COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

Staff Regulations

and

Staff Rules[1]

[1] This is a consolidated version of the Staff Regulations as they appear in Resolution CM/Res(2021)6-consolidated adopted by the Committee of Ministers on 22 September 2021 at the 1412th meeting of the Ministers' Deputies, and amended by Decision CM/Del/Dec(2022)1434/11.2, on 11 May 2022, at the 1434th meeting of the Ministers' Deputies and by Resolution CM/Res(2022)66, on 14 December 2022 at the 1452nd meeting of the Ministers' Deputies, and the Staff Rules, as adopted on 30 December 2022, and amended on 31 May 2023, 8 November 2023, 20 December 2023, 26 March 2024, 9 July 2024, 28 August 2024, 8 December 2025, 29 January 2026 and 29 June 2026 by the Secretary General. This version is in force as from 1 August 2026.

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STAFF REGULATIONS

Preamble

The Staff Regulations set out the fundamental conditions of service and the basic rights, duties and obligations of the Council of Europe staff. They enshrine the broad principles of staff policy for the guidance of the Secretary General in the staffing and administration of the Secretariat. The Secretary General, who is responsible to the Committee of Ministers for the work of the Secretariat, shall adopt and enforce Rules as necessary for the effective implementation of the Staff Regulations and for the management of staff in a manner consistent with these Staff Regulations. The Secretary General may delegate such of her/his powers, including the powers to adopt legally binding texts, as she/he considers necessary for the effective implementation of the Staff Rules.

These responsibilities and powers shall be exercised by the Secretary General in accordance with the principles and ideals promoted by the Organisation, and in particular the rights and principles of the revised European Social Charter and the European Convention on the Protection of Human Rights and Fundamental Freedoms, insofar as these are applicable to an international organisation. In the management of staff, the Secretary General shall endeavour to guarantee staff members' rights and fundamental conditions of employment, in accordance with the general principles of international civil service law.

These Regulations shall apply to any person who, under the conditions set out herein, has been appointed as a member of staff ("official") of the Council of Europe. They shall not apply to temporary or local staff, trainees or seconded officials, unless the Secretary General has rendered certain provisions applicable to them by way of a Rule.

STAFF REGULATIONS

ARTICLE I

Duties, Obligations and Privileges

1.1 **Staff members of the Council of Europe are international civil servants. By accepting appointment, staff members of the Council of Europe pledge themselves to discharge their duties and to regulate their conduct with the sole interests of the Council of Europe in mind.**

1.2 **Each staff member shall subscribe to the declaration below in writing. The declaration shall also be made orally before the Secretary General by staff members of grades A6 and A7:**

"I solemnly declare that I shall exercise the duties entrusted to me as an international civil servant of the Council of Europe in all loyalty, discretion and conscience, respecting the confidence placed in me and with the sole interests of the Council of Europe in mind. I will not seek or accept any instructions in regard to the performance of my duties from any government or other party external to the Organisation."

1.3 Staff members are subject to the authority of the Secretary General and to assignment by the Secretary General to any of the activities or duty stations of the Council of Europe. They are accountable to the Secretary General in the exercise of their functions.

1.4 Staff members are responsible for carrying out the tasks entrusted to them. They shall comply with the instructions of their managers, except where the instruction given is manifestly unlawful. Where the instruction given is lawful but the staff member considers it to be unethical or has serious concerns about its possible consequences for the Organisation, the staff member shall act in accordance with procedures to be established by the Secretary General.

1.5 Staff members shall abide by these Regulations and all other Regulations adopted by the Committee of Ministers, and by the Code of Conduct and all Staff Rules, Instructions and Policies issued by the Secretary General or through the exercise of delegated authority.

1.6 Staff members who become aware of any action which they consider to be wrongdoing affecting the public interest shall make a report in accordance with the Organisation's reporting policies.

1.7 In the performance of their duties, staff members shall neither seek nor accept instructions from any government, authority, non-governmental organisation or other third party.

1.8 No staff member shall accept or hold any office, or engage in any occupation, which is incompatible with their status as an international civil servant.

1.9 Any staff member who becomes a candidate for public office of a political character, including at the local level, shall be placed on unpaid leave. A staff member who is elected and accepts the office shall resign from the Secretariat.

1.10 No staff member shall accept any honour, decoration, favour, gift or remuneration from any government, or from any other source external to the

Organisation, if such acceptance is incompatible with their status as an international civil servant.

1.11 Staff members shall conduct themselves at all times in a manner compatible with their status as international civil servants. They shall avoid any action and in particular any kind of public statement which may adversely reflect on the Organisation or on their status. While they are not expected to give up their national affiliation or their political or religious convictions, they shall at all times bear in mind the reserve and tact incumbent upon them by reason of their status.

1.12 Staff members shall exercise the utmost discretion with regard to all official matters. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorisation of the Secretary General. At no time shall they in any way use to private advantage information known to them by reason of their official position. These obligations do not cease with termination of service.

1.13 The privileges, immunities and facilities attaching to the Council of Europe by virtue of Article 40 of the Statute of the Council of Europe and the General Agreement on Privileges and Immunities are conferred solely in the interests of the Organisation and not for the personal benefit of staff members. These privileges and immunities provide no excuse to staff members for non-performance of their private obligations or failure to observe laws and regulations.

1.14 All rights in any work or intellectual property created by staff members as part of their official duties shall be owned by the Organisation.

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STAFF RULE ON DUTIES, OBLIGATIONS AND PRIVILEGES

110. CONFLICT OF INTEREST

110.1 All staff members shall endeavour to avoid conflicts of interest, whether actual, potential or perceived, in the performance of their duties. Where conflicts of interest do arise, they must be declared as soon as they are known in line with the applicable procedures, in order that they can be effectively identified and managed.

110.2 Conflicts of interest arise where a staff member has a personal interest which is such as to influence, or appear to influence, the impartial and objective performance of their duties. A personal interest includes any advantage to the staff member; to their close relatives[2] or others with whom the staff member has a close personal relationship; or to persons or organisations with whom the staff member has, has had, or may expect to have, business or other connections. It also includes any liability, financial or civil, on the part of the staff member or the above-mentioned categories of persons or organisations. A conflict of interest may also arise where a staff member is involved in a decision-making process regarding a person in respect of whom, for whatever reason, they are unable to be entirely neutral and

[2] "Close relatives" shall be understood to include spouses, partners, ex-spouses or former partners; parents, children and siblings, including through marriage or partnership; grandparents, grandchildren, aunts, uncles and cousins.

objective. If in doubt as to whether a conflict of interest may arise in a particular situation, staff members may consult the Ethics Officer for advice.

110.3 Staff members involved in procurement, grant awards and recruitment must take particular care to avoid conflicts of interest, since these pose a particular risk where a staff member is responsible for deciding on whether third parties will benefit from the Organisation in some way, whether through a contract, a grant, employment by the Organisation or another advantage.

110.4 No staff member shall work in the same entity or line of authority as a close relative. Furthermore, no staff member shall be involved in any decision-making process concerning a close relative, person with whom they are or have been in a close personal relationship, or any other person with respect to whom they are unable to be entirely neutral or objective, for whatever reason. In the event that two staff members already working in the same entity or line of authority subsequently become romantically involved, they shall inform their management in order that the situation can be addressed and managed appropriately.

110.5 Staff members shall recuse themselves from any decision-making process in which they may be involved which could give rise to a conflict of interest for any reason.

110.6 In respect of any conflict of interest that is declared, the Organisation will take appropriate measures to mitigate the risk, which may include, where necessary, the substitution of an affected staff member in a decision-making process or the transfer of one or more staff members to a different entity within the Organisation.

120. DECLARATION

120.1 Upon taking up their duties, all new staff members shall subscribe, in writing, to the declaration set out at Article 1.2 of the Staff Regulations. New staff members may, in addition, be invited by the Secretary General to make the declaration orally.

120.2 All staff members newly appointed to a job carrying grade A6 or A7 shall be invited by the Secretary General, or person to whom the Secretary General has delegated authority in such matters, to make the declaration orally. Such a declaration shall be made as soon as practically possible after the staff member takes up their duties at grade A6 or A7.

130. ACCOUNTABILITY TO THE SECRETARY GENERAL

130.1 Staff members are accountable to and subject to the authority of the Secretary General.

130.2 Staff members to whom authority has been delegated shall exercise it in compliance with the General Delegation Framework and with the terms of the instrument by means of which authority has been delegated to them.

140. INSTRUCTIONS WHICH ARE UNLAWFUL, UNETHICAL, OR RAISE SERIOUS CONCERNS

140.1 Where a staff member receives an instruction from a manager which the staff member considers to be manifestly unlawful, the staff member shall not act upon the instruction but shall notify the manager who gave the instruction as well as the manager's hierarchical superior of the reason why.

140.2 Where a staff member receives an instruction from a manager which the staff member considers to be unethical, or to raise serious concerns regarding its possible consequences for the Organisation, the staff member shall inform the manager who has given the instruction of their concerns in this regard, in writing if preferred. Where the staff member considers the instruction received to be possibly unethical, they may seek advice from the Ethics Officer prior to notifying their hierarchy of their concerns.

140.3 If a manager, who has been notified of a staff member's concerns regarding an instruction in accordance with the foregoing paragraph, confirms the instruction, the staff member may transmit their concerns to the manager's hierarchical superior. If the manager's hierarchical superior confirms the instruction, the staff member shall act upon it.

150. REPORTING OF WRONGDOING

150.1 A staff member who becomes aware of, or suspects, wrongdoing affecting the public interest must report it in accordance with *Speak Up: Council of Europe Policy on reporting wrongdoing and protecting those who report.*

160. OUTSIDE ACTIVITIES

160.1 For the purposes of this Staff Rule, an outside activity shall be understood to be an activity engaged in outside of a staff member's duties within the Organisation. A staff member's trade union activities or activities relating to staff associations subsidised by the Council of Europe shall not be considered as an outside activity.

160.2 No outside activity which is incompatible with the aims and values of the Council of Europe; which could bring the Organisation into disrepute or be otherwise prejudicial to the Organisation; or which conflicts with a staff member's duties or ability to carry out their work to the best of their abilities, may be undertaken. If in doubt as to whether an outside activity would comply with this paragraph, staff members may consult the Ethics Officer.

160.3 Where authorisation is required for an outside activity, the staff member concerned must seek such authorisation in good time. If no decision on the request for authorisation is notified to the staff member within 30 days of the submission of such a request, authorisation for the outside activity shall be deemed to have been granted.

160.4 Any requirement to seek authorisation prior to engaging in an outside activity shall apply equally to staff members on leave.

Outside activities relevant to the work of the Council of Europe

160.5 Outside activities which benefit the Organisation as a whole or the staff member in their professional capacity, as a result of their relevance to the activities of the Council of Europe, may be undertaken with the prior authorisation of the concerned staff member's direct hierarchical superior and the Head of their Major Administrative Entity or person to whom authority in such matters has been delegated. A staff member who is the Head of a Major Administrative Entity shall seek authorisation under this paragraph from the Secretary General, or person to whom authority in such matters has been delegated. Where the outside activity in question is a presentation, lecture, or similar, authorisation shall be obtained before agreeing to give it. Where the activity consists of the publication of a written work, authorisation shall be obtained before publication.

160.6 Staff members shall not accept remuneration for outside activities falling under the foregoing paragraph, with the exception of contributions to non-Council of Europe publications in any format, which may be remunerated.

Other outside activities

160.7 Outside activities which have no bearing on the Organisation's activities and are remunerated may be undertaken only with the prior authorisation of the Director of Human Resources.

170. HONOURS AND DECORATIONS

170.1 Staff members must seek the prior authorisation of the Secretary General before accepting an honour or a decoration from a representative of a State, whether the State is a member State of the Council of Europe or not.

170.2 Staff members may accept an honour or a decoration from a non-State body, institution or person, provided that such acceptance is compatible with their status as a staff member of the Council of Europe and the Organisation's values. The obligation to ensure compatibility does not cease with termination of service. If in doubt as to whether a specific honour or decoration may be accepted or not, staff members or former staff members may consult the Ethics Officer.

180. GIFTS AND OTHER FAVOURS

180.1 Staff members shall not, in the performance of their duties, seek or accept any gifts, favours or advantages (including fees, cash or cash equivalents) for themselves or any other person. Token or souvenir items, which are of low value and offered for promotional purposes, shall not be considered as gifts for the purposes of this Staff Rule.

180.2 Staff members who are not involved in procurement or grant awards may exceptionally accept gifts, the value of which is reasonably estimated at 50 Euros or less, where the giving of a gift is consistent with normal practice and it would be impolite to refuse. Where a tangible gift, the value of which is reasonably estimated at more than 50 Euros, is offered, it shall be refused or, where this is not possible, immediately returned. Staff members may seek

the advice of the Ethics Officer if unsure about a gift that has been offered or received.

180.3 Staff members who are involved in procurement or grant awards may not accept any hospitality or gift from any person or entity in a contractual relationship with, or in receipt of a grant from, the Council of Europe, or who might reasonably be expected to seek to enter such a relationship or to obtain such a grant. Any gift, of whatever nature, shall be refused or, where this is not possible, immediately returned. Any hospitality shall be refused.

180.4 A staff member who accepts any gift, regardless of its value, shall declare it in line with the relevant procedures, in order that it can be recorded in a centralised register of gifts to ensure transparency.

