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

of 20 July 2026

on the rules applicable to National Experts seconded to the European External Action Service

ADMIN(2026) 18

(C/2026/4853)

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

Having regard to the Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service ([1]), and in particular Article 6(3) thereof,

Whereas:

(1) Article 6(3) of the Council Decision 2010/427/EU of 26 July 2010 establishing the organisation and functioning of the European External Action Service (the 'Council Decision') provides that the European External Action Service ('EEAS') may, in specific cases, have recourse to a limited number of specialised seconded national experts ('SNEs').

(2) The rules contained in the Decision HR(2014) 01 of the High Representative of the Union for Foreign Affairs and Security Policy of 4 February 2014 establishing the rules applicable to National Experts seconded to the European External Action Service, as amended by the Decision HR(2014) 11 of 16 December 2014, need to be updated taking account of the constructive experience gained with the management of SNEs over the last twelve years.

(3) The secondment of national experts should enable the EEAS to benefit from their high level of knowledge and professional experience, in particular in areas where such expertise is not readily available within the EEAS itself. In order to achieve these objectives, it is appropriate to determine conditions for the secondment of SNEs which ensure that they have the necessary expertise at the appropriate level. It is also necessary to ensure that the seconded experts are actively linked to their parent national administration or organisation.

(4) While the EEAS should prioritise attracting expert knowledge from public administrations of EU Member States, it may also be in the interest of the service to accept, in exceptional cases, staff from international organisations or from non-profit organisations from EU Member States, such as research centres, universities or think tanks. It may also be in the interest of the service to accept staff from non-EU countries. Such exceptional secondments should be considered carefully, so as to ensure that the interests of the EU are not compromised by private or other interests.

(5) Rules on the selection of SNEs should ensure greater transparency, adequate geographical and gender balance, and a merit-based selection process.

(6) The conditions of employment of SNEs should ensure their full integration in the EEAS, without prejudice to the specificities of their status. In this context, line managers should be encouraged to organise a yearly dialogue with SNEs under their responsibility, in order to provide them with feedback on their performance and to exchange about their working environment.

(7) An emphasis should be put on ethics and in particular on the prevention of conflicts of interests that may be identified either during the selection process, the exchange of letters or during the period of secondment. Such obligations should be similar to those for EEAS officials under the Staff Regulations of Officials of the European Union (the 'Staff Regulations'), in order to ensure that SNEs carry out their duties solely in the interests of the EEAS.

(8) Provisions regarding the suspension and termination of the secondment should be foreseen with the purpose of providing greater clarity.

([1]) OJ L 201, 3.8.2010, p. 30.

(9) It is appropriate to allow SNEs to benefit from parental leave under their national or employer rules, by means of an unpaid suspension of the secondment.

(10) Taking account of the duty of care of the EEAS, a more efficient protection of SNEs against psychological and sexual harassment in the meaning of Article 12(a)(3) and (4) of the Staff Regulations of Officials of the European Union should be set out. The rules applicable at the EEAS to officials on requests for assistance under Article 24 of the Staff Regulations and their implementing provisions should be applicable by analogy to SNEs.

(11) The employer remains primarily responsible for any subsistence or living conditions allowances for the periods of secondment of national experts to the EEAS; consequently, it is appropriate to foresee allowances to be granted by the EEAS to SNEs only insofar as no equivalent allowances are already paid by the employer. In case of any duplication, it is for the EEAS to deduct the equivalent amounts served at national level from allowances granted by the EEAS or recover accordingly, in part or in full, the allowances foreseen in this Decision.

(12) The entitlement to daily allowances should be based on the same eligibility criteria as the expatriation allowance for EEAS officials referred to in Article 4 of Annex VII to the Staff Regulations.

(13) Special provision should be made for SNEs assigned to Union Delegations. Differences of treatment between SNEs from different institutions in Union Delegations should be avoided as much as possible, unless such differences of treatment are duly justified and proportionate.

(14) In the event of a country evacuation, reference should be made to the financial and administrative measures applicable to SNEs.

(15) The diplomatic status of SNEs should be determined taking account of whether the secondment takes place in the EEAS Headquarters or in a Union Delegation.

(16) Special provisions should be made for military staff seconded to the EEAS to join the European Union Military Staff ('EUMS') or the Managing Directorate for Peace, Security and Defence.

(17) Military and non-military seconded staff should, in principle, be subject to similar rules pertaining to the duration of the secondment, as well as to the cooling-off period.

(18) The secondment of Junior Diplomats having less than three years of professional experience in diplomatic services of EU Member States should be made possible in order to raise their awareness of EU foreign policies and provide them with an opportunity to better understand the working methods of the EEAS and the decision-making processes of the EU in the area of foreign relations.

(19) The secondment of Close Protection Officers ('CPOs') to a Union Delegation should be foreseen, in particular to cater for cases where recourse to private security companies is not possible or appropriate, including due to restrictions under local law. The seconded Close Protection Officers should, in general, be granted the diplomatic title of 'Attaché', unless agreed differently for each individual case.

(20) Provisions should be made regarding the rules applicable to the selection and secondment of Military Advisers.

(21) The secondment of Security Forces Personnel to the EUMS Watchkeeping Capability should be foreseen, following the progressive opening by EU Member States of security functions, previously reserved for military staff, to non-military personnel with similar expertise.

(22) It should be clarified that all SNEs remain subject to their national disciplinary rules,

HAS DECIDED AS FOLLOWS:

CHAPTER I

GENERAL PROVISIONS

Article 1

Scope and definitions

1. This Decision applies to national experts seconded to the European External Action Service ('EEAS') by public administrations of EU Member States, hereinafter referred to as seconded national experts ('SNEs').

2. In exceptional cases, authorised in the interest of the service by the Director-General for Resource Management referred to in Article 4(3)(a), second subparagraph, of the Council Decision 2010/427/EU (the 'Director-General for Resource Management'), this Decision shall also apply to experts seconded to the EEAS by:

(a) public administrations of non-EU countries; or

(b) international organisations; or

(c) non-profit organisations established in EU Member States, such as research centres, universities and think tanks.

Experts whose secondment is authorised under this paragraph shall, for the purposes of this Decision, also be referred to as 'SNEs'.

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

— 'Union Delegation' means a Delegation or representative Office of the EU to a third country or to an international organisation, in the meaning of Article 221 of the Treaty on the Functioning of the European Union ('TFEU');

— 'Employer' means the public administration of the EU Member State or the non-EU country, or the international organisation, or the non-profit organisation that employs the expert seconded to the EEAS in accordance with this Decision;

— 'Public administration' means all administrative services at central, federal and regional level of the Member State or non-EU country, including in particular ministries, government and parliament services and the administrative services of local authorities, agencies, as well as the decentralised administrative services of the State and of such authorities.

