisions of Article VII (2) of the Statute of the ILO Administrative Tribunal, the decision impugned must be a final decision of the Secretary-General, and the appeal must be filed within 90 days after the appellant was notified of that decision.

Rule 26.4 - APPEALS TO THE ADMINISTRATIVE TRIBUNAL OF THE INTERNATIONAL LABOUR ORGANISATION

Staff Circular

The ILO has agreed that the Secretariat has access to the ILO Administrative Tribunal with effect from April 24th 1998.

Regulation 27

FINAL PROVISIONS

a) These Staff Regulations may be amended by the Conference, which shall pay due regard to the rights vested in officials at the time of the amendment.

b) These Staff Regulations shall come into force on 5 June 1996.

Rule 27.1

FINAL PROVISIONS

These Staff Rules may be amended by the Conference which shall pay due regard to the rights vested in officials at the time of the amendment.

FORMS AND ANNEXES

List of forms

(1) Performance Appraisal Report (Rule 12.3, Staff Circular)

(2) Education Allowance (Rule 17.10, Staff Circular)

(3) Travel Authorisation Form (Regulation 18, Staff Circular)

(4) Mission Claim Form (Regulation 18, Staff Circular)

(5) Claim for Reimbursement of Official Expenses (Rule 18.2.3 (c), Staff Circular)

(6) Application for Leave (Rule 22.3, Staff Circular)

List of Annexes

(1) Allianz - Employee Benefit Guide

(2) Allianz - Medical and Disability/Death Insurance - Table of Benefits (Rule 19.1)

(3) World Business Assistance and Insurance (Rule 18.2)