190. STATEMENTS TO THE MEDIA AND ON SOCIAL MEDIA

190.1 Staff members of grade A5 and above, as well as Heads of Offices, may make statements to the media relating to the Organisation and its activities.

190.2 Other staff members shall obtain the prior authorisation of their closest superior of grade A5 or above or, in the case of staff members assigned to an external office, of their Head of Office, before making statements to the media.

190.3 No staff member shall make any statement to the media or on social media which is incompatible with their status as a staff member or with the values of the Council of Europe, or which could be prejudicial in any way to the Organisation.

1100. EVIDENCE IN LEGAL PROCEEDINGS

1100.1 A staff member shall not, without the consent of the Secretary General, make use in legal proceedings, for any purpose whatever, of information within the meaning of Article 1.12 of the Staff Regulations. Consent shall be given by the Secretary General provided that there is no danger of prejudice to the overriding interests of the Council. This prohibition shall continue after termination of service.

1110. PRIVILEGES AND IMMUNITIES

1110.1 In the event that privileges and immunities pursuant to Article 1.13 of the Staff Regulations are invoked, the staff member concerned shall immediately inform the Secretary General.

1110.2 Staff members may not themselves relinquish their immunities without the permission of the Secretary General, who shall if necessary take the decision to waive them.

STAFF REGULATIONS

ARTICLE II

Rights

2.1 The Council of Europe shall at all times act with fairness and due care in its relations with staff members. In particular, the Organisation shall guarantee staff members' rights to:

2.1.1 the protection of human dignity at work, including the right to a workplace free from harassment;
2.1.2 equal treatment without discrimination;
2.1.3 respect for their private life, including their right to protection of personal data;
2.1.4 freedom of association and assembly, including the right to strike;
2.1.5 an effective remedy and a fair trial;
2.1.6 be free from retaliation for filing a claim or grievance or reporting wrongdoing;
2.1.7 a safe and healthy working environment.

2.2 Staff members may seek the assistance of the Organisation to protect their interests where these interests have been harmed by actions directed against them by reason of their being staff members. The Secretary General shall decide on the type and extent of any assistance the Organisation may provide.

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STAFF RULE ON RIGHTS

210. RIGHTS OF STAFF MEMBERS

210.1 The rights of staff members as set down in the Staff Regulations are protected by the Organisation by way of, *inter alia*, the Policy on respect and dignity in the Council of Europe; Policy on diversity, inclusion and non-discrimination; Council of Europe Regulations on the Protection of Personal Data; and Speak Up: Council of Europe Policy on reporting wrongdoing and protection from retaliation.

220. RIGHT TO PRIVACY

220.1 The processing of all personal data by the Organisation shall be done in conformity with the Council of Europe Regulations on the Protection of Personal Data.

220.2 Any monitoring of staff members' communications shall be carried out in strict compliance with the Information Technology Policy as well as any other applicable Regulations, Rules or Policies.

220.3 Each staff member shall have a personal administrative file, kept by the Directorate of Human Resources, containing:

- All documents concerning the staff member's administrative status as well as all reports or other documents relating to the staff member's performance or conduct; and

- Any comments on such documents by the staff member.

220.4 The personal administrative file shall not contain any document which is unknown to the staff member concerned.

220.5 Staff members shall be entitled to access their personal administrative file upon request. They shall be entitled to comment on any document contained therein.

220.6 A staff member's personal administrative file shall be confidential. It may be accessed, where necessary to carry out duties arising from the Staff Regulations or Staff Rules by the Secretary General and any person exercising authority delegated directly by the Secretary General; the Director of Human Resources; and the Director of Internal Oversight and any persons tasked with carrying out an investigation in conformity with the Rule on Investigations.

220.7 Access to a staff member's personal administrative file may furthermore be granted to the Administrative Tribunal of the Council of Europe and the Joint Advisory Committee on Discipline upon request by those entities.

220.8 Persons other than those mentioned in the preceding two paragraphs may be granted access, by the Director of Human Resources, to such elements of a staff member's personal administrative file as are necessary for the accomplishment of their tasks. Such access shall be granted on a strict need-to-know basis.

220.9 The Appointments Review Committee may be granted access to any documents in the personal administrative file of a staff member whose employment situation is under consideration by the Committee, in conformity with its mandate, concerning that staff member's performance or conduct.

220.10 Each staff member shall also have a medical file, which shall be kept by the Medical Service. The medical file shall be confidential and shall not contain any document which is unknown to the staff member concerned, who shall be able to access their medical file upon request to the Medical Service.

220.11 The advice of the Data Protection Officer may be sought regarding any issue concerning protection of personal data that might arise.

230. RIGHT TO STRIKE

230.1 For the purposes of this Staff Rule, a strike shall be understood as a collective planned work stoppage of any duration, conducted in a peaceful manner, which is aimed at furthering the interests of staff members of the Organisation when social dialogue has failed.

230.2 Staff members who intend to strike shall notify the Staff Committee as soon as possible, and in any event in sufficient time to permit the Staff Committee to adhere to the deadline in the following paragraph.

230.3 The Staff Committee shall notify the Secretary General of any planned strike. This notice shall be given at least five working days before the planned strike; shall specify the grounds for the strike; and shall state precisely how and when the strike shall be carried out.

230.4 The Director General of Administration, in consultation with the Staff Committee, shall prepare a list of jobs which are indispensable for the safety and security of persons or property. Holders of such jobs shall not participate in a strike.

230.5 Subject to the foregoing paragraph, no hindrance or pressure shall be placed upon staff members in deciding to strike or not to strike. Staff members who decide not to strike shall be guaranteed free access to the workplace.

230.6 Staff members who wish to take part in a planned strike shall notify their direct hierarchical superior and the head of their Major Administrative Entity within two days of the notice of strike having been given to the Secretary General. Heads of Major Entities shall, on the basis of such notifications, submit a list to the Director General of Administration of staff members intending to strike, within three days of the notice of strike.

230.7 The Director General of Administration shall decide, in consultation with the Staff Committee, whether any staff members who have given notice of their intention to strike in accordance with the foregoing paragraph are indispensable at the time of the planned strike for the safety and security of persons or property. Such staff members shall be notified accordingly and shall be required to perform their duties as normal. The Staff Committee shall be informed of the names of all staff members requisitioned in accordance with this paragraph.

230.8 The proportion of their basic salary corresponding to the time spent absent from their duties shall be withheld from staff members participating in a strike. In the event of a strike which has not been organised in compliance with the foregoing paragraphs, the minimum amount withheld from participating staff members shall be half a day's basic salary. The Secretary General may, in the interests of the Organisation, decide to waive the aforementioned deduction of salary.

230.9 Staff members may be required to report their participation in a strike upon resumption of their duties, in order to facilitate the effective implementation of the foregoing paragraph.

240. RIGHT TO PROTECTION IN OFFICIAL CAPACITY

240.1 Staff members may seek the assistance of the Secretary General to protect their material or non-material interests and those of their close relatives where these interests have been harmed, by reason of their being a staff member of the Council and without fault or negligence on their part, by actions directed against them by persons or authorities external to the Organisation.

240.2 The Secretary General shall decide whether the conditions in the foregoing paragraph are met; what form of assistance shall be provided; and the

amount up to which costs incurred in the defence of the interests referred to above shall be paid by the Organisation, including the costs of any legal action.

240.3 If the Secretary General decides that legal action in defence of the interests referred to above may result in harm to the Organisation, the persons concerned may be requested not to take such action. If the persons concerned accede to such a request, the Organisation shall make good the damage suffered by them, provided that they assign their rights to the Organisation.

STAFF REGULATIONS

ARTICLE III

Classification of Jobs

3.1 All jobs in the Organisation shall be divided among the following categories:

3.1.1 category A, comprising professional or managerial roles;
3.1.2 category L, comprising interpretation or translation roles;
3.1.3 category B, comprising support, administrative or team-supervision roles or junior professional programmes;
3.1.4 category C, comprising technical, manual or service roles.

3.2 Within each category, jobs shall carry a grade, in accordance with the system in force in the co-ordinated organisations.

3.3 Appropriate arrangements shall be made by the Secretary General for the classification of jobs and staff according to the nature of the duties and responsibilities required.

3.4 The Secretary General shall make provisions to enable passage between categories.

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STAFF RULE ON CLASSIFICATION OF JOBS

310. CLASSIFICATION PROCESS

310.1 Job classification shall ensure compliance between a grade and the level of duties and responsibilities assigned to a corresponding job, promote coherence of grades within categories across the Organisation and contribute to the sound management of jobs.

310.2 Evaluation is a systemic approach to fit a job into the established job structure comprised of categories and grades. It shall be carried out in accordance with the Council of Europe's job classification methodology and reference jobs.

320. EVALUATION PROCEDURE

320.1 Evaluation shall be conducted under the authority of the Director of Human Resources.

320.2 Evaluation will be carried out when a vacancy is to be advertised, or a new job established.

320.3 When reorganisation of a Major Administrative Entity substantially changes the responsibilities of jobs within the Major Administrative Entity concerned,

the overall grade structure of this Major Administrative Entity will be evaluated.

320.4 An overall job classification review may be carried out when deemed necessary in light of the way in which a job family, or job families, have evolved in the labour market.

330. EFFECT OF RE-GRADING ON A JOB HOLDER

330.1 When, following an evaluation procedure the grade of a job moves down, the incumbent shall maintain their category and grade.

330.2 When, following an evaluation procedure, the grade of a job moves up to A6 or A7, the incumbent shall maintain their category and grade.

330.3 When, following an evaluation procedure the grade of a job moves up, the Secretary General shall decide, based on a recommendation by the Appointments Review Committee, whether or not to promote the incumbent to the grade of the job.

330.4 Any promotion of the incumbent shall take effect on the date when the job was upgraded, with the exception of staff members undergoing a probationary period for whom the effective date shall be the date of their confirmation in employment.

330.5 If the Secretary General considers that the incumbent does not meet the requirements for promotion, the job shall be opened for internal competition in accordance with the relevant rules after the incumbent has been appointed to another job.

340. PASSAGE BETWEEN CATEGORIES

340.1 A staff member who holds an open-ended contract or an indefinite term contract, and has been employed in the same category for at least six years, is eligible to apply to participate in an internal competition in respect of a vacancy in a category other than that to which they are currently assigned.

340.2 A trial period shall be obligatory for all staff members who change category following an internal competition.

340.3 If, at the end of the trial period, the Secretary General decides not to confirm the staff member's appointment, they shall be assigned to a job at the grade held prior to such appointment.

340.4 When a staff member successfully participates in an internal competition for a job advertised at C1/C2, B1/B2, L1/L2 or A1/A2/A3 level, the staff member's grade shall be determined by application, *mutatis mutandis*, of Article 440 of the Staff Rule on entry into service.

340.5 The salary of a staff member who changes category following an internal competition shall be determined by comparing the salary scales corresponding to the category of the new job and the job held by the staff member prior to assignment to that job. If the basic salary corresponding to the highest step of the grade to which the staff member is assigned is lower

than the basic salary corresponding to the highest step of the grade held by the staff member prior to assignment, the staff member shall be placed at the step in the new salary scale which results in the smallest possible reduction in basic salary. If the basic salary corresponding to the highest step of the grade to which the staff member is assigned is higher than the basic salary corresponding to the highest step of the grade held by the staff member prior to assignment, the staff member shall be placed at the step providing an increase in basic salary equal to at least the amount that would have resulted from one step advancement at the grade they held in the previous category.

STAFF REGULATIONS

ARTICLE IV

Entry into service

4.1 The Secretary General shall have the power to appoint staff in conformity with Article 36 of the Statute of the Council of Europe. In exercising this power, the Secretary General shall pay due regard to special procedures concerning elected offices.

4.2 The paramount consideration in the appointment of staff members shall be the necessity of securing the highest standards of competence, professionalism and integrity. Only citizens of member States shall be eligible for appointment as staff members. Due regard shall be paid to the importance of recruiting staff members on as wide a geographical basis as possible and of achieving gender parity.

4.3 Selection shall be made on a competitive basis, without discrimination, in a manner that ensures the fairness and transparency of the process.

4.4 Staff members shall initially be appointed for a fixed-term period defined by contract. The Secretary General may decide to extend a fixed-term appointment for a further fixed term, once or several times, for a total duration of service not exceeding four years.

4.5 A fixed-term appointment, with the exception of fixed-term appointments in the framework of junior professional programmes or appointments to jobs with a planned turnover profile, shall be converted into an open-ended appointment at the end of four years' continuous service subject to the fulfilment of conditions to be established by the Secretary General.

4.6 Appointments of staff members in grades A6 and A7 shall be for renewable fixed-term periods not exceeding five years each and shall not be converted into open-ended appointments. The Secretary General shall inform the Committee of Ministers in advance of the intended appointment.

4.7 Staff members shall undergo a probationary period defined by the Secretary General, aimed at evaluating their suitability for the job.

4.8 Appointment shall be conditional upon fitness for the relevant job, which shall be established according to appropriate medical standards. The employment of persons with disabilities shall be encouraged and facilitated by reasonable adjustments to a job or conditions of work where necessary.