Article 2

Conditions for secondment

1. A candidate expert shall, on the date of sending their expression of interest for a secondment:

(a) have the nationality of an EU Member State, unless a derogation is granted by the Director-General for Resource Management for duly justified reasons in the interest of the service. Such a derogation may only be granted for SNEs assigned to posts in Brussels;

(b) have a level of education which corresponds to completed university studies of at least three years attested by a diploma, or, where justified in the interest of the service, professional training of an equivalent level;

(c) have at least three years' full-time experience of administrative, scientific, technical, advisory or supervisory functions equivalent, as appropriate, to those of function groups AD or AST in the Staff Regulations of Officials of the European Union (the 'Staff Regulations');

(d) be in the active service of their employer on a permanent or contract basis;

(e) have the capacity to work in the languages of the Common Foreign and Security Policy ('CFSP') and external relations ([2]) at a level necessary for the performance of their duties, unless otherwise provided in an administrative arrangement on the secondment of specific categories of SNEs;

(f) comply with the rules on security clearance requirements applicable to the EEAS ([3]).

2. Non-compliance by an SNE with any of these conditions during their secondment shall entitle the EEAS to terminate the secondment pursuant to Article 10(2)(b).

3. The EEAS shall examine whether candidates have any actual or potential conflict of interest or personal interest such as to impair their independence. To that end, candidates, using a dedicated form, shall inform the EEAS of any actual or potential conflict of interest, taking also into account their professional situation and their family circumstances, in particular the professional activities of their family or their own or their family's financial interests. On the basis of the assessment conducted, the EEAS may decide not to proceed with the secondment.

Article 3

Selection

1. The EEAS accepts the secondment of SNEs subject to its specific requirements and budgetary possibilities.

2. The Director-General for Resource Management shall authorise the publication of a call for expression of interest for an SNE position, after verification of the available budget allocation for the position. The call for expression of interest shall be sent to the Permanent Representations of the EU Member States and/or, where applicable, to the entities referred to in Article 1(2). The call for expression of interest shall indicate the post number, the job description, the place of secondment, the conditions for secondment, the eligibility and selection criteria and the deadline for the submission of expressions of interest.

3. The selection procedure shall be conducted by a selection panel appointed by the Head of the Division in charge of selection and recruitment and chaired by the Head of Division or the Head of Delegation where the SNE is to be assigned. Each panel shall consist of no less than three members of staff of the EEAS at the appropriate level and shall include at least one man and one woman. The selection panel shall establish a list of candidates to be interviewed on the basis of the conditions set out in the call for expression of interest and in accordance with the equal opportunities policy of the EEAS. The selection panel shall submit its recommendations to the Director responsible for human resources, who shall take a final decision on the selection.

4. The EU Member States and the EEAS shall cooperate to ensure, as far as possible, that the secondment of SNEs to the EEAS is based on merit, whilst providing adequate geographical and gender balance, in particular to ensure a meaningful presence of nationals from all the EU Member States.

5. In exceptional circumstances duly justified and in the interest of the service, the Director-General for Resource Management may authorise the selection of an SNE without following the procedures set out in paragraphs 2 and 3.

6. The selection procedure for SNEs to be assigned to the EU Intelligence and Situation Centre ('EU INTCEN') shall be carried out jointly by the seconding intelligence or security service of the EU Member State concerned and EU INTCEN, according to the procedure laid down in the following subparagraph.

The EU Member State intelligence or security service concerned proposes, by official correspondence to EU INTCEN, an expert in a specific field of expertise, taking into account the needs of EU INTCEN, which will be periodically notified by EU INTCEN to all EU Member States. After having interviewed the proposed candidate, EU INTCEN submits its recommendation and sends all the required documentation, including the exchange of correspondence with the intelligence or security service, to the Director responsible for human resources, who takes a final decision on the selection.

([2]) English and French.

([3]) Decision ADMIN(2025) 42 of the Secretary-General of the European External Action Service of 20 November 2025 on Implementing Rules and Procedures for Personnel Security measures for protection of EU Classified Information.

Article 4

Exchange of letters

1. The secondment of an expert to the EEAS shall be implemented by an exchange of letters between the Director responsible for human resources and the employer of the expert represented for this purpose by the Permanent Representation of the EU Member State concerned, or, where applicable, the authority of the country or organisation listed under Article 1(2) empowered for this purpose.

2. The exchange of letters shall determine the place(s) of origin and secondment as referred to in Article 6(1), the job description, whether prior training is mandatory, the level of security clearance required, the obligations of the employer and the duration of the secondment including, where appropriate, the indicative start date of the secondment. The exchange of letters shall also specify whether the secondment is cost-free pursuant to Chapter V or co-financed between the EEAS and the employer.

3. In addition to the declaration of the SNE on actual or potential conflicts of interest pursuant to Article 2(3) and in accordance with the obligations set out in Article 8, the exchange of letters shall confirm that the employer has no knowledge of any potential or actual conflict of interest.

4. In the exchange of letters, the employer shall commit to maintaining the SNE in employment, together with their corresponding salary and social rights (including social security in accordance with Article 11, sickness insurance and pension rights), throughout the secondment, and abstaining from instructing or requesting information from the SNE as regards their work with the EEAS in whatever form, unless that information is already lawfully made public.

Article 5

Duration of secondment

1. Notwithstanding any indicative date that may be mentioned in the exchange of letters under Article 4, the start date of the secondment shall be the first day of service at the place of secondment. This date shall be formally communicated to the employer and the SNE by the Head of the Division in charge of selection and recruitment.

2. The initial period of the secondment shall not exceed two years and may be extended successively up to a period not exceeding four years in total. At the request of the relevant Managing Director or equivalent, the Director responsible for human resources may authorise, in exceptional cases and in the interest of the service, one or more extensions of the secondment for a maximum of two more years at the end of the four-year period. The total maximum duration of the secondment shall in no case exceed six years.

3. The extension of the secondment referred to in paragraph 2 shall be agreed by a new exchange of letters.

4. A period of no less than two years shall elapse between the end of the previous period of secondment of an expert and their new secondment to the EEAS.

By derogation from the preceding subparagraph, the Director responsible for human resources may exceptionally accept the secondment of an expert less than two years after the end of their first period of secondment when that first period of secondment lasted for less than six years. In that case, the new secondment shall not exceed the unexpired part of the total six-year period.

Article 6

Places of secondment and origin

1. For the purposes of this Decision:

(a) the 'place of secondment' shall be the place where the SNE is required to perform duties for the EEAS, determined by analogy with Article 20 of the Staff Regulations and its implementing provisions adopted by the EEAS; it shall thus be Brussels, or the place where the Union Delegation to which the SNE will be assigned is located;

(b) the 'place of origin' shall be the headquarters of the employer.