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STAFF RULE ON ENTRY INTO SERVICE

410. CONDITIONS FOR APPOINTMENT

410.1 Appointment as a staff member of the Council of Europe is subject to fulfilment of the following conditions:

410.1.1 being a citizen of a state which is a member of the Council of Europe and fulfilling the conditions for appointment to the civil service of that state;

410.1.2 having discharged any obligation concerning national service (military, civil or comparable);

410.1.3 being a proficient user in accordance with the Common European Framework of Reference for Languages in at least one of the official languages of the Council of Europe;

410.1.4 not being the parent, child, stepchild or grandchild of a serving staff member of the Council of Europe.

420. NON-DISCRIMINATION

420.1 Specific conditions for appointment, including but not limited to age, physical capacities, language skills, and citizenship of a particular member State, may be set in respect of vacancies provided that such conditions have an objective and reasonable justification.

420.2 The Secretary General may decide that candidates who have expressed opinions that are manifestly incompatible with the fundamental principles enshrined in the Statute of the Council of Europe and the European Convention on Human Rights shall not be recruited.

430. EQUALITY OF OPPORTUNITY

430.1 At the time of appointment, preference between suitable candidates shall be given to the candidate of the gender which is under-represented in the relevant grades within the category to which the vacancy belongs.

430.2 A gender is under-represented when the proportion of staff of that gender in the relevant grades within the category to which the vacancy belongs is below 45%.

430.3 The Council of Europe shall implement measures to facilitate access to recruitment procedures for candidates who have disabilities.

440. BEGINNING OF CAREER APPOINTMENT

440.1 Beginning of career appointment shall be made to the category and grade as advertised in the corresponding vacancy notice.

440.2 Where the vacancy is advertised at A1/A2 level, candidates with at least six years' professional experience involving duties similar to those exercised by staff members in category A shall be appointed at grade A2.

440.3 Where the vacancy is advertised at B1/B2 level, candidates with at least four years' professional experience involving duties similar to those exercised by staff members in category B shall be appointed at grade B2.

440.4 Where the vacancy is advertised at C1/C2 level, candidates with at least four years' professional experience involving duties similar to those exercised by staff members in category C shall be appointed at grade C2.

440.5 Where the vacancy is advertised at L1/L2 level, candidates with at least six years' professional experience involving duties similar to those exercised by staff members in category L shall be appointed at grade L2.

440.6 Beginning of career appointment shall be made at the first step of the grade to which the staff member is appointed. As a recruitment tool, the Secretary General may exceptionally award additional steps to increase competitiveness, respond to labour market conditions or to attract staff members with specific training or experience.

450. MEDICAL FITNESS

450.1 The selected candidate's medical fitness for employment in accordance with Article 4.8 of the Staff Regulations must be attested following a medical examination by a physician chosen by the Council of Europe.

460. INITIAL CONTRACT

460.1 The terms of employment including any conditions to be met shall be set out in an employment offer. If the candidate accepts the offer, a contract of employment will be signed. If the conditions set out in the employment offer are not met, the contract of employment shall be terminated.

470. FIXED-TERM APPOINTMENT

470.1 Staff members shall be appointed for an initial fixed-term period of at least one year.

470.2 The initial period of appointment may be extended and the initial contract renewed for a further fixed term, once or several times, for a total duration of service not exceeding four years.

470.3 Unless extended, fixed-term appointment shall expire at the end of the contractual term.

470.4 Fixed-term appointment, with the exception of appointments under a Junior Professional Programme or the Turnover Workforce Scheme, shall be converted into an open-ended appointment at the end of four years' continuous service provided that:

470.4.1 workforce planning and financial assessment establish viability;

470.4.2 the knowledge, skills and competencies of the staff member are needed to fulfil needs identified by the Council of Europe; and

470.4.3 the staff member's conduct and performance have been satisfactory.

480. ADVERTISING VACANCIES

480.1 When a vacancy shall be filled through recourse to a recruitment procedure, a vacancy notice shall be advertised.

480.2 The vacancy notice shall be published on the website of the Council of Europe in both official languages and may in addition be published via any other appropriate medium. Vacancies, with the exception of vacancies in category C, shall also be brought to the knowledge of the member States via their Permanent Representations to the Council of Europe.

480.3 A vacancy notice shall include, in addition to the conditions for appointment referred to in Article 410, information relevant to the job inter alia the following:

480.3.1 job description;
480.3.2 requisite qualifications, competencies and experience;
480.3.3 the knowledge of languages required;
480.3.4 outline of the selection process;
480.3.5 maximum duration of appointment, where applicable;
480.3.6 deadline for submission of applications.

490. RECRUITMENT PROCEDURES

490.1 Candidates who meet the criteria set out in the Staff Regulations and Staff Rules and the vacancy notice and whose applications demonstrate the best profile in terms of qualifications, experience and motivation shall be shortlisted for the recruitment evaluation process. Where appropriate, the shortlisting process may involve staff members chosen by the Director of Human Resources who have substantive knowledge of the jobs falling within the ambit of the vacancy notice.

490.2 The evaluation process shall be appropriate to recruitment needs, shall be carried out on a competitive basis and may include consecutive eliminatory stages.

490.3 Those candidates who perform best in the evaluation process shall be placed on a pre-selection list. This list shall be valid for four years.

490.4 Being on a pre-selection list does not give a right to appointment.

490.5 As and when a vacancy occurs, candidates on the pre-selection list with the most suitable profile shall be invited to an interview which may include exercises designed to assess their suitability for the specific job.

490.6 Candidates who are successful at the interview stage shall be recommended for appointment. Candidates who are not appointed shall remain on the pre-selection list.

490.7 Prior to appointment of a candidate the Secretary General shall request references.

490.8 If the interest of the Council of Europe so requires, the Secretary General may decide to interrupt or terminate a recruitment procedure or not to proceed with appointment.

490.9 Candidates may be excluded from the recruitment procedure or removed from the pre-selection list should they no longer meet the criteria for appointment set out in the Staff Regulations and Staff Rules and the vacancy notice.

4100. JUNIOR PROFESSIONAL PROGRAMMES

4100.1 Junior Professional Programmes are a specific recruitment and employment scheme for job profiles suitable for holders of a second cycle qualification (Bologna Process framework of qualifications for the European Higher Education Area) with a maximum of two years relevant work experience.

4100.2 Candidates shall be under 35 years of age at the closing of the deadline for submission of applications.

4100.3 Appointments made under a Junior Professional Programme shall be at B3 level.

4100.4 The total duration of appointment shall not exceed four years.

4100.5 Staff members appointed under a Junior Professional Programme shall not be eligible for any internal competition or secondment, nor shall they be re-appointed under a Junior Professional Programme or appointed under the Turnover Workforce Scheme.

4110. TURNOVER WORKFORCE SCHEME

4110.1 The Turnover Workforce Scheme shall be used where regular turnover of staff is considered to be beneficial for one or more of the following reasons:

4110.1.1 to regularly bring in up to date knowledge and practices to the Council of Europe;

4110.1.2 to respond to changing organisational needs with regard to the competencies required;

4110.1.3 to mitigate the risk of demotivation where there are limited career prospects or the nature of the work is highly repetitive.

4110.2 The list of jobs falling within the Turnover Workforce Scheme shall be established by the Secretary General following consultation with the Staff Committee and shall be subject to regular review.

4110.3 Age limits for staff appointed under turnover profiles may be set for specific profiles.

4110.4 The total duration of appointment shall not exceed four years.

4110.5 Staff members appointed under the Turnover Workforce Scheme shall not be eligible for any subsequent internal competition or secondment, nor shall they be appointed again in a job falling under the Scheme.

4120. PROBATIONARY PERIOD

4120.1 The probationary period shall be of one year, regardless of the staff member's working time.

4120.2 The probationary period is a trial period aimed at evaluating a staff member's suitability for the job and the international civil service.

4120.3 During the probationary period staff members cannot apply for internal competitions.

4120.4 During the probationary period, either side may terminate the employment contract with one month's notice.

4120.5 A period of justified absence in excess of one month shall result in the extension of the probationary period for a length of time corresponding to the absence.

4120.6 Staff members shall be entitled to take parental leave during their probationary period. The probationary period will be suspended during the parental leave and will resume upon the staff member's return.

4120.7 Justified absence in excess of one year, with the exception of absence due to parental leave, may result in termination of employment.

4120.8 Excluding in exceptional circumstances, unpaid leave shall not be granted during the probationary period. If granted, the unpaid leave shall be limited to one year. The probationary period will be suspended during the unpaid leave and will resume upon the staff member's return.

4130. ASSESSMENT PROCEDURE DURING THE PROBATIONARY PERIOD

4130.1 At least two assessment reports shall be made over the course of the probationary period. The first report shall cover the period up to the end of the fourth month of appointment. The final report shall cover the period up to the end of the eighth month of appointment.

4130.2 The final report shall contain one of the following recommendations made by the Head of the Major Administrative Entity or by their delegated authority:

4130.2.1 to confirm the staff member's appointment;

4130.2.2 not to confirm the staff member's appointment, or;

4130.2.3 to extend the probationary period for six months, where it has not been possible to determine the staff member's suitability for the job and international civil service.

4130.3 The Secretary General shall then decide whether to confirm or not confirm the staff member's appointment or extend their probationary period. The decision shall be duly reasoned, and the staff member shall be notified of it at least one month before the end of their probationary period.

4130.4 In case of extension, after having considered a new recommendation covering the period up to the end of the fourteenth month of appointment by the Head of the Major Administrative Entity, the Secretary General shall decide whether to confirm or not confirm the staff member's appointment. The decision shall be duly reasoned, and the staff member shall be notified of it at least one month before the end of their probationary period.

4140. PROCEDURE FOR APPOINTMENT AT GRADES A6 AND A7

4140.1 Vacancies at grades A6 and A7 which are not filled by transfer shall be filled by an external procedure.

4140.2 Only those candidates who meet the conditions for appointment as set out in the Staff Regulations and Staff Rules and the criteria set out in the vacancy notice shall be shortlisted.

4140.3 Shortlisted candidates whose applications demonstrate the best profile in terms of qualifications, experience and potential to exercise a senior management role are identified by the Director of Human Resources for approval by the Secretary General.

4140.4 Shortlisted candidates approved by the Secretary General shall undergo the recruitment evaluation process, which may include an assessment centre.

4140.5 Following the evaluation process, those candidates deemed suitable by the Secretary General shall be interviewed by a panel established by the Secretary General on an *ad hoc* basis.

4140.6 Having interviewed the recommended candidates, the Secretary General shall make an appointment to grades A6 or A7 after an informal exchange of views with the Committee of Ministers, during which the Secretary General shall make the reasons for the choice known.

4140.7 The Bureau of the Parliamentary Assembly shall also be informed when the intended appointment relates to a vacancy in the Secretariat of the Parliamentary Assembly.

4140.8 Candidates appointed to grade A6 or A7 by way of recruitment shall initially be appointed for a fixed-term period of one year. Unless renewed, the staff member's contract will expire at the end of this period.

4140.9 The appointment may be extended for one or more periods each not exceeding five years.

4150. SPECIAL APPOINTMENTS PROCEDURES

4150.1 Without prejudice to the other provisions of the Staff Regulations and Staff Rules, appointment by the Secretary General of the staff members listed

below shall be subject to observance of the following special appointment procedures:

4150.2 The Registrar and the Deputy Registrars of the European Court of Human Rights shall be appointed following their election by the Plenary Court, in conformity with Article 25 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

4150.3 The Director of the European Directorate for the Quality of Medicines and Healthcare shall be appointed on the advice of the European Pharmacopoeia Commission.

4150.4 The Director of Internal Oversight shall be appointed for a non-renewable period of six years, after consultation of the Oversight Advisory Committee and approval by the Committee of Ministers. The term of office may however be shortened to comply with the upper age limit for employment laid down in the Staff Regulations and Rules.

4150.5 The Secretary to the Committee of Ministers shall be appointed following approval by the Committee of Ministers.

4150.6 The Secretary General of the Congress of Local and Regional Authorities of the Council of Europe (Congress) shall be appointed following election by the Congress.

4150.7 The Director of the Congress shall be appointed after consultation with the Bureau of the Congress.

4150.8 The Executive Director of the European Audiovisual Observatory shall be appointed after consultation with the Executive Council of the European Audiovisual Observatory.

4150.9 The Executive Director of the Support Fund for the co-production and distribution of creative cinematographic and audiovisual works “Eurimages” shall be appointed after consultation with the Board of Management of the Fund.

4150.10 The Secretary and the Deputy Secretary of the European Commission for Democracy through Law (Venice Commission) shall be appointed after the Commission has been invited to give its opinion on the appointment.

4150.11 The Ethics Officer shall be appointed for an initial period of at least three years, renewable once. The maximum total term of office shall be six years and the Ethics Officer shall not be eligible to be appointed, transferred or promoted to any other job within the Council of Europe.

4150.12 The Executive Director of the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine shall be appointed by the Secretary General following designation by the Conference of Participants.

4160. APPOINTMENT TO THE PRIVATE OFFICE OF THE SECRETARY GENERAL AND THE DEPUTY SECRETARY GENERAL

4160.1 Appointments to the Private Office of the Secretary General and the Deputy Secretary General may be made without recourse to recruitment procedures as referred to under Article 490.

4160.2 A staff member recruited to the Private Office of the Secretary General and the Deputy Secretary General shall be initially appointed on a fixed term contract for a maximum duration of one year. Their contract may be renewed once or several times, however its duration shall not extend beyond the end of the Secretary General's term in office.

STAFF REGULATIONS

ARTICLE V

Career development

5.1 Staff members' performance and conduct shall be regularly assessed in accordance with the procedures established by the Secretary General.

5.2 Within the limits of budgetary allocations and based on a training plan, the Secretary General shall provide staff members with such training as is deemed appropriate for the continued enhancement of their professional skills and competencies and their increased efficiency.

5.3 Staff members whose performance and conduct are satisfactory shall be eligible for step advancement within the salary scales applicable to them.

5.4 The Secretary General may decide to promote a staff member to a higher grade within the same category in accordance with the established rules and procedures. Promotions shall be merit-based and shall strive to achieve fair geographical representation and gender parity.

5.5 At their own request, staff members may be assigned to a job carrying a lower grade, with a corresponding change in their grade and salary.

5.6 The Secretary General may transfer a staff member to another job, including in a different duty station, classified in the same category and grade, having first invited the staff member concerned to express their views.

5.7 Staff members shall be encouraged and supported to acquire experience in different sectors and duty stations of the Organisation. Staff mobility shall be taken into consideration when staff members' merits are assessed for the purpose of promotion.

5.8 In the interest of the Organisation and subject to their agreement, staff members may be temporarily assigned to a job classified in the same category but in a grade different from the job held. The Secretary General shall establish provisions governing applicable salary supplements or reductions.

5.9 In the interest of the Organisation and subject to their agreement, staff members may be seconded to another international organisation or an institution in a member State, under conditions established by the Secretary General.

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STAFF RULE ON CAREER DEVELOPMENT

510. PERFORMANCE AND CONDUCT ASSESSMENT

510.1 The Directorate of Human Resources shall coordinate and supervise the functioning of assessment throughout the Council of Europe Secretariat. Heads of Major Administrative Entities shall be responsible for ensuring that assessment exercises function properly and are applied in a consistent manner within their own administrative entity.

510.2 The reference period for the assessment exercise shall be the calendar year.

510.3 The overall assessment exercise shall comprise the setting of goals for the reference period and, at the end of the reference period, the assessment of the results achieved in the light of the goals set.

510.4 The goals set in respect of a staff member who is appointed to a Joint Advisory Standing Committee or the Tenders Board or as a Confidential Counsellor, elected to the Staff Committee, or required to provide secretarial assistance to such a body, shall take into account the time spent by the staff member participating in the activities of the aforementioned body.

510.5 The assessment of results achieved shall comprise:

510.5.1 Self-assessment by the staff member;

510.5.2 Assessment by the staff member's direct manager (n+1);

510.5.3 Review of the assessment report by the reviewing manager (n+2); and

510.5.4 Review of the assessment report by the staff member who, in the event that they do not agree with the substance of the assessment, may include comments on the report.

510.6 Where the direct manager (n+1) is the Head of a Major Administrative Entity, assessment reports shall be reviewed by the Secretary General or Deputy Secretary General only if the staff member being assessed so requests.

510.7 If an assessment concludes that the performance or conduct of a staff member confirmed in employment is unsatisfactory, the Director of Human Resources shall consult with the staff member concerned and the staff member's direct manager and reviewing manager and shall evaluate the situation and identify any possible reasons for the unsatisfactory performance and/or unsatisfactory conduct.

510.8 Based on this evaluation, the Director of Human Resources shall, if they consider it necessary, recommend any appropriate means to improve the performance or conduct of the staff member concerned, together with an implementation calendar that shall not exceed one year. Such recommendations and calendar shall be communicated and explained to the staff member concerned and to the staff member's direct manager, reviewing manager and Head of Major Administrative Entity.

510.9 The Director of Human Resources shall monitor on a regular basis the implementation of their recommendations and issue a report once the implementation calendar has expired concluding, after having consulted the staff member concerned and the staff member's direct manager, reviewing manager and Head of Major Administrative Entity, whether the staff member has sufficiently improved their performance and/or conduct.

510.10 In the event that a staff member's performance or conduct remains unsatisfactory despite the implementation of the recommendations made by the Director of Human Resources, measures as provided for in the subsequent paragraph may be imposed.

510.11 Based on a recommendation from the Director of Human Resources, the Secretary General may, depending on the degree of unsatisfactory performance or conduct by the staff member concerned and after having consulted the Appointments Review Committee, impose one of the following measures:

510.11.1 relegation in step;

510.11.2 downgrading; or

510.11.3 termination of contract.

510.12 In the event that, during the reference period, a staff member's manager observes signs of unsatisfactory performance or conduct on the part of the staff member, the manager shall not wait for the next assessment to raise the matter but shall inform the Director of Human Resources without delay. The Director of Human Resources shall take the steps outlined at paragraphs 510.7 – 510.11, as appropriate.

520. LEARNING AND DEVELOPMENT

520.1 The aim of training and other learning and development activities shall be to improve staff member's ability to contribute to the attainment of the Council of Europe's aims and objectives by enhancing their professional skills and competencies, increasing their efficiency or, where necessary, improving their conduct.

520.2 Where compatible with the smooth running of the Council of Europe, the Secretary General may, upon request, grant special leave and/or pay a financial contribution to staff members who are studying for a qualification in a field related to the work of the Organisation.

530. STEP ADVANCEMENT

530.1 Following their entry into service, staff members whose performance and conduct as evidenced by their assessment reports have proven satisfactory shall advance to the next step on the scale for their category and grade after forty-eight months of service.

530.2 Subsequent advancement shall be continuous, from one step to the next, and shall proceed as set out in the table below, provided that staff members'

performance and conduct as evidenced by their assessment reports have proven satisfactory.

	Steps 2 to 7	Steps 8 to 11
Grades A2, A3, A4 and A5.	After twenty-four months of service in the step immediately below.	After forty-eight months of service in the step immediately below.

	Steps 2 to 5	Steps 6 to 8
Grade A6	After twenty-four months of service in the step immediately below.	After forty-eight months of service in the step immediately below.

	Steps 2 to 5	Step 6
Grade A7	After twenty-four months of service in the step immediately below.	After forty-eight months of service in the step immediately below.

	Steps 2 to 8	Steps 9 to 11
Categories B and C all grades	After twenty-four months of service in the step immediately below.	After forty-eight months of service in the step immediately below.

	All steps
Category L all grades	After thirty-six months of service in the step immediately below.

530.3 Advancement shall take effect on one of the step advancement dates. The step advancement dates are 1st January, 1st April, 1st July and 1st October. For staff members whose employment did not commence on a step advancement date, advancement shall take effect on the nearest forthcoming step advancement date to the date on which they were appointed.

540. GRADE ADVANCEMENT

540.1 Staff members employed in category A, grade 1, shall be promoted to grade A2 two years from their date of appointment as grade A1, subject to satisfactory performance and conduct. They may be promoted to grade A3 after six years of service at grade A2, upon a proposal to the Director of Human Resources by the Head of their Major Administrative Entity and subject to satisfactory performance and conduct during the three consecutive years immediately preceding the proposal.

540.2 Staff members employed in category B, grade 1, shall be promoted to grade B2 two years from the date of appointment as grade B1, subject to satisfactory performance and conduct.

540.3 Staff members employed in category C, grade 1, shall be promoted to grade C2 two years from the date of appointment as grade C1, subject to satisfactory performance and conduct.

540.4 Staff members employed in category L, grade 1, shall be promoted to grade L2 two years from the date of appointment as grade L1, subject to satisfactory performance and conduct.

550. INTERNAL COMPETITIONS

550.1 Internal competitions are open to staff members confirmed in employment.

550.2 Following an internal competition a staff member may be transferred, promoted, or assigned to a job carrying a lower grade or to a job in a different category.

550.3 Transfer is the assignment of a staff member to another job classified in the same category and grade.

550.4 Promotion is the assignment of a staff member to a job within the same category carrying a higher grade.

550.5 Promotion shall result in the staff member being placed on the lowest step of their new grade that provides an increase in basic salary equal to at least the amount that would have resulted from one step advancement at the previous grade.

550.6 Staff members holding an open-ended or indefinite-term contract who are promoted to a fixed term job shall retain their open-ended or indefinite-term contract. At the end of the fixed term promotion, unless the job is renewed for a further fixed term period or indefinitely, the staff member shall return to the grade held prior to promotion and shall be placed at the step which results in the smallest possible reduction in basic salary from that which the staff member received in the grade they held during their fixed term position.

550.7 Following an internal competition resulting in a promotion, a staff member may be required to undergo a trial period of one year, aimed at ascertaining the staff member's suitability for the new job, before their promotion is confirmed.

550.8 If, at the end of the trial period, the appointment of the staff member holding an open-ended or indefinite-term contract is not confirmed, they shall be assigned to a job corresponding to the category and grade held prior to the appointment to the new job, and shall be granted an advancement in steps equivalent to that which they would have received had they not been appointed to the new job.

550.9 Assignment to a lower grade within the same category following an internal competition shall result in the staff member being placed at the step in the new grade which results in the smallest possible reduction in basic salary from that which the staff member received in their previous grade.

550.10 Staff members who are appointed to a job following an internal competition shall not be eligible to apply for internal competitions, for vacancies of the same grade, advertised during the 12 months following that appointment.

560. INTERNAL COMPETITION PROCEDURE

560.1 When a vacancy is to be filled through recourse to an internal competition, a vacancy notice shall be advertised. The vacancy notice shall be published on the intranet of the Council of Europe in both official languages.

560.2 Eligible candidates who meet the criteria set out in the vacancy notice and whose applications demonstrate the best profile in terms of qualifications, experience and motivation shall be shortlisted.

560.3 The Head of the Major Administrative Entity to which the appointment is to be made, or their representative(s), shall interview the shortlisted candidates. The Director of Human Resources or their representative may attend the interviews. Shortlisted candidates may also be subject to further evaluation methods, including written tests.

560.4 Following the interviews, the Head of the Major Administrative Entity to which the appointment is to be made shall submit to the Director of Human Resources a duly justified proposal to appoint the successful candidate.

560.5 If the proposed candidate already holds the same or higher grade as the vacancy, the Secretary General shall decide whether to appoint the candidate.

560.6 If the proposal would result in the promotion of the candidate or a change of category by the candidate, the Appointments Review Committee shall provide its opinion to the Secretary General. The Secretary General shall then decide whether to appoint the candidate.

560.7 The proposal by the Head of the Major Administrative Entity may also list the names of other candidates who were considered to meet the requirements of the vacancy, ranked in order of merit. Candidates shall be informed of their placement upon such a list. In the event that a vacancy in the same Major Administrative Entity exists, or arises within six months of the proposal, which has the same duties and qualification requirements, the Secretary General may, with the agreement of the person concerned, decide to appoint the highest-ranked candidate on the list of merit to that vacancy. Should the proposed appointment result in a promotion or a change of category, the opinion of the Appointments Review Committee must first be sought.

560.8 In the interests of the Council of Europe, the Secretary General may decide to interrupt or terminate an internal competition or not to proceed with appointment.

570. TRANSFER WITHOUT COMPETITION

570.1 The Secretary General may transfer a staff member to another job, including in a different duty station, having first invited them to express their views.

570.2 The Head of a Major Administrative Entity may transfer a staff member to another job within the same Major Administrative Entity having first invited the staff member to express their views.

570.3 Staff members may inform the Director of Human Resources that they wish to be transferred.

580. TEMPORARY ASSIGNMENT WITHOUT COMPETITION

580.1 The Secretary General may temporarily assign a staff member to cover an absence or to meet a need for increased staffing in the entity concerned, having first invited the staff member concerned to express their views.

580.2 The Secretary General may temporarily assign a staff member at the same category and grade for a maximum period of three years, or to the immediately higher grade for a maximum period of one year, having first invited them to express their views.

580.3 Staff members temporarily assigned to a grade immediately above their own shall be paid an extra duties allowance in accordance with Article 780.2 of the Staff Rule on salaries and allowances.

590. SUPERNUMERARY TRANSFER

590.1 Where a staff member is to be transferred and there is no vacant job at the grade held, the Secretary General may, as an exception and for a limited time, transfer the staff member to a job in a lower grade, having first invited the staff member concerned to express their views. The staff member so transferred shall continue to hold the same grade and receive the same remuneration.

590.2 The staff member so transferred shall be transferred to a job corresponding to their grade and for which they are qualified as soon as such a vacancy arises.

590.3 For staff members of grade A6 and A7 the supernumerary transfer may only take place after an informal exchange of views with the Committee of Ministers during which the Secretary General shall make known her intention and the reasons therefor.

5100. PARTICIPATION OF SERVING STAFF IN EXTERNAL COMPETITIONS

Appointments to grade A6 or A7

5100.1 A serving staff member holding an open-ended or indefinite-term contract who is appointed to a job at grade A6 or A7 following recruitment procedures shall be initially appointed for a trial period of one year. During this period, the staff member so appointed shall retain the grade held prior to such appointment but be remunerated as they would be had they been promoted.

5100.2 If, at the end of the trial period, the Secretary General decides not to confirm the staff member's appointment, they shall be assigned to a job at the grade held prior to such appointment. If the Secretary General decides to confirm the staff member's appointment, the staff member shall be promoted retroactively and appointed for a further four years.