2. The place of secondment and the place of origin shall be determined in the exchange of letters under Article 4. Without prejudice to paragraph 3, a change in the place of secondment may be agreed by a further exchange of letters, after having heard the SNE concerned.

3. In the event of an evacuation of a Union Delegation ordered by the Security Authority of the EEAS in accordance with the relevant security rules of the EEAS ([4]), the place of secondment may be changed by the Head of the Division in charge of selection and recruitment, after taking account of the decision of the Security Authority of the EEAS on the place of evacuation. As referred to in Article 23(3), additional financial and administrative measures may be adopted by the EEAS in case of evacuation of an SNE from the place of secondment. The employer shall be informed of any change to the place of secondment.

4. Following a change in the place of secondment pursuant to paragraphs 2 or 3, the EEAS may adapt the allowances and expenses in accordance with Chapters III and IV, and pursuant to the agreed terms of the secondment.

Article 7

Job description, tasks and duties

1. The SNE shall assist the EEAS and carry out the tasks and duties assigned to them in accordance with the job description determined in the exchange of letters under Article 4. Changes to the job description or the post during the secondment may be agreed by a further exchange of letters after having heard the SNE concerned.

2. The SNE shall assist and tender advice to the line manager to whom they are assigned and shall be responsible to their line manager for the performance of the assigned tasks and duties.

3. The EEAS may require the SNE to carry out short-term missions or attend meetings outside the place of secondment.

4. Unless authorised by the Director responsible for human resources acting on the proposal of the Managing Director of the service to which the SNE is assigned, the SNE shall not represent the EEAS with a view to entering into commitments, whether financial or otherwise, on behalf of the EEAS.

5. The line manager may organise a yearly dialogue with the SNE in order to provide feedback to the SNE on their performance and to exchange about the working environment, objectives or upcoming work challenges.

Article 8

Rights and obligations of SNEs

1. During the secondment, the SNE shall:

(a) be entitled to the working conditions, allowances and expenses set out in Chapters II, III and IV, unless otherwise provided;

(b) carry out their tasks and duties and conduct themselves solely in the interests of the Union. They shall neither seek nor take instructions from, or undertake activities for, their employer or any government, organisation or person outside the EEAS. They shall carry out the duties assigned to them objectively, impartially and in keeping with their duty of loyalty to the Union;

([4]) Currently in force: Decision ADMIN(2023) 18 of the High Representative of the Union for Foreign Affairs and Security Policy of 19 June 2023 on the security rules for the EEAS; Decision ADMIN(2015) 33 of the High Representative of the Union for Foreign Affairs and Security Policy of 14 September 2015 on the exercise, delegation and sub-delegation of powers regarding Staff, Financial and Administrative matters within the EEAS; Decision ADMIN(2015) 34 of the Secretary-General of 14 September 2015 on the exercise and sub-delegation of security functions in the EEAS; Decision DEC(2014) 008 of the Chief Operating Officer of the EEAS of 11 April 2014 on the exercise by the EEAS of its duty of care responsibility for staff in Union Delegations in case of country evacuation.

(c) immediately inform their line manager if, in the performance of their duties, they become aware of an actual or potential conflict of interest, or are called upon to give a decision on the handling or the outcome of a matter in which, directly or indirectly, they have a personal interest such as to impair their independence, and, in particular, professional activities of their family or their own or their family's financial interests;

(d) refrain from any action, public expression of opinion or behaviour which may adversely reflect upon their position at the EEAS;

(e) refrain from any form of psychological or sexual harassment;

(f) refrain from any outside activity, whether paid or unpaid, unless express authorisation is granted by the employer and by the Director-General for Resource Management, after having consulted the line manager. Authorisation shall be refused by the Director-General for Resource Management in case of refusal of the employer, or if the activity in question is such as to interfere with the performance of their duties or is incompatible with the interests of the EEAS or, more generally, of the Union;

(g) refrain from any unauthorised disclosure of information received in their line of duty or in connection with their duties, unless that information has been made public or is otherwise accessible to the public or unless prior authorisation is granted by the Director responsible for human resources. The SNE shall seek to obtain documents or information only when it is directly relevant and necessary for the performance of their professional duties within the EEAS, or unless authorised by the line manager. The SNE has the right to freedom of expression, with due regard for the principles of loyalty and impartiality, and permission shall thus be refused only where the intended publication is liable to prejudice the interests of the Union. All rights on any work done by an SNE in the performance of their duties shall be the property of the EEAS;

(h) reside at the place of secondment, or at no greater distance therefrom that is compatible with the proper performance of their duties;

(i) comply with the security rules in force at the EEAS;

(j) comply with any legal and tax obligations in the receiving State.

2. The duty of discretion under paragraph 1(g) shall continue to apply after the end of the secondment. If the SNE is not reintegrated in the service of their employer, the SNE shall inform the EEAS in writing.

3. Should the SNE fail to comply with the obligations under this article during or, where relevant, after the end of their secondment, the EEAS may inform the employer and, if the secondment is still ongoing, may terminate it in accordance with Article 10(2)(b).

Failure to comply with the obligations under this article may be taken into account for the purposes of Article 28(c) of the Staff Regulations and of Articles 12(2)(c) and 82(3)(c) of the Conditions of Employment of Other Servants of the EU, in the event of future applications submitted by the SNE within the three years following the end of their secondment.

4. SNEs whose place of secondment is Brussels shall not be considered as members of a diplomatic mission and shall therefore not benefit from corresponding privileges and immunities foreseen in establishment agreements, except if unilaterally decided otherwise by Belgian authorities.

Article 9

Suspension of secondment

1. The Director responsible for human resources may suspend, on its own initiative, the secondment in the interest of the service, after having heard the SNE concerned. The employer shall be duly notified.

Upon a reasoned request by the SNE and after consulting the employer, the Director responsible for human resources may suspend the secondment for a period of no less than one month and no more than three months.

In both cases, the decision to suspend the secondment shall specify the terms applicable to the suspension.

2. The allowances referred to in Articles 12(4), 17, 23(2) and (3), the complementary insurance for accidents referred to in Article 11(3) and the health care insurance referred to in Article 40(3) shall not be payable during the period of suspension of the secondment.

3. The duration of the suspension of the secondment shall be counted as part of the duration of the secondment determined in the exchange of letters under Article 4 and shall not go beyond the duration of the secondment initially agreed in this exchange of letters.

4. By derogation from paragraph 3 and without prejudice to Articles 13 and 15, on its own initiative or upon reasoned request by the SNE or by the employer, the Director responsible for human resources may, after taking into account the interest of the service and subject to the agreement of the employer, authorise the extension of the secondment for a period of up to three months corresponding to the duration of the suspension.

Article 10

Termination of secondment

1. The Director responsible for human resources may terminate the secondment with a three-month notice:

(a) in the interest of the service, after having heard the SNE and notified the employer; or

(b) upon request by the SNE and after having consulted the employer.

The secondment may also be terminated by decision of the employer.

2. In exceptional circumstances, the Director responsible for human resources may terminate the secondment of an SNE without notice:

(a) upon a duly justified request by the SNE on grounds of relevant personal or professional interests, and after having consulted the employer; or

(b) after consulting the relevant Managing Director or equivalent and after having heard the SNE, in case of non-compliance by the SNE with any of the conditions for secondment set out in Article 2 or in the event of an intentional or negligent failure by the SNE to comply with their obligations under this Decision, the conditions set out in the exchange of letters, or, where appropriate, in an administrative arrangement. The employer shall be duly notified.

The secondment may also be terminated without notice by decision of the employer, unless otherwise provided in an administrative arrangement.

CHAPTER II

WORKING CONDITIONS

Article 11

Social security

1. Before the secondment begins, the employer shall certify to the EEAS that, throughout the duration of the secondment, the SNE shall remain subject to the social security legislation applicable to the public administration or entity referred to in Article 1(2) which employs the SNE.

To this end, for SNEs covered by social security schemes referred to in Regulation (EC) No 883/2004 ([5]), the employer shall provide the Director responsible for human resources with the attestation referred to in Article 19(2) of Regulation No 987/2009 ([6]).

([5]) Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems (OJ L 166, 30.4.2004, p. 1).

([6]) Regulation (EC) No 987/2009 of the European Parliament and of the Council of 16 September 2009 laying down the procedure for implementing Regulation (EC) No 883/2004 on the coordination of social security systems (OJ L 284, 30.10.2009, p. 1).

For other SNEs whose place of origin is not located in an EU Member State, the employer shall provide the Director responsible for human resources with an attestation equivalent to that foreseen under Article 19(2) of Regulation No 987/2009 and which guarantees that the applicable social security legislation provides sufficient cover for the reimbursement of healthcare costs incurred abroad.

2. For SNEs to be assigned to a Union Delegation, the employer shall also certify that the SNE has an insurance covering health care in the place of secondment, including repatriation costs on health grounds, and that personal belongings are insured against theft.

3. From the beginning of their secondment, SNEs shall be covered by the EEAS against the risk of accident by a complementary insurance policy. The EEAS shall provide SNEs with a copy of the terms of this cover on the day on which they report to the EEAS to complete the administrative formalities related to the secondment.

4. When additional or specific insurance is required for a mission foreseen under Article 7(3), the costs shall be borne by the EEAS.

Article 12

Working time

1. Without prejudice to Article 8(1)(h) on the obligation to reside at the place of secondment, the rules in force at the EEAS for officials as regards working time and flexible working arrangements shall apply by analogy to SNEs. Any reference to the Appointing Authority in these rules shall, for the purposes of this Decision, mean the Head of the Division responsible for time management.

2. SNEs shall serve on a full-time basis throughout the duration of the secondment.

Subject to compatibility with the interest of the service, the Head of the Division responsible for time management may authorise part-time work for an SNE, after having consulted the employer. The authorisation to work part-time shall not give rise to any extension of the duration of the secondment.

3. Where part-time work is authorised, SNEs shall be entitled to allowances under this Decision reduced on a pro-rata basis. Annual leave as per Article 14 shall also be reduced on a pro-rata basis.

4. The Director responsible for human resources may authorise the payment to SNEs of specific allowances for shiftwork or standby duty by analogy with the rules in force at the EEAS for officials.

Article 13

Absence for reasons of sickness or accident

1. Without prejudice to paragraphs 2 and 3, the rules in force at the EEAS for officials regarding leave on grounds of sickness or accident ('sick leave') shall apply to SNEs. Any reference to the Appointing Authority in these rules shall, for the purposes of this Decision, mean the Head of the Division responsible for time management.

2. Except in the event of illness linked to pregnancy, and without prejudice to Article 23(2), second indent, where the period of sick leave exceeds three months or the period of service performed by the SNE at the EEAS, whichever is the longer, the payment of the allowances provided for in Articles 12(4) and 17 shall be automatically suspended. In such cases, the employer shall be notified by the EEAS. Sick leave may not extend beyond the duration of the secondment of the SNE concerned.

3. An SNE who is the victim of a work-related injury which occurs during the secondment shall continue to receive in full the allowances provided for in Articles 17 and 23(2) throughout the period during which they are unfit for work and up to the end of the duration of the secondment.

Article 14

Annual leave, special leave and holidays

1. Without prejudice to paragraph 2, the rules in force at the EEAS on annual leave, special leave and holidays for officials shall apply to SNEs by analogy. Any reference to the Appointing Authority in these rules shall, for the purposes of this Decision, mean the Head of the Division responsible for time management.

2. Upon a duly justified request from the employer, up to three days of additional special leave in a 12-month period may be granted by the Head of the Division responsible for time management, after having consulted the SNE's line manager.

3. Days of annual leave not taken by the end of the secondment shall be forfeited and shall not give rise to a right to monetary compensation.

4. SNEs are entitled to days of home leave, calculated on a yearly basis, for the purpose of visiting their place of origin as per Article 6(1)(b). The duration of such leave is calculated on the basis of the geographical distance between the place of secondment and the place of origin and by analogy with the rules for EEAS officials implementing Article 7 of Annex V to the Staff Regulations.

Article 15

Maternity and parental leave

1. The rules in force at the EEAS on maternity leave for officials shall apply by analogy to SNEs. Any reference to the Appointing Authority in these rules shall, for the purposes of this Decision, mean the Head of the Division responsible for time management.

2. Where the national legislation or the relevant rules applicable to the employer grants longer maternity leave than the rules in force at the EEAS, the secondment may, upon a reasoned request by the SNE, be suspended in accordance with paragraphs 1, 2 and 3 of Article 9, for the period exceeding that granted by the EEAS.

3. Upon a reasoned request by the SNE, and by derogation from Article 9(3), the Director responsible for human resources may, after taking into account the interest of the service and subject to the agreement of the employer, authorise the extension of the duration of the secondment for a period equivalent to that of the maternity leave under paragraphs 1 and 2.

4. If the national legislation or rules applicable to the employer foresee parental leave, an SNE may submit a reasoned request to take such leave. Upon consultation of the employer and taking into account the interest of the service, the Head of the Division responsible for time management may authorise parental leave and suspend the secondment for a duration of up to six months. Paragraph 3 shall apply by analogy to parental leave.