5100.3 At the end of the four-year appointment, the staff member shall either be retained in their job or assigned to another job at the same grade. If neither occurs, the staff member shall be assigned to a job at a lower grade but shall retain the grade previously reached. In such cases, the staff member shall not advance in steps while their remuneration remains higher than it would be if they had retained the grade held prior to appointment at grade A6 or A7.

Appointments to other grades

5100.4 A staff member holding an open-ended or indefinite-term contract who is appointed to a new job as a result of participation in an external recruitment competition shall be initially appointed for a trial period of one year.

5100.5 If, at the end of the trial period, the staff member's appointment is not confirmed, they shall be assigned to a job corresponding to the category and grade held prior to the appointment to the new job, and shall be granted an advancement in steps equivalent to that which they would have received had they not been appointed to the new job.

5100.6 The successful participation of a staff member holding a fixed-term contract in an external recruitment competition shall result in a fixed-term appointment. The staff member shall be subject to a probationary period, in accordance with Article 4120 of the Staff Rule on entry into service.

5110. SECONDMENT FROM THE ORGANISATION

5110.1 Staff members holding an open-ended or indefinite-term contract may be seconded to another international organisation or a national, local or regional administration, with or without maintenance of their remuneration, for a limited period and in the interests of the Council of Europe.

5110.2 The maximum period of secondment shall not exceed three years throughout the career of a staff member. In exceptional cases, this period may be extended by a maximum period of three years by decision of the Secretary General.

5110.3 A staff member who has been seconded without maintenance of remuneration may, within 6 months of the end of their secondment, request that an amount corresponding to the pension rights accrued during their secondment be paid into the pension scheme to which they are affiliated by the Council of Europe. The number of years of reckonable service with which the staff member is credited shall be determined by the application, mutatis mutandis, of Article 12 of the applicable pension scheme.

5120. ASSIGNMENT TO A JOB IN THE PRIVATE OFFICE OF THE SECRETARY GENERAL AND THE DEPUTY SECRETARY GENERAL

5120.1 A staff member who is assigned without competition to a job in the Private Office of the Secretary General and the Deputy Secretary General carrying a higher grade than that currently held by the staff member shall, for two years from such assignment, remain at their current grade but be remunerated as if they were promoted to the grade attaching to their job in

the Private Office. At the end of the two-year period, the staff member may be promoted to the new grade with retroactive effect.

STAFF REGULATIONS

ARTICLE VI

Termination of service

6.1 Appointments for a fixed-term period shall expire in accordance with their terms.

6.2 Staff members may resign from the Organisation upon giving the Secretary General the required notice.

6.3 Staff members shall retire on reaching the upper age limit for employment unless exceptionally requested by the Secretary General, in the interest of the Organisation, to remain in service for a maximum period of two years.

6.4 Appointments may be terminated by the Secretary General without prior notice and without the award of an indemnity in the following cases:

6.4.1 job abandonment;
6.4.2 dismissal on disciplinary grounds.

6.5 Appointments may be terminated by the Secretary General subject to prior notice, and the award of an indemnity to staff members confirmed in their employment, in the following cases:

6.5.1 unsatisfactory performance when attempts to redress it have failed;
6.5.2 medically certified inaptitude;
6.5.3 modification of the staff member's job in such a way that the staff member no longer has the requisite qualifications or experience;
6.5.4 suppression of the staff member's job;
6.5.5 reduction of staff.
6.5.6 the State of which the staff member is a citizen ceases to be a member of the Organisation.

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STAFF RULE ON TERMINATION OF SERVICE

610. FIXED-TERM APPOINTMENTS

610.1 Fixed-term appointments shall end on expiry, unless renewed.

610.2 A fixed-term contract shall not be renewed if, *inter alia*:

610.2.1 the staff member's knowledge, skills and competencies are no longer needed to fulfil needs identified by the Organisation;

610.2.2 there is no secured funding; or

610.2.3 the staff member's performance or conduct have been unsatisfactory.

610.3 Non-renewal of a fixed-term contract shall not give rise to any right to payment of an indemnity.

610.4 At least three months prior to the expiry of their fixed-term contract, unless the contract is renewed, the staff member concerned shall be given written confirmation that their contract will end on expiry.

620. RESIGNATION

620.1 A staff member whose appointment has been confirmed pursuant to paragraph 4130.3 of the Staff Rule on entry into service may resign by giving three months' notice, in writing, to the Director of Human Resources. The notice period shall run for three calendar months following the end of the month in which the staff member gave notice. The Secretary General may, at the staff member's request, shorten this period.

620.2 The Secretary General may refuse to accept a staff member's resignation if disciplinary proceedings against that staff member are pending at the date of the resignation or are instigated within the following 30 days.

630. UPPER AGE LIMIT

630.1 A staff member's employment shall terminate, at the latest, on the last day of the month in which the staff member reaches the age of 65 years.

630.2 The Secretary General may, on an exceptional basis and in the sole interests of the Organisation, derogate from the foregoing paragraph by asking a staff member who meets the physical requirements for the relevant job to remain in service beyond the age limit of 65 years, until at the latest the last day of the month in which the staff member reaches the age of 67 years. In such cases, the following provisions shall apply:

630.2.1 The Secretary General shall make a written proposal to the staff member concerned at least three months before the staff member reaches the age of 65 years. The proposal shall set out details of the job to be held and the activities to be carried out, as well as the duration of the prolongation.

630.2.2 The staff member shall inform the Secretary General in writing, within one month of receipt of the proposal, whether or not they accept it.

630.2.3 Staff members retained in service beyond the age of 65 years may not participate in any internal competition or be transferred. They are not entitled to take unpaid leave.

630.2.4 The other conditions of employment and remuneration of a staff member retained in service beyond the age of 65 years shall be the same as if the staff member in question had not reached the upper age limit for employment. In particular, such staff members shall continue to be entitled to step advancements, indemnities and allowances and shall also benefit from leave entitlement and part-

time work arrangements under the same conditions as other staff members.

630.2.5 Staff members shall acquire no additional pension rights after reaching 65 years of age. No contribution to the Organisation's pension schemes shall be levied upon the staff member concerned nor paid by the Organisation for their benefit to the Organisation's or any other pension scheme. Staff members may not receive their pension under the Organisation's pension scheme during their employment beyond 65 years of age. They shall not be eligible for an invalidity pension.

630.2.6 The health insurance cover of the staff member concerned shall be maintained solely as regards the reimbursement of medical expenses. They shall not be eligible for benefits payable in the event of permanent total invalidity, permanent partial invalidity or death. As regards temporary incapacity, the absence of more than 90 days' duration for health reasons of a staff member retained in service beyond the age of 65 years shall constitute a ground for termination of their employment without notice and without the payment of an indemnity. In the event that employment is terminated pursuant to this paragraph, the person concerned shall become immediately entitled to their pension benefits, if applicable.

630.2.7 Staff members retained in service beyond the age of 65 years shall not be eligible for an indemnity for loss of job.

640. INVALIDITY

640.1 Where the Secretary General has decided, in accordance with the relevant Pension Scheme Rules, to grant an invalidity pension to a staff member, the employment of that staff member shall terminate at the end of the month in which the aforementioned decision is taken.

650. TERMINATION WITHOUT PRIOR NOTICE OR PAYMENT OF AN INDEMNITY

650.1 The employment of a staff member may be terminated without prior notice and without the payment of an indemnity on the following grounds:

Job abandonment

650.2 The unauthorised absence of a staff member, for a duration of more than 10 consecutive working days, shall be deemed to be job abandonment unless the absence was caused by forces beyond the staff member's control. The Organisation shall make all reasonable efforts to contact the staff member before terminating their employment. Should all such efforts fail or should the staff member indicate that they do not intend to return to work, the staff member's employment shall be terminated effective as of the first day of their absence.

Dismissal on disciplinary grounds

650.3 Termination of a staff member's employment as a disciplinary sanction shall be governed by the provisions of Article 12 of the Staff Regulations and the Staff Rule on discipline.

650.4 Where the Secretary General has decided to terminate a staff member's employment for disciplinary reasons, the decision referred to at paragraphs 1250.1 and 1250.3 of the Staff Rule on discipline shall include the effective date of the termination.

650.5 The final salary of a staff member whose employment has been terminated for job abandonment or on disciplinary grounds shall, where applicable, be pro-rated in accordance with paragraph 720.3 of the Staff Rule on salaries and allowances.

660. TERMINATION WITH PRIOR NOTICE AND PAYMENT OF AN INDEMNITY

Unsatisfactory performance

660.1 In the event that the Secretary General has taken a decision, pursuant to paragraph 510.11 of the Staff Rule on career development, to terminate a staff member's contract as a result of unsatisfactory performance or conduct, the prior notice period provided for at Article 680 below shall be observed and the indemnity provided for at Article 690 below shall be paid.

660.2 The indemnity provided for at Article 690 shall be reduced by 50% in cases where the unsatisfactory performance or conduct results from negligence or lack of willingness on the part of the staff member concerned. A decision to reduce the indemnity in accordance with this paragraph shall be taken in the same manner as provided for at paragraph 510.11 of the Staff Rule on career development.

Medically certified inaptitude

660.3 The fixed-term contract of a staff member, whose medically certified state of health falls short of permanent total invalidity leading to the grant of an invalidity pension, but is such as to justify the presumption that they will be unable to perform their duties satisfactorily during the remainder of their term of appointment, may be terminated subject to the prior notice period provided for at Article 680 below and payment of the indemnity provided for at Article 690 below.

660.4 A staff member holding an open-ended or indefinite-term contract, whose medically certified state of health falls short of permanent total invalidity leading to the grant of an invalidity pension, but is such as to justify the presumption that they will be unable to perform their current job in future, shall be redeployed as described in Article 670, provided that a job compatible with their state of health and corresponding to their experience and qualifications can be identified.

Modification of a staff member's job

660.5 In the event of the modification of a staff member's job in such a way that the staff member no longer has the requisite competencies, qualifications or experience, the staff member's contract shall, subject to paragraph 660.6 below, be terminated. The prior notice period provided for at Article 680 below shall be observed and the indemnity provided for at Article 690 below shall be paid.

660.6 A staff member to whom the foregoing paragraph applies and who holds an open-ended or an indefinite-term contract shall be eligible to be considered for redeployment, as described in Article 670 below.

Suppression of a staff member's job

660.7 In the event of the suppression of a staff member's job, their contract shall, subject to paragraph 660.8 below, be terminated. The prior notice period provided for at Article 680 below shall be observed and the indemnity provided for at Article 690 below shall be paid.

660.8 A staff member to whom the foregoing paragraph applies and who holds an open-ended or an indefinite-term contract shall be eligible to be considered for redeployment, as described in Article 670 below.

Reduction of staff

660.9 In the event that the interests of the Organisation require a reduction of staff, staff members' contracts may, subject to paragraph 660.10 below, be terminated. The prior notice period provided for at Article 680 below shall be observed and the indemnity provided for at Article 690 below shall be paid.

660.10 A staff member who holds an open-ended or an indefinite-term contract and whose job is affected by the foregoing paragraph shall be eligible to be considered for redeployment, as described in Article 670 below.

660.11 When redeployment of certain staff members is considered pursuant to the foregoing paragraph, the factors that shall be taken into account shall include: performance and conduct; qualifications and competencies; the prospective needs of the Organisation; length of service; geographical distribution and gender parity.

670. REDEPLOYMENT

670.1 The decision to redeploy a staff member shall be based on the interests of the Organisation and the necessity of securing the highest standards of efficiency, competence, integrity and conduct.

670.2 In cases falling under paragraphs 660.4, 660.6, 640.8 and 640.10 above, and with due regard to the foregoing paragraph, the Secretary General shall make best efforts, during the three months following the notice of termination of contract, to identify another job within the Organisation that corresponds to the competencies, qualifications and experience of the staff member concerned. If a suitable job is identified and accepted by the staff member during this three-month period, the notice of termination of contract shall be null and void and the staff member shall continue in the employment of the Organisation. If no suitable job has been identified or if the staff member has refused one or more job offers, the staff member's employment shall terminate at the end of the three-month notice period.

670.3 A staff member who is being considered for redeployment may be offered a job at the same grade as the job held, or the grade immediately below. Acceptance by the staff member of a job at the grade immediately below shall entail a corresponding change in their grade and salary. The

staff member shall be placed at the step in the new grade which results in the smallest possible reduction in basic salary from that which the staff member received in their previous grade.

670.4 The refusal of a job offer by a staff member who is being considered for redeployment shall not preclude another job offer being made to the same staff member, should a further suitable job be identified. However, refusal of more than one job, corresponding to the staff member's competencies, qualifications and experience and entailing no change of grade or of duty station, shall be deemed to be a waiver by the staff member of the right to the indemnity for loss of job referred to at Article 690 below.

680. NOTICE PERIOD

680.1 The fixed-term, open-ended or indefinite-term contract of a staff member whose appointment has been confirmed pursuant to paragraph 4130.3 of the Staff Rule on entry into service may be terminated with three months' notice. The Secretary General shall, prior to giving notice of termination of contract, consult the Committee on Staff Matters in accordance with paragraph 1340.5 of the Staff Rule on staff participation. The notice period shall run for three calendar months following the end of the month in which notice is given.

680.2 The Secretary General may pay compensation in lieu of all or part of the notice period, where it is in the interests of the Organisation to do so. The amount paid shall be calculated on the basis of the remuneration that the staff member would have received had their contract been terminated at the end of the notice period.