Article 16

Management and control of leave and working time

Without prejudice to specific provisions in this Decision regarding time management, the approval and monitoring of compliance with the applicable rules on leave, time management and flexible working arrangements shall be the responsibility of the line manager of the SNE or, where applicable, the Head of Delegation, by analogy with the rules applicable at the EEAS to officials. Any reference to the Appointing Authority in these rules shall, for the purposes of this Decision, mean the Head of the Division responsible for time management.

CHAPTER III

ALLOWANCES AND EXPENSES

Article 17

Allowances

1. An SNE shall be entitled to a monthly allowance throughout the duration of the secondment for transport costs, to account for the geographical remoteness between the place of origin and the place of secondment. Without prejudice to updates under paragraphs 6 and 7, the amount of this allowance is set in accordance with the following table:

Distance between place of origin and place of secondment (km)	Amount in euros
0-150	0,00
> 150	116,11
> 300	206,42
> 500	335,47
> 800	541,91
> 1 300	851,57
> 2 000	1 019,33

2. An SNE shall also be entitled to a daily allowance throughout the duration of the secondment, subject to the same criteria as the expatriation allowance for EEAS officials referred to in Article 4(1) of Annex VII to the Staff Regulations. If those criteria are met, the daily allowance shall be EUR 180,65, without prejudice to updates of this amount under paragraphs 6 and 7.

This daily allowance is intended as a subsistence allowance to cover the SNE's living expenses at the place of secondment. One half of the daily allowance is intended to cover accommodation costs linked to a temporary residence at the place of secondment, whereas the other half of this allowance is intended to cover other subsistence expenses at the place of secondment.

3. The daily and monthly allowances under paragraphs 1 and 2 shall be paid monthly, no later than the last day of the month, on a flat-rate basis, and shall not be construed as remuneration paid by the EEAS. These allowances shall be payable for each calendar day of the period of secondment, including during periods of annual leave, special leave and holidays under Article 14, periods of maternity leave under Article 15(1) and during missions under Article 7(3). They shall not be paid during periods of suspension of the secondment under Article 9 and Article 15(2) and (4). The competent authority authorising the payment of the daily and monthly allowances under paragraphs 1 and 2 is the Head of the Division in charge of selection and recruitment.

4. Upon a motivated request of the SNE and taking account of the interest of the service, the Head of the Division in charge of selection and recruitment may authorise the disbursement to the SNE of an advance amount equivalent to 75 days of the daily and monthly allowances under paragraphs 1 and 2 and, where applicable, under Article 23(2) as of the start date of the secondment, whereupon entitlement to any further such allowances shall cease during the corresponding period. If the secondment ends before the expiry of the period taken into account to calculate the advance, the SNE shall return the amount corresponding to the remaining part of that period.

5. At the time of the exchange of letters under Article 4, the employer shall quantify and provide details of any payments other than salaries made to the SNE. Any changes to these payments during the course of the secondment shall be notified by the employer to the EEAS.

Where it is established that the SNE receives allowances from their employer whose nature and purpose is similar to that of the daily or monthly allowances referred to in paragraphs 1 and 2, to the living conditions allowance referred to in Article 23(2), to the financial measures referred to in Article 23(3), or to the shiftwork or standby duty allowances referred

to in Article 12(4), the EEAS shall deduct or recover, in accordance with Article 48, the corresponding allowances paid by the EEAS during the secondment. The deduction or recovery of the daily allowance shall not exceed the corresponding part of that allowance having the same nature and purpose. Where only part of the allowances granted by the employer is similar to those normally granted by the EEAS, the amount corresponding to the similar part of the allowances granted by the employer shall be deducted or recovered from the amount paid by the EEAS.

6. The daily and monthly allowances under paragraphs 1 and 2 shall be subject to the weighting set pursuant to Article 64 of the Staff Regulations, as updated annually.

7. The adjustments to the remuneration of EEAS officials resulting from the implementation of Article 65 of the Staff Regulations shall be applied, *mutatis mutandis*, to the daily and monthly allowances under paragraphs 1 and 2 as of the month following their entry into effect. The Director-General for Resource Management shall be responsible for implementing this provision and shall inform the SNEs of the new amounts through the EEAS Intranet website.

8. Costs related to nurseries and after-school centres managed by the early childhood centre of the European Commission or by any other EU institution, as well as transportation costs to school, shall not be covered by the EEAS. Schooling costs related to the enrolment in a European School Type I shall be covered by the EEAS in compliance with the Convention defining the Statute of the European Schools of 21 June 1994 ([7]).

Article 18

Travel expenses

1. An SNE shall be entitled to a reimbursement of travel expenses, upon presentation of the proof of purchase, at the beginning of the secondment between the place of origin and the place of secondment, and at the end of the secondment, between the place of secondment and the place of origin, unless:

(a) the secondment has been agreed on a cost-free basis as per Article 24; or

(b) the place of secondment is the same as the place of origin; or

(c) the SNE is already resident in the place of secondment immediately prior to the secondment; or

(d) the SNE is entitled to reimbursement for the travel expenses by the employer.

2. By way of derogation from paragraph 1, an SNE who establishes that they will relocate to a place other than their place of origin at the end of their secondment shall be entitled to reimbursement of the travel expenses to that new place. However, this reimbursement may not exceed the amount that would have been paid had the SNE returned to their place of origin.

3. Travel expenses shall be reimbursed by the EEAS, upon authorisation by the Head of the Division in charge of selection and recruitment, by analogy with the rules applicable at the EEAS to officials, pursuant to Article 7(2) of Annex VII to the Staff Regulations and its implementing provisions adopted by the EEAS.

Article 19

Mission expenses

Mission expenses shall be reimbursed by the EEAS by analogy with the rules applicable at the EEAS to officials, and in particular with Articles 11 and 12 of Annex VII to the Staff Regulations and their implementing provisions adopted by the EEAS.

([7]) Convention defining the statute of the European schools (OJ L 212, 17.8.1994, p. 3).

Article 20

Training

An SNE may be offered or required by their line manager to attend training courses organised by the EEAS. Training courses shall be determined in accordance with the interest of the EEAS, while also taking account of the personal interests of the SNE, having regard in particular to the performance of their professional duties.

Article 21

Administrative formalities

1. An SNE whose place of secondment is Brussels shall report to the Directorate responsible for human resources on the first day of secondment to complete the requisite administrative formalities.

2. An SNE whose place of secondment is a Union Delegation shall report to the Head of Delegation on the first day of secondment to complete the requisite administrative formalities.

3. The payment of allowances under Articles 12(4), 17 and 23 and expense reimbursements under this Decision shall be made by the EEAS, in euros, by transfer to a bank account with a banking institution in an EU Member State.

4. Upon request of the SNE, the Head of the Division responsible for selection and recruitment may deliver a secondment certificate.

CHAPTER IV

SNEs ASSIGNED TO UNION DELEGATIONS

Article 22

Rules applying to SNEs assigned to Union Delegations

1. Subject to the rules set out in this Chapter, the provisions of this Decision shall apply to SNEs assigned to Union Delegations.

2. For SNEs assigned to a Union Delegation, the EEAS shall take the necessary measures for them to be notified to the receiving State in line with the Article 10(1)(a) of the Vienna Convention on Diplomatic Relations of 18 April 1961 and receive diplomatic privileges and immunities, as members of the diplomatic staff of the Delegation, pursuant to the establishment agreement of that Delegation in the receiving State.

3. As a general rule, SNEs shall not be assigned to Union Delegations in confined compounds, unless such assignment is justified taking account of the security interests of the Union.

4. The EEAS shall cooperate with the relevant authorities of the receiving State where the Union Delegation is located in order to obtain all authorisations necessary for the SNEs to fulfil their duties. The start date of the secondment of the SNE as per Article 5(1) in a Union Delegation is subject to the delivery of such authorisations and/or the fulfilment of entry visa requirements set by the relevant authorities of the receiving State, in order to allow the SNE to take up duties in the place of secondment.

If any of these authorisations and/or visa is denied or not obtained within a reasonable time that takes account of the interest of the service, the Director responsible for human resources shall withdraw the secondment offer. In exceptional circumstances and in the interest of the service, the Director responsible for human resources may, instead, determine another place of secondment through a further exchange of letters.

Article 23

Allowances and expenses

1. The Head of the Division in charge of selection and recruitment may, upon request by the SNE, authorise the allowances under Articles 17 and 23(2), and expense reimbursements under this Decision, to be paid in the currency of the place of secondment or, in exceptional and duly justified cases and in order to maintain purchasing power, in another currency. The allowances shall then be subject to the weighting provided for in Article 12 of Annex X to the Staff Regulations, as applied by analogy and converted at the corresponding monthly average exchange rate as published in the *Official Journal of the European Union*.

2. The living conditions allowance determined for officials in accordance with Article 10 of Annex X to the Staff Regulations and its implementing provisions adopted by the EEAS shall be applied by analogy to SNEs assigned to Union Delegations in third countries. The daily allowance referred to in Article 17(2) shall constitute the reference amount in the meaning of Article 10 of Annex X to the Staff Regulations.

The Director responsible for human resources shall suspend the right to the living conditions allowance in cases of prolonged absence in excess of one month from the place of secondment for reasons other than annual leave, unless exceptional circumstances apply, or a dependent family member is present at the place of secondment. The suspension shall apply for the period of absence in excess of one month. In such cases, the living conditions allowance shall be reduced by one thirtieth for each day of absence from the place of secondment, starting on the date of suspension.

3. By analogy with the rules applicable at the EEAS to officials, in case of an evacuation of a Union Delegation, the Head of the Division responsible for evacuations may adopt financial and administrative measures applicable to SNEs, including where appropriate to 'cost-free SNEs' as defined under Article 24(2) and unless otherwise provided in an exchange of letters; these measures may include travel expenses, temporary reimbursement of accommodation at the place of evacuation, daily evacuation allowances, living conditions allowance, rest leave, removals and storage, coverage of schooling fees at the place of evacuation, time management and teleworking, missions and alternate working arrangement.

The employer shall be informed of the financial and administrative measures adopted. The employer shall inform the EEAS of any payments made to the SNEs which have in essence a similar nature and purpose to such financial and administrative measures.

4. Accommodation shall, in principle, not be provided by the EEAS and accommodation costs shall be covered by SNEs with the daily and monthly allowances referred to in Article 17(1) and (2).

5. By derogation from the preceding paragraph, where necessary for the security interests of the service, the Security Authority of the EEAS may make available accommodation in confined compounds or similar dedicated solutions, in accordance with the relevant security rules of the EEAS. In such cases, the related accommodation costs may be fully or partly borne by the EEAS, in accordance with terms set out in an exchange of letters between the EEAS and the employer.

6. Travel expenses of the SNE incurred for the purpose of the issuance of a laissez-passer within the meaning of Council Regulation (EU) No 1417/2013 of 17 December 2013 laying down the form of the laissez-passer issued by the European Union ([8]) and/or in order to attend compulsory pre-assignment training, shall be reimbursed under the conditions set out in Article 18, unless the SNE is entitled to reimbursement for such travel expenses by the employer.

In addition to the reimbursement of the travel expenses referred to in the preceding paragraph, accommodation and subsistence expenses incurred by SNEs in Brussels during the authorised period of travel for the issuance of a laissez-passer and/or in order to attend compulsory pre-assignment training, shall be reimbursed on production of invoices and/or supporting documents, unless the SNE is entitled to reimbursement for such accommodation and subsistence expenses by the employer. Such reimbursement by the EEAS shall be in any case no more than the daily limits provided for in Article 13(2)(a) of Annex VII to the Staff Regulations.

The competent authority authorising the payment of such reimbursements is the Head of the Division in charge of selection and recruitment.

([8]) OJ L 353, 28.12.2013, p. 26.

CHAPTER V

NATIONAL EXPERTS ON COST-FREE SECONDMENT

Article 24

'Cost-free SNEs'

1. Subject to the rules set out in this Chapter, the provisions of this Decision shall apply to 'cost-free SNEs'.

2. For the purposes of this Decision and without prejudice to any different agreement between the EEAS and the employer, a '*cost-free SNE*' shall mean an SNE for whom, unless otherwise provided, the EEAS does not pay any of the allowances provided for in Articles 17 and 23(2), and does not cover any of the reimbursement of expenses provided for in this Decision other than those foreseen in Article 17(8) and those related to the performance of their duties during their secondment under Articles 19 and 20. Article 23(5) shall apply to 'cost-free SNEs'.

3. The Director-General for Resource Management may, on request by the relevant Managing Director or equivalent, authorise the secondment of 'cost-free SNEs' to the EEAS in the interest of the service, on a case-by-case basis, taking into consideration, in particular, the purpose of their secondment, the nature of their expertise, the work to be carried out and the geographical balance of staff in the EEAS.

CHAPTER VI

SECONDED NATIONAL MILITARY STAFF

Article 25

Rules applying to seconded military staff

1. Subject to the rules set out in this Chapter, the provisions of this Decision shall apply to:

(a) seconded military staff assigned to the European Union Military Staff ('EUMS') pursuant to the Council Decision 2001/80/CFSP of 22 January 2001 on the establishment of the Military Staff of the European Union ([9]), as amended by Council Decisions 2005/395/CFSP ([10]) and 2008/298/CFSP ([11]) (the 'Council Decision 2001/80/CFSP, as amended');

(b) seconded military staff assigned to the Managing Directorate for Peace, Security and Defence of the EEAS ('MD-PSD').