680.3 Notice shall be given in writing and shall state the reasons for the termination of contract.

690. INDEMNITY FOR LOSS OF JOB

690.1 An indemnity shall be payable to a staff member whose appointment has been confirmed pursuant to paragraph 4130.3 of the Staff Rule on entry into service, and whose contract is terminated for any of the reasons listed in Article 6.5 of the Staff Regulations, unless paragraph 670.4 applies, and subject where applicable to paragraph 660.2, of the present Staff Rule.

690.2 The indemnity, which shall be paid in full to the staff member prior to the date on which they leave the Organisation, shall be calculated as provided in the following paragraphs, on the basis of the basic salary plus, where applicable, the household allowance or basic family allowance; the allowance for a dependent child or other dependant or the dependent child supplement; and the supplement for a disabled and dependent parent, of which the staff member concerned was in receipt on the date on which they left the Organisation. The number of years or parts of a year of service to be taken into account shall be those since the staff member's appointment, regardless of the nature of the contract held at the time of the service. Any periods of unpaid leave or interruptions between two contracts shall not be counted. In respect of any period of time in which a staff member worked part-time, a

percentage corresponding to the percentage of full-time hours worked shall be applied to the time period in question.

Termination of a fixed-term contract

690.3 The amount of the indemnity for loss of job shall be equal to half the product of the staff member's basic salary plus, where applicable, the allowances referred to in the foregoing paragraph, multiplied by the number of months remaining up to the expiry of the term of the staff member's contract, provided that it shall in no case exceed:

690.3.1 Five months' basic salary (and the allowances referred to above, where applicable) in the case of a contract of three years' duration or less; or

690.3.2 Eight months' basic salary (and the allowances referred to above, where applicable) in the case of a contract of more than three and up to five years' duration.

Termination of an open-ended or indefinite-term contract

690.4 The amount of the indemnity shall be one month of the staff member's basic salary plus, where applicable, the allowances referred to at paragraph 690.2 above, per year of service. Partial years of service shall be reflected in the calculation by a corresponding fraction of a month's basic salary and, where applicable, the aforementioned allowances. The amount of the indemnity shall be subject to a ceiling of twenty-four months. Furthermore, the number of months, or fractions of a month, taken into account in the calculation shall not exceed the period which the staff member would still have to serve before reaching the age-limit specified in paragraph 630.1.

690.5 In calculating the amount of the indemnity for loss of job, account shall be taken, where applicable, of any prior years of service by the staff member concerned in other Co-ordinated Organisations and in respect of which they have not received any indemnity for loss of job, provided, however, that no account shall be taken of any years of service preceding an interruption of service or the termination of their service with any Co-ordinated Organisation for disciplinary reasons.

6100. SUBSEQUENT CONTRACTS WITH THE ORGANISATION

6100.1 A staff member whose employment with the Organisation has been terminated for job abandonment or on disciplinary grounds; who is in receipt of a pension or invalidity pension under one of the Organisation's Pension Schemes; or who has benefitted from a measure in the context of a departures scheme, shall never subsequently be offered an employment contract of any nature with the Organisation. A staff member who has received an indemnity for loss of job as provided in Article 690 above, other than in the context of a departure scheme, shall not be offered an employment contract of any nature with the Organisation in the two years following the termination of their previous contract.

6100.2 A staff member whose employment with the Organisation has been terminated for job abandonment or on disciplinary grounds; who is in

receipt of a pension or invalidity pension under one of the Organisation's Pension Schemes; or who has benefitted from a measure in the context of a departures scheme, shall never subsequently be engaged by the Organisation as a service provider. A staff member who has received an indemnity for loss of job as provided in Article 690 above, other than in the context of a departure scheme, shall not be engaged as a service provider in the two years following the termination of their previous contract.

STAFF REGULATIONS

ARTICLE VII

Salaries and Allowances

7.1 Salary scales shall be determined by the Committee of Ministers yearly on the recommendation of the Co-ordinating Committee on Remuneration.

7.2 On the recommendation of the Co-ordinating Committee on Remuneration, the Committee of Ministers shall determine the amounts and the conditions for payment of the following allowances:

7.2.1 expatriation allowance;
7.2.2 installation (settling-in) allowance;
7.2.3 household allowance;
7.2.4 basic family allowance;
7.2.5 allowance in respect of dependent children or other dependants;
7.2.6 dependent child supplement;
7.2.7 supplement for disabled and dependent parent;
7.2.8 education allowance.

7.3 The Committee of Ministers' decisions related to staff members' salaries and allowances shall be implemented by the Secretary General who shall adopt relevant Staff Rules.

7.4 The basic salary of a staff member shall be determined by reference to the salary scale of the staff member's duty station. If no such salary scale exists, the basic salary shall be determined by the Secretary General on the basis of the salary scale adopted by the Committee of Ministers in respect of France, which shall be adapted to reflect the cost and conditions of living in the country concerned.

7.5 The Organisation shall be entitled to recover any undue payment to a staff member. The Secretary General shall establish the limitation periods and procedures for recovery.

7.6 Claims against the Organisation for payment of salary, allowances or any other sums due under the Regulations or Staff Rules, or for reimbursement of amounts unduly deducted from salaries, shall lapse two years after the date on which the payment would have been due or the amount was deducted.

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STAFF RULE ON SALARIES AND ALLOWANCES

710. DEFINITIONS

710.1 “Basic salary” is the salary at a given grade and step established by a salary scale adopted by the Committee of Ministers. It is exclusive of any additions or deductions.

710.2 “Remuneration” is the sum of the basic salary and any of the allowances, indemnities or supplements duly paid to a staff member.

710.3 “Net salary” is the amount of the remuneration after authorised deductions such as contributions to medical and social insurance and pension schemes.

710.4 “Emoluments” are any payments made to staff members or their survivors by the Council of Europe, including but not limited to: remuneration; compensation for damages, including compensation ordered by the Administrative Tribunal; settlements; capital sums for death or disability; or payments relating to termination of service.

720. SALARY

720.1 Date of payment of salaries

Net salaries shall be paid at the latest by the final working day of the month.

720.2 Applicable salary scale

A staff member’s basic salary shall be determined by reference to the salary scale, adopted by the Committee of Ministers in respect of the duty station of that staff member.

720.3 Pro-rata payments

Where a staff member works for less than a full calendar month, they shall be entitled to one-thirtieth of their net monthly salary for each day worked. All Saturdays, Sundays and public holidays included in the period starting with the date of appointment and ending with the last day of appointment shall be considered as days worked.

The salary of a staff member who works part-time shall be pro-rated according to their working time.

730. EXPATRIATION ALLOWANCE

730.1 Staff members recruited before 1 January 1996

730.1.1 The expatriation allowance shall be payable to staff members who fulfilled the criteria for eligibility at the time of their appointment by the Council of Europe or, where a staff member

is recruited from another co-ordinated organisation, at the time of their appointment by that organisation, for as long as they continue to be eligible.

730.1.2 The amount of the expatriation allowance shall be 20% of the staff member's basic salary for those in receipt of the household allowance and 16% of the basic salary for those who are not. The amount of the expatriation allowance shall in no case be less than that payable to a staff member in grade B3, step 1.

730.2 Staff members recruited after 31 December 1995 and before 1 January 2012

730.2.1 The expatriation allowance shall be payable to staff in categories A, L and B provided that, at the time of their appointment, they were not nationals of the duty country and had not been continuously resident in that country for at least one year, previous service in the administration of their country of citizenship or with other international organisations not being taken into account.

730.2.2 The amount of the expatriation allowance during the first ten years of service shall be 18% of the basic salary corresponding to the first step in the staff member's grade, for those in receipt of the household allowance, and 14% of the basic salary corresponding to the first step in the staff member's grade, for those who are not.

The amount of the expatriation allowance shall in no case be less than the amount payable in respect of that allowance to a staff member in grade B3, step 1.

Starting in the eleventh year of service, the allowance shall be reduced by one percentage point each year until it reaches 15%, for those in receipt of the household allowance, and 11% for those who are not.

Where a staff member is assigned to a new duty station in which they meet the criteria for eligibility, they shall be entitled to the expatriation allowance at the full rate which shall then be reduced in accordance with the foregoing paragraph.

For the purposes of the above-mentioned reduction scale, service with a co-ordinated organisation, another international organisation, or the administration or the military of the country of citizenship, which is performed in the duty country, shall be taken into account as if it were service with the Council of Europe.

730.3 Staff members recruited after 31 December 2011

730.3.1 The expatriation allowance shall be payable to staff in categories A, L and B provided that, at the time of their appointment, they:

- were not nationals of the duty country;

- had not been continuously resident in the duty country for one year or more; and

- were recruited from outside a radius of 100 kilometres from the duty station.

In the event that a staff member was employed by another international organisation, including a co-ordinated organisation, or by the administration or military of the country of citizenship immediately prior to appointment by the Council of Europe, the second and third criteria above shall not apply.

730.3.2 The amount of the expatriation allowance during the first five years of service shall be 10% of the basic salary corresponding to the first step of the staff member's grade. Beginning in the sixth year of service, the allowance shall be reduced by 2% each year until it reaches zero in the tenth year of service. The reduction to zero shall not affect eligibility for home leave, the education allowance or the expatriated child allowance, referred to at paragraph 730.4.4 below.

For the purposes of the above-mentioned reduction scale, service with a co-ordinated organisation, another international organisation, or the administration or the military of the country of citizenship, which is performed in the duty country, shall be taken into account as if it were service with the Council of Europe.

Where a staff member is assigned to a new duty station in which they meet the criteria for eligibility, they shall be entitled to the expatriation allowance at the full rate which shall then be reduced in accordance with the aforementioned reduction scale.

730.4 Provisions applicable to all staff eligible for the expatriation allowance

730.4.1 A staff member in receipt of the expatriation allowance, who is assigned to the country of which they are a national, shall cease to receive it. A staff member who was not entitled to the expatriation allowance at the time of taking up duties but who is subsequently assigned to a country of which they are not a national shall become entitled to it under the provisions applicable at the date of their appointment by the Council of Europe or another co-ordinated organisation, provided that they fulfil all other requirements for eligibility. In the event that, following assignment in a different duty station of the Council of Europe, a staff member returns to the duty station to which they were recruited, their entitlement or otherwise to the expatriation allowance shall be the same as at the time of their recruitment. Such a staff member shall receive, where applicable, the expatriation allowance at the rate on the reduction scales, provided for at paragraphs 730.2.2 and 730.3.2 above, applicable at the date they left the duty station of recruitment, and this rate shall continue to reduce in accordance with the aforementioned scales.

730.4.2 Entitlement to the expatriation allowance shall be retained by a staff member on unpaid leave although no allowance shall be payable during such leave. Time spent on unpaid leave shall be taken into account for the purposes of the reduction scales provided for at paragraphs 730.2.2 and 730.3.2 above as if it had been service with the Organisation, with the exception of any period of one year or more spent living in the staff member's country of nationality.

730.4.3 Where two spouses who are both entitled to the expatriation allowance are employed by the Council of Europe, or by the Council and another co-ordinated organisation, both shall receive the expatriation allowance at the rate payable to staff members not in receipt of the household allowance, and, where applicable, at the rate on the reduction scale corresponding to each staff member's length of service.

730.4.4 Staff members entitled to the expatriation allowance shall also receive a fixed monthly sum in respect of each of their dependent children, as defined at paragraph 760.1.1 below. The amount of the expatriated child allowance shall be determined by the Committee of Ministers on the basis of a recommendation by the Co-ordinating Committee on Remuneration.

730.4.5 The expatriation allowance shall not be payable to a staff member who is a national of a country, any point on the frontier of which is within a radius of 50 kilometres of the duty station (or 100 kilometres where the staff member was recruited after 31 December 2011), unless the staff member can prove that they have established their habitual residence in the duty country or, exceptionally and with the agreement of the Secretary General, in a third country.

730.5 Residence allowance

Staff members in categories A, L and B who were recruited before 1 January 1998 and who are not eligible for the expatriation allowance, but who at the time of their appointment were resident more than 300 kilometres from the duty station, shall be entitled to a residence allowance. This allowance shall equal the following percentage of the expatriation allowance payable to expatriated staff members appointed on the same date as the staff member in question:

- 35% for those in receipt of the household allowance; and
- 15% for those who are not.

740. SETTLING-IN ALLOWANCE

740.1 Staff members are eligible to receive the settling-in allowance, upon taking up duties following their recruitment or reassignment to a new duty station within the Council of Europe provided that, prior to their recruitment or reassignment, they had their actual and habitual residence 100 kilometres or more from their assigned duty station and can prove that they have moved their residence in order to take up their duties.

740.2 The amount of the basic settling-in allowance shall be equivalent to one month's basic salary of the staff member, up to the applicable ceiling. This amount shall be increased by the following amounts in the following circumstances:

740.2.1 By 75%, where a staff member entitled to the expatriation allowance changes the geographical zone of their residence in order to settle in the vicinity of the duty station to which they have been recruited (the geographical zones being defined as follows: Europe and Middle East; Africa; the Americas; and Asia and Pacific); or, where a staff member is assigned to another duty station within the Council of Europe.

740.2.2 By 20%, where the spouse or dependant of the staff member takes up residence with the staff member at the new duty station. By a further 10% in respect of any additional dependants who take up residence with the staff member at the new duty station, up to a ceiling of 100% of the amount of the basic settling-in allowance.