2. Without prejudice to the preceding paragraph, the Director-General of the EUMS and the Managing Director responsible for the MD-PSD may determine additional arrangements for seconded military staff to be assigned to their respective service.

Article 26

Conditions for secondment

1. Seconded military staff shall be on paid service in the armed forces of an EU Member State throughout their secondment.

2. The Director-General for Resource Management may authorise the secondment to the EEAS of a member of the armed forces of an EU Member State who does not fulfil the conditions set out in subparagraphs (b) and (e) of Article 2(1) but who has a relevant professional experience at administrative or advisory level and shows a high degree of expertise in an area required for the EEAS.

([9]) OJ L 27, 30.1.2001, p. 7.
([10]) Council Decision 2005/395/CFSP of 10 May 2005 amending Decision 2001/80/CFSP on the establishment of the Military Staff of the European Union (OJ L 132, 26.5.2005, p. 17).
([11]) Council Decision 2008/298/CFSP of 7 April 2008 amending Decision 2001/80/CFSP on the establishment of the Military Staff of the European Union (OJ L 102, 12.4.2008, p. 25).

Article 27

Selection of military staff seconded to the MD-PSD

1. In accordance with the level of the vacant position, the Managing Director responsible for the MD-PSD or the Director of the service with the vacant position shall authorise the publication by the EUMS of a call for expression of interest in the EUMS Manning and Turnover Report.

2. The selection procedure shall be conducted:

— by a selection panel whose members are appointed by the Head of the Division of Human Resources in charge of selection and recruitment, and which is chaired by the Head of the Division in which the seconded military staff member is to be assigned; or

— in the event of the selection of a Senior Military Adviser or a Personal Staff Officer to the Senior Military Adviser, by a selection panel whose members are appointed by the Director-General for Resource Management and which is chaired by the Managing Director responsible for the MD-PSD.

In both cases, the selection panel shall consist of no less than five members of staff of the EEAS at the appropriate level, including the chairperson, one AD official from the MD-PSD, at least one military representative from the EUMS and one member from another division. The selection panel shall include at least one man and one woman.

3. The selection panel shall establish a list of candidates to be interviewed on the basis of the conditions set out in the call for expression of interest and in accordance with the equal opportunities policy of the EEAS.

4. The selection panel shall submit its recommendations for a final decision on the selection to be taken:

— by the Managing Director responsible for the MD-PSD or by the Director of the service with the vacant position; or

— in the event of the selection of a Senior Military Adviser or a Personal Staff Officer to the Senior Military Adviser, by the European Union Military Committee ('EUMC').

Article 28

Exchange of letters

1. For seconded military staff, the exchange of letters under Article 4 shall be as follows:

(a) for the secondment of a member of the armed forces of an EU Member State as Director-General of the EUMS, Deputy Director-General of the EUMS, Director of the EUMS or Senior Military Adviser or Personal Staff Officer to the Senior Military Adviser at the MD-PSD of the EEAS: between the Director-General for Resource Management and the Permanent Representation of the EU Member State concerned;

(b) for all other secondments of seconded military staff assigned to the EUMS: between the Director-General of the EUMS and the Permanent Representation of the EU Member State concerned;

(c) for seconded military staff assigned to the MD-PSD: between the Director responsible for human resources and the Permanent Representation of the EU Member State concerned;

(d) for seconded military staff assigned to Union Delegations: between the Director responsible for human resources and the Permanent Representation of the EU Member State concerned.

2. The exchange of letters shall mention any condition to the participation of the seconded military staff member in missions.

Article 29

Duration of secondment

1. By derogation from Article 5(2), the initial duration of the secondment shall not exceed four years. The secondment may be further extended by decision of the competent authority under Article 28(1), insofar as its total duration does not exceed six years.

2. A period of no less than two years shall elapse between the end of the previous period of secondment of a member of military staff and their new secondment to the EEAS, unless, for SNEs assigned to the EUMS, a derogation is authorised by the Director-General of the EUMS, in exceptional cases and in the interest of the service.

Article 30

Tasks

1. Seconded military staff assigned to the EUMS or the MD-PSD shall fulfil the mission, carry out the tasks and perform the duties assigned to them in accordance with this Decision and their job specifications, and, for the seconded military staff assigned to the EUMS, also in accordance with the Annex to the Council Decision 2001/80/CFSP, as amended.

2. Unless otherwise specified by instruction of the EUMS or the MD-PSD, the limitation of representation powers set out in Article 7(4) does not apply to seconded military staff assigned to the EUMS or to the MD-PSD.

Article 31

Security clearance

The appropriate level of the seconded military staff member's security clearance shall be stipulated in the exchange of letters under Articles 4 and 28.

It shall not be lower than EU SECRET/SECRET UE.

Article 32

Suspension and termination of secondment

1. For the purposes of the suspension of the secondment pursuant to Articles 9, 13 and 15, the roles and powers of the Director responsible for human resources shall be exercised by the competent authority under Article 28(1).

2. For the purposes of the termination of the secondment pursuant to Article 10, the roles and powers of the Director responsible for human resources shall be exercised by the competent authority referred to in Article 28(1).

Article 33

Working hours

The second subparagraph of Article 12(2) shall not apply to seconded military staff.

Article 34

Special leave

1. For the purposes of granting the special leave provided for in Article 14(2), the roles and powers of the Director responsible for human resources shall be exercised by the competent authority under Article 28(1).

2. Unpaid additional special leave may be granted by the competent authority under Article 28(1) for training by the employer, subject to a duly reasoned request made by the employer.

Article 35

Allowances

The exchange of letters under Articles 4 and 28 may stipulate that the allowances referred to in Articles 12(4) and 17 shall not be paid to the seconded military staff member, and that expenses provided for in this Decision other than those foreseen in Article 17(8) and those related to the performance of their duties during their secondment under Articles 19 and 20 shall not be reimbursed by the EEAS.

CHAPTER VII

OTHER SECONDED EXPERTS

Section 1

TRAINING SECONDMENT FOR JUNIOR DIPLOMATS FROM EU MEMBER STATES

Article 36

Eligibility

1. For the purposes of this Chapter, 'Junior Diplomats' shall mean diplomats who have less than three years of professional experience in the diplomatic service of their EU Member State.

2. Subject to the terms and conditions set out in the exchange of letters under Article 4, Junior Diplomats may be eligible for a training secondment in Brussels or in a Union Delegation.

Article 37

Cost-free status

1. In the context of this Decision, Junior Diplomats shall be regarded as 'cost-free SNEs', in the meaning of Article 24, and are subject to the rules applicable to them.

2. When a Junior Diplomat is selected for a training secondment in a Union Delegation, the Head of the Division in charge of selection and recruitment may authorise the reimbursement of the travel expenses in accordance with Article 18, subject to budget availability.

Article 38

Implementing rules

The Director responsible for human resources may determine additional arrangements for training secondments for Junior Diplomats.

Section 2

CLOSE PROTECTION OFFICERS

Article 39

Secondment of Close Protection Officers

Close Protection Officers ('CPOs') have a high level of expertise in the field of armed protection that is not available among the staff of the EEAS. They may be seconded to the EEAS by EU Member States or by international organisations and assigned to a Union Delegation in order to ensure the security of certain staff members.

Article 40

Rules applying to seconded CPOs

1. Where appropriate, the Secretary-General of the EEAS may conclude framework administrative arrangements with the employer, represented by the relevant authorities of the EU Member State or the international organisation concerned, in order to set the rules and the conditions for the secondment of CPOs to the EEAS for assignment in Union Delegations.

2. The following rules shall apply to the secondment of CPOs:

— the provisions of this Decision, subject to the rules set out in this section,

— the terms and conditions set out in the exchange of letters under Article 4, and

— the administrative arrangements referred to in paragraph 1.

3. Subject to the provisions outlined in the administrative arrangements, the EEAS may cover the cost of the health care insurance referred to in Article 11(2).

Article 41

Conditions and duration of the secondment

1. By derogation from Article 2(1)(e), CPOs shall also be eligible if they have a thorough knowledge of one Union language and a satisfactory knowledge of a second language, preferably French or English, for the performance of their duties.

2. The duration of the secondment of CPOs shall be defined in the administrative arrangements referred to in Article 40(1) and in the exchange of letters under Article 4.

Article 42

Security clearance

The appropriate level of the seconded CPOs' security clearance shall be stipulated in the exchange of letters under Article 4.

It shall not be lower than EU SECRET/SECRET UE.

Section 3

MILITARY ADVISERS

Article 43

Rules applying to seconded Military Advisers

1. Military Advisers may be seconded by EU Member States to the EEAS for assignment to Union Delegations to provide their knowledge and military expertise.

2. Subject to the rules set out in this section, the provisions of this Decision shall apply to seconded Military Advisers.

3. The selection of seconded Military Advisers is subject to the procedure provided for seconded military staff assigned to the EUMS.

4. The secondment of Military Advisers is subject to the terms and conditions set out in the exchange of letters under Article 4. The initial period of the secondment shall not exceed four years and any extension of secondment requires the endorsement of the EUMC, under silence procedure.

5. For the purposes of Article 22(2), seconded Military Advisers shall be notified as 'Defence Attachés' in accordance with the customary diplomatic practice and in line with Article 7 of the Vienna Convention on Diplomatic Relations of 18 April 1961. The start of the secondment as per Article 5(1) is subject to the approval of their appointment and, if applicable, the fulfilment of other requirements set by the relevant authorities of the receiving State.

Article 44

Security clearance

The appropriate level of the seconded Military Adviser's security clearance shall be stipulated in the exchange of letters under Article 4.

It shall not be lower than EU SECRET/SECRET UE.

Section 4

SECURITY FORCES PERSONNEL

Article 45

Secondment of Security Forces Personnel

1. Security Forces Personnel may be seconded to the EEAS for assignment to the EUMS Watchkeeping Capability in order to provide a 24/7 point of contact for all information related to ongoing or planned military and civilian Common Security and Defence Policy operations, missions and supporting activities.

2. Seconded Security Forces Personnel are in charge of public security duties and shall be on paid service by an EU Member State throughout their secondment.

3. Seconded Security Forces Personnel are subject to the provisions of this Decision, except Chapter IV and Articles 26(1), 27 and 30(2).

4. The selection of seconded Security Forces Personnel is subject, by analogy, to the procedure provided for seconded military staff assigned to the EUMS.

CHAPTER VIII

FINAL PROVISIONS

Article 46

Complaints

1. An SNE may submit a complaint to the Director-General for Resource Management against an act adopted by the EEAS under this Decision which adversely affects them, with the exception of acts or decisions which are direct consequences of decisions taken by the employer. Where the contested act was adopted by the Director-General for Resource Management, the complaint shall be submitted to the Secretary-General.

2. The complaint shall be lodged within three months from the date of notification of the decision to the SNE. Within four months from the date on which the complaint was lodged, the Director-General for Resource Management or, where applicable, the Secretary-General, shall notify the SNE of its reasoned decision. If at the end of that period no reply to the complaint has been received, this shall be deemed to constitute an implied decision rejecting it.

3. In case of a rejection of their complaint, the SNE may institute proceedings before the Court of Justice of the European Union under Article 263 TFEU and, if applicable, Article 268 TFEU.

Article 47

Requests for assistance

SNEs may request assistance from the EEAS, in particular in proceedings against any person perpetrating threats, insulting or defamatory acts or utterances, or any attack to person or property to which they or a member of their family is subjected by reason of their position or duties.

SNEs may request compensation for damage suffered in such cases, in so far as SNEs did not, either intentionally or through grave negligence, cause damage and were unable to obtain compensation from the person who did cause it.

Article 48

Recovery of overpayments

Any sum overpaid shall be recovered if the SNE was aware that there was no due reason for the payment or if the fact of the overpayment was patently such that they could not have been unaware of it.

The request for recovery shall be made by the Director responsible for human resources no later than five years from the date on which the sum was paid. Where the EEAS is able to establish that the SNE deliberately misled the administration with a view to obtaining the sum concerned, the request for the recovery shall not be invalidated even if this period has elapsed.

Article 49

Disciplinary rules

SNEs shall continue to be subject to their national disciplinary rules.

Article 50

Entry into force

1. This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

2. It shall apply from the first day of the month following its entry into force to each new secondment or extension of secondment.

3. The provisions of Decision HR DEC(2014) 01 of the High Representative of the Union for Foreign Affairs and Security Policy of 4 February 2014 establishing the rules applicable to National Experts seconded to the European External Action Service, as amended by the Decision HR(2014) 11 of 16 December 2014, shall continue to apply to ongoing secondments not covered by paragraph 2 until their end.

4. This Decision repeals and replaces the Decision HR DEC(2014) 01 of the High Representative of the Union for Foreign Affairs and Security Policy of 4 February 2014 establishing the rules applicable to National Experts seconded to the European External Action Service, as well as the Decision HR(2014) 11 of 16 December 2014.

Done at Brussels, 20 July 2026.

Kaja KALLAS
High Representative of the Union
for Foreign Affairs and Security Policy