740.3 A staff member who resigns within a year of their recruitment or reassignment shall repay the settling-in allowance on a pro rata basis calculated according to the number of months remaining in the year from their recruitment or reassignment. A staff member whose contract is terminated by the Organisation within a year of their recruitment or reassignment shall not repay the settling-in allowance, unless the termination of their contract was done for disciplinary reasons, in which case they shall repay the settling-in allowance in full.

750. HOUSEHOLD ALLOWANCE AND BASIC FAMILY ALLOWANCE

750.1 Household allowance

750.1.1 Staff members recruited before 1 January 2017, who fall into one or more of the following categories, shall be entitled to a monthly household allowance equal to 6% of the staff member's basic salary, subject to a minimum household allowance of 6% of the basic salary for grade B3, step 1:

- Married staff. Where the staff member has no dependent children or other dependants, as defined at paragraphs 760.1.1 and 760.3.1 below, and their spouse has a gainful occupation, the household allowance shall only be payable provided that the spouse's income from gainful occupation is less than the basic salary for grade B3, step 1 plus the household allowance. Where the spouse's income exceeds the basic salary for grade B3, step 1 but not the combined amount of that salary plus the household allowance, the difference between the spouse's income and that combined amount shall be payable.

- Staff members who have one or more dependent children as defined at paragraph 760.1.1 below.

- Staff members who have another dependant as defined at paragraph 760.3.1 below.

750.1.2 Where two spouses who are employed by the Council of Europe, or by the Council of Europe and another co-ordinated organisation, are both entitled to the household allowance, it shall be paid to the spouse whose resulting remuneration shall be the higher, unless there is mutual agreement to the contrary.

750.1.3 Where two current or former spouses who are employed by the Council of Europe have divorced or legally separated, each shall be entitled to payment of the household allowance provided that they each fall into one of the categories above.

750.2 Basic family allowance

750.2.1 Married staff members recruited after 31 December 2016 shall be entitled to a monthly basic family allowance, the amount of which shall be determined by the Committee of Ministers on the basis of a recommendation by the Co-ordinating Committee on Remuneration, provided that they meet the following conditions:

- The staff member's spouse is actually and habitually living with the staff member in a family unit established at the duty station; and

- The staff member's spouse has an income which is less than 50% of the basic monthly salary for grade C1, step 1 plus the amount of the monthly basic family allowance.

Where the spouse's income is equal to or exceeds 50% of the basic salary for grade C1, step 1 but not the combined amount of that salary plus the basic family allowance, the difference between the spouse's income and that combined amount shall be payable.

750.2.2 Staff members eligible for the expatriation allowance shall be entitled to double the monthly amount of the basic family allowance.

750.2.3 Eligibility for the basic family allowance shall begin on the date of the staff member taking up duty or the establishment of the family unit at the duty station, whichever is the later, and continue for the period shown below or until the dissolution of the family unit or the departure of the staff member's spouse from the duty station:

750.2.3.1 For staff members not eligible for the expatriation allowance, for five years.

750.2.3.2 Staff members eligible for the expatriation allowance, who have taken up duty from within the same geographical zone as the duty station (the geographical zones being defined as follows: Europe and Middle East; Africa; the Americas; and Asia and Pacific) shall be eligible for the full allowance for five years. For the following five years the

amount shall be reduced by one-fifth each year until it reaches zero in the tenth year.

750.2.3.3 Staff members eligible for the expatriation allowance, who have taken up duty from within a different geographical zone (as defined above) than the duty station, shall be eligible for the duration of their employment, unless the staff member is a national of a country within the same geographical zone as the duty station, in which case the allowance shall be payable as provided in the immediately foregoing paragraph.

750.2.4 If a staff member is assigned to a different duty country at the initiative of the Organisation, in the interests of the Organisation, the period of payment of the basic family allowance shall be reset.

750.2.5 Where two spouses who are employed by the Council of Europe, or by the Council of Europe and another co-ordinated organisation, are both entitled to the basic family allowance, it shall be paid to the spouse whose resulting remuneration shall be the higher, unless there is mutual agreement to the contrary.

760. DEPENDANTS' ALLOWANCES

Staff members are entitled to an allowance in respect of the following categories of dependants:

760.1 Dependent children

760.1.1 A dependent child is defined as a birth, adopted, step- or otherwise dependent child of the staff member, for whom the staff member provides main and continuing support. For the purpose of this Staff Rule, an "otherwise dependent" child is a child in respect of whom an adoption procedure has been initiated or an orphan dependent on the staff member, and "main and continuing support" is provided when the child is ordinarily resident with the staff member, meaning that they spend at least 50% of their time living in the staff member's household, notwithstanding absence for educational reasons.

760.1.2 In respect of each dependent child, one dependent child allowance (to a staff member recruited before 1 January 2017) or one dependent child supplement (to a staff member recruited after 31 December 2016) shall be paid.

760.1.3 Where both parents of a child are staff members of the Council of Europe, or of the Council of Europe and another co-ordinated organisation, and are living together, the dependent child allowance or supplement shall be payable to the parent who receives the household allowance, unless there is mutual agreement to the contrary.

760.1.4 Where both parents of a dependent child are staff members of the Council of Europe, or the Council of Europe and another co-ordinated organisation, who are not living together, the dependent child allowance or the dependent child supplement shall be payable to the parent with whom the child resides for the majority of the time. Where the child spends 50% of their time with each parent, the dependent child allowance or the dependent child supplement shall be split equally between the two parents, unless there is a court order or mutual agreement between the parents which states otherwise.

760.1.5 Both the dependent child allowance and the dependent child supplement shall be paid to the staff member until the dependent child reaches the age of 18.

760.1.6 Both the dependent child allowance and the dependent child supplement shall also be payable whilst the child is enrolled, on a full-time basis, in school or university education or vocational training, on the condition that the child is not in receipt of a monthly income which exceeds 50% of the basic salary of a staff member at grade C1, step 1, assigned to a duty station in the child's country of residence. Eligibility shall be suspended during any period of compulsory military service and shall end:

- when the child reaches the age of 26, in the case of the dependent child allowance;

- at the end of the academic year in which the child reaches the age of 22, in the case of the dependent child supplement. This period shall be extended in the event that the child has performed compulsory military or civil service, for a period corresponding to the duration of such service.

760.1.7 Staff members in receipt of the dependent child supplement who are single parents shall receive one additional dependent child supplement, regardless of the number of dependent children they have. A single parent shall be understood to mean:

- a single, separated, divorced or widowed person;
- who lives alone with one or more dependent children on a permanent and continuous basis; and
- who financially supports the dependent child or children alone, without any financial maintenance or support from the other parent.

760.1.8 The amount of the dependent child allowance or supplement shall be determined by the Committee of Ministers for each duty station.

760.2 Disabled children

760.2.1 Entitlement to benefits

The Secretary General may decide that a staff member is entitled to the benefits set out in the subsequent paragraphs, provided that the following conditions are met:

- the staff member has a dependent child who has been medically certified as disabled and who requires special care, supervision, education or training, not provided free of charge; and

- the advisory board referred to at paragraph 760.4 below, following consultation by the Secretary General, has assessed the nature and severity of the child's disability as amounting to a serious and chronic impairment of the child's physical or mental capacities.

The Secretary General's decision shall specify the duration of the entitlement, which shall be subject to review.

760.2.2 Indemnity for a disabled child/Supplement for a disabled or severely disabled child

Entitlement as defined in the foregoing paragraph shall give rise to payment of a monthly indemnity for a disabled child, in respect of a staff member recruited before 1 January 2017, or supplement for a disabled child or severely disabled child, in respect of a staff member recruited after 31 December 2016.

The amount of the indemnity for a disabled child or supplement for a disabled child shall be equal to the amount of the dependent child allowance or supplement.

For staff members recruited after 31 December 2016 whose child requires permanent care from another person, the need for permanent care being assessed by the advisory board referred to at paragraph 760.4 below, the amount of the supplement for a severely disabled child shall be double the amount payable under the immediately preceding paragraph.

760.2.3 Reimbursement of educational or training expenses

Entitlement as defined in paragraph 760.2.1 above shall also give rise to reimbursement of expenses reasonably incurred in providing the child with education or training designed to meet their needs in order to obtain the best possible functional capacity. Only such expenses as are not otherwise covered by the education allowance shall be reimbursed. The rate of reimbursement shall be 90%. Any payments of the same nature or for the same purpose received in respect of the child from another source shall be deducted from the amount of the reimbursement paid under this paragraph.

760.2.4 Dependent child allowance/supplement

Entitlement as defined in paragraph 760.2.1 above shall also give rise to eligibility to the dependent child allowance or dependent child supplement without limit of age, provided that the child is unable to financially support him- or herself.

The child shall be deemed to be unable to financially support him- or herself if their net annual income is less than 50% of the basic annual salary for grade C1, step 1, plus 100% of any expenses relating to the disability actually incurred by the child, where these are not covered by one or more health insurance schemes.

760.3 Other dependants

760.3.1 Dependent relatives

Staff members recruited before 1 January 2017, who provide main and continuing support to any ascendant of their own or their spouse, or to any relative where they are legally required to do so, shall be entitled to receive the household allowance if they are not already so entitled. Such staff members shall furthermore be eligible for an allowance equal in amount to the dependent child allowance, by decision of the Secretary General, if the following conditions are met:

- The net household income of the staff member concerned does not exceed twice the amount of the basic salary for grade

B3, step 1, having regard to the salary scale applicable to the staff member concerned;

- The dependent relative in respect of whom the allowance is claimed is over the age of retirement in their country of residence, or is unable to work due to a medically certified disability qualifying for disability status in the country of residence; and

- The dependent relative's net annual resources do not exceed 50% (70% in the case of a couple) of the basic annual salary for grade C1, step 1, according to the salary scale applicable to the country in which the dependent relative is actually resident or, if no such salary scale exists, the United Nations' salary scale. In the event that there is no United Nations salary scale for the relevant country, resources shall be assessed with regard to the cost of living in that country.

760.3.2 Disabled and dependent parents

Staff members recruited after 31 December 2016, who provide main and continuing support to their mother and/or father, shall be entitled to one supplement for a disabled and dependent parent, provided that the following conditions are met:

- The staff member's mother or father is over 60 years of age and medically certified as disabled; and

- Their overall income is less than 50% of the basic monthly salary for grade C1, step 1 according to the salary scale applicable in their country of residence; and

- The Secretary General decides, based on an assessment by the advisory board, referred to at paragraph 760.4 below, of the nature and severity of the mother or father's disability, that the staff member is entitled to the supplement.

The decision of the Secretary General shall establish the duration of the entitlement and any conditions for its review.

760.4 Assessment of disability

There shall be a Disability Board, comprising:

- The Organisation's doctor;

- the Director of Human Resources or a representative thereof; and

- the Welfare Officer.

The Disability Board shall assess the nature and degree of disability of a staff member's dependent child, for the purposes of paragraph 760.2.1; or parent, for the purposes of paragraph 760.3.2, with a view to making a recommendation to the Secretary General as to whether the relevant

allowance or supplement should be paid. The Board shall also include in its recommendation its opinion as to the need for the periodic review of the circumstances of the person whose disability it has assessed.

770. EDUCATION ALLOWANCE

770.1 Eligibility

Staff members in receipt of the expatriation allowance, or whose expatriation allowance has been reduced to zero pursuant to paragraph 730.3.2 above, may request the reimbursement of certain educational costs incurred on behalf of their dependent child, within the meaning of paragraph 760.1.1 above, who is in full-time education at a school or establishment of higher education.

By way of exception, staff members who are not entitled to the expatriation allowance may receive the education allowance in respect of a dependent child, where the staff member has moved from a duty station or been recruited from another international organisation where they were in receipt of the education allowance. Eligibility for the education allowance in such circumstances is conditional upon the existence of imperative educational reasons for the child to continue with a primary or secondary educational cycle already begun at the time of reassignment or recruitment and which cannot be continued in the new duty station, and shall not exceed the duration of that educational cycle.

770.2 Expenditure

The following costs shall be eligible for reimbursement. They shall be determined as follows and the cumulative amount shall be reimbursed at the applicable rate, subject to the applicable ceiling, both as set out below, provided that the cumulative amount is higher than the annual amount of the expatriated child allowance payable.

770.2.1 Registration, examination and tuition fees

The real cost of all registration, examination and tuition fees charged by the educational establishment shall be eligible for reimbursement.

The cost of private tuition may be included under this head, provided that the tuition is in a subject not covered in the child's syllabus but included as part of the compulsory national education in the country of citizenship of the staff member; or is required to enable the child to adjust to the curriculum or language of the institution attended. Private tuition fees shall be payable for an adjustment period of maximum two years.

770.2.2 Daily travel costs

The cost of the child's daily travel to and from the educational establishment by public or school transportation shall be reimbursable, provided that such costs are actually incurred, as a lump sum amounting to 10% of the monthly amount of the dependent child supplement, payable for each month in which such costs are incurred up to a maximum of 10 months in each year.

770.2.3 Ancillary educational costs

Ancillary educational costs for compulsory uniform or required books shall be reimbursable, provided that such costs are actually incurred, as a one-off lump sum amounting to 40% of the monthly amount of the dependent child supplement.

770.2.4 Accommodation

Provided that the child does not live at the staff member's home and that the child's accommodation is not located within a 50-kilometre radius of the staff member's home or the home of the child's other parent, and provided that such costs are actually incurred, the cost of accommodation, whether inclusive of any meals or not, shall be reimbursable as a lump sum equal to the monthly amount of the dependent child supplement, payable for each month in which such costs are incurred up to a maximum of 10 months in each year.

770.2.5 Round-trip travel

770.2.5.1 The cost of two round-trips per academic year by the dependent child between the place of the educational establishment and the staff member's duty station shall be reimbursable as a lump sum per trip, the amount of which shall be determined as follows.

770.2.5.2 The lump sum per round-trip shall be calculated on the basis of the distance, as the crow flies, of a round trip between the place of the educational establishment and the staff member's duty station, and shall be capped at the distance of a round-trip between the duty station and the place of home leave. The lump sum per round-trip shall be as indicated in the following table.

Distance in km (round-trip)	**Lump sum in EUR**
100-300	55.17
301-600	147.12
601-1200	257.45
1201-1800	331.01
1801-2500	367.79
2501-4200	514.91
4201-5400	551.69
5401-6600	625.24
6601-7800	735.58

7801-9000	919.48
9001 and up	1 360.82

770.2.5.3 The above table shall be revised annually by the Directorate of Human Resources.

770.3 Rates of reimbursement

The reimbursement of educational expenses shall be made at the rates and subject to the limits set out below.

770.3.1 Standard rate

70% of the fees referred to in paragraph 770.2.1 above, plus the lump sums referred to in paragraphs 770.2.2, 770.2.3, 770.2.4 and 770.2.5.1 above, up to a ceiling of 2.5 times the annual amount of the dependent child supplement.

770.3.2 Exceptional rate

90% of the fees referred to in paragraph 770.2.1 above, plus the lump sums referred to in paragraphs 770.2.2, 770.2.3, 770.2.4 and 770.2.5.1 above, up to a ceiling of 6 times the annual amount of the dependent child supplement.

The exceptional rate shall apply in respect of dependent children who live with a staff member attached to an external duty station, provided that no other adequate educational establishment corresponding to the child's educational cycle is available within reasonable distance from this duty station.

The exceptional rate shall also apply in respect of dependent children with special educational needs resulting from their medically certified physical, developmental or behavioural condition, provided that educational costs incurred on behalf of the child, for imperative educational reasons, are exceptional, unavoidable and excessively high.

770.4 Calculation of the ceilings and lump sums

The ceilings and lump sums referred to in the foregoing paragraphs shall be calculated using the dependent child supplement payable in the country of study, provided that the country of study is also the duty country of the staff member, the country of which the staff member is a national or the country of which the child's other parent is a national. In all other cases, the dependent child supplement payable in the duty country shall be used for the purposes of calculating the ceilings and lump sums.

770.5 Review of the ceilings

The ceilings referred to the in the foregoing paragraphs shall be adjusted in accordance with the method provided for in the appendix to the 276th report of the Co-ordinating Committee on Remuneration.

770.6 Deductions

770.6.1 Any amounts received from another source, such as scholarships, grants, State benefits or financial support, shall be deducted from the expenditure incurred for the purposes of calculating the education allowance payable.

770.6.2 The total annual amount of the expatriated child allowance payable, as provided for at paragraph 730.4.4 above, shall be deducted from the amount of the education allowance payable.

770.7 Modalities

770.7.1 Where the appointment of a staff member begins or ends during the course of the academic year, the education allowance shall be payable on a pro rata basis, for each full month of education after the staff member takes up duties or before the termination of the staff member's employment.

770.7.2 At the start of the academic year, a staff member who is eligible for the education allowance shall inform the administration of the likely expenditure for each child for that academic year (fees, daily travel costs, ancillary education costs and accommodation costs) and provide relevant supporting documents. At the end of the academic year, the staff member shall provide evidence of the expenditure (all of the aforementioned costs, plus any round-trips taken during the academic year) actually incurred over the course of the academic year still in progress, which is eligible for reimbursement. Reimbursement of costs shall be conditional upon the production of documentary evidence of the costs having been incurred, such as bills, paid invoices, tickets or receipts. The staff member shall inform the administration promptly of any change in circumstances which might affect their entitlement to reimbursement and of any allowance or reimbursement of educational costs received from any other source.

770.7.3 A staff member shall receive, in respect of each dependent child giving rise to eligibility for the education allowance, a monthly amount calculated on the following basis. The appropriate rate (70% or 90%) shall be applied to the cost of all registration, examination and tuition fees charged by the educational establishment. To the resulting amount shall be added the lump sums in respect of daily travel costs; ancillary educational costs; and accommodation, where applicable. The relevant ceiling (2.5 or 6 times the annual dependent child supplement) shall then be applied to the total amount. The resulting amount shall be divided by ten and shall be payable for the ten months following the start of the academic year. If necessary, the tenth instalment shall be adjusted to reflect any difference between the estimated and the

actual expenditure and the costs of any round-trips taken during the academic year, which are eligible for reimbursement having regard to the applicable ceiling.

770.8 Beginning and end of entitlement

770.8.1 Entitlement to the education allowance shall begin on the first day of the month in which the child begins to attend school, provided that the child has reached the age of compulsory education in the national system followed by the school. Entitlement shall end at the end of the month in which the child leaves full-time study and shall in no case be payable once payment of the dependent child allowance or supplement has ceased.

770.8.2 If the child is required to perform military or civil service in the country of citizenship, eligibility for the education allowance shall be extended beyond the limit set out in the foregoing paragraph for a period of time equivalent to the duration of the compulsory military or civil service. Payment of the education allowance shall be suspended during the military or civil service.

780. OTHER ALLOWANCES

780.1 Field allowance

780.1.1 Field management allowance

A staff member who is assigned to a Council of Europe Office or a Council of Europe Programme Office, as Head of Office, Deputy Head of Office or Head of Operations, shall receive a field management allowance, payable monthly for the duration of their assignment. The monthly amount of the field management allowance shall be 500 Euros for a Head of Office and 250 Euros for a Deputy Head of Office or Head of Operations.

780.1.2 Field mobility allowance

There shall be a field mobility allowance equivalent to two 24-month steps at grade A3 according to the salary scale in respect of France. If no salary scale exists for a specific duty station, a coefficient shall be applied to the field mobility allowance, based on elements set annually by the International Service for Remunerations and Pensions reflecting the cost and conditions of living in the duty station concerned. The field mobility allowance shall, provided that the conditions set out in this paragraph are met, be payable to staff members assigned to Council of Europe Offices or Council of Europe Programme Offices located in countries in respect of which there is no specific salary scale adopted by the Committee of Ministers, or the salary scale adopted by the Committee of Ministers is lower than that in respect of France. Staff members shall be entitled to the field mobility allowance if, upon their initial recruitment, they move from one country to another to take up duties, or if they are assigned to a duty station in a country other than the one to which they were initially recruited. The field mobility allowance shall be payable monthly for as long as the staff member is assigned to that duty station.

780.2 Extra duties allowance

A staff member who is called upon by the Secretary General to take on the duties attaching to a job in the same category but in the grade immediately above, due to the prolonged absence of the incumbent, shall receive, on a monthly basis from the fourth consecutive month of such assignment, an extra duties allowance equivalent to the value of one 24-month step (or, as the case may be, one 36-month step) in the basic salary scale for the grade of the staff member taking on the extra duties. A staff member shall be asked to take on extra duties pursuant to this paragraph only on an exceptional basis and in the interests of the Organisation, and the assumption of extra duties shall not exceed one year's duration.

790. HISTORIC ALLOWANCES

790.1 A staff member who receives an allowance pursuant to a legal provision which has been repealed or deleted, shall continue to receive the allowance, provided that:

- the legal instrument which repealed or deleted the legal provision providing for the allowance stipulated that the payment of the allowance would continue after the repeal or deletion; and

- the staff member continues to fulfil the conditions of eligibility for the allowance.

7100. OTHER PROVISIONS APPLICABLE TO ALLOWANCES

7100.1 Payments from another source

With the exception of the expatriation allowance; the settling-in allowance; the field mobility allowance; the field management allowance; and the extra duties allowance, all allowances, indemnities and supplements to which staff members are entitled shall be payable after deduction of the value of any similar allowances or other assistance which the staff member or, as the case may be, their spouse, dependent child or other dependant may receive from another source, which has the same or similar purposes as the allowance, indemnity or supplement in question. The reimbursement of expenses provided for in paragraphs 760.2.3 and 770.2 above shall similarly be made after deduction of any payment or other assistance received from any other source for the same or similar purposes.

7100.2 Duty to inform the Organisation

Staff members in receipt of any of the allowances, indemnities, supplements or reimbursements referred to in the preceding paragraph shall report to the Organisation any payments or other assistance of the same nature or for similar purposes received by them, their spouse, dependent child or other dependant, and shall furthermore immediately inform the Organisation of any change in their circumstances or those of their spouse, dependent child or other dependant which may affect their eligibility to any allowance, indemnity, supplement or reimbursement of expenses. Failure to report to

the Organisation any of the information mentioned in this paragraph may render staff members liable to a disciplinary sanction.

7100.3 Part-time work

Staff members who work part-time shall receive the allowances to which they are entitled pro-rated according to their working time, with the exception of the following allowances, which shall be paid in full:

- Dependent child allowance or dependent child supplement;
- Additional dependent child supplement payable to a single parent;
- Allowance in respect of another dependent relative, for staff members recruited before 1 January 2017;
- Supplement for a dependent and disabled parent, for staff members recruited after 31 December 2016;
- Indemnity for a disabled child or supplement for a disabled or severely disabled child;
- Education allowance;
- Field management allowance;
- Field mobility allowance, and
- Reimbursement of educational or training expenses for a disabled child.

The minimum amounts set in respect of the household allowance or, for staff members recruited after 31 December 2016, the basic family allowance, and the expatriation or residence allowance, shall be reduced pro-rata according to the working time of staff members who work part-time.

7110. RECOVERY OF UNDUE PAYMENTS

7110.1 Limitation period

The Organisation shall be entitled to recover any sum unduly paid to a staff member. The Organisation's request for recovery of a payment must be made within two years of the date on which the payment was made.

If the overdue payment resulted from the staff member intentionally providing incorrect information or intentionally or negligently omitting to provide relevant information to the Organisation, the time limit referred to in the foregoing paragraph shall not apply.

7110.2 Mode of repayment

Repayment of unduly paid sums, as provided for in the foregoing paragraphs, may be made by way of deductions from the remuneration of the staff member concerned. In deciding upon the amount of the deductions, the Secretary General shall take into account the social and financial situation of the person concerned.

In the event that the staff member leaves the Organisation for any reason prior to an unduly paid sum being repaid in full, the outstanding amount shall become repayable immediately. Any outstanding debt shall be withheld from the staff member's final settlement. Should the final settlement be insufficient to allow the full repayment of an outstanding debt, the staff member must repay the amount due.

STAFF REGULATIONS

ARTICLE VIII

Working hours and leave

8.1 The Secretary General shall establish the working hours of staff members and adopt specific rules governing stand-by duty, shift work, part-time work and teleworking. Staff members who are required to work overtime shall be compensated according to the conditions and procedures established by the Secretary General.

8.2 When night work is required in the interest of the Organisation, necessary arrangements shall be made by the Secretary General to ensure the protection of staff members' health.

8.3 Staff members shall be allowed annual leave under conditions prescribed by the Secretary General. Special leave with pay may be authorised by the Secretary General in justified cases.

8.4 To enable staff members in receipt of the expatriation allowance to take their leave periodically in their home countries (home leave), the Organisation shall allow necessary travelling time for that purpose, under conditions prescribed by the Secretary General.

8.5 Staff members may be authorised to take unpaid leave under conditions prescribed by the Secretary General.

8.6 Staff members may not be absent without authorisation. Any unjustified absence may result in a corresponding deduction from their salaries and the institution of disciplinary proceedings.

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STAFF RULE ON WORKING HOURS AND LEAVE

810. WORKING TIME

810.1 Working hours

The working week for a staff member working full-time hours is Monday to Friday, subject to official holidays, and comprises 38 hours and 45 minutes total working time. A normal working day is 7 hours 45 minutes, not including a compulsory uninterrupted lunch break of at least 30 minutes, but more or fewer hours may be worked on a given day provided that the requisite number of hours are worked over the course of the calendar month.

810.2 Flexible hours

With the exception of staff members subject to fixed and special working hours or shift work, staff members' working hours shall be flexible within the limits provided in this paragraph. Staff members shall work during 5 core hours (from 09:00 to 12:00 and from 14:30 to 16:30) each day. The

remaining working hours shall be carried out during the flexible bands of each working day (from 07:00 to 09:00; 12:00 to 14:30; and 16:30 to 19:00). The lunch break shall be taken between 12:00 and 14:30. The application of flexible working hours shall be subject to the needs of the service and staff members may only adjust their hours to their personal convenience where this is compatible with the nature of their job and the rhythm of their work. The hours worked must not compromise a staff member's work or disrupt the work of their team.

810.3 Fixed and special working hours

If the needs of the Organisation or the nature of the job so require, the Director General of Administration may prescribe fixed or special working hours for specified categories of jobs, for a definite or indefinite period, having first consulted the Staff Committee.

810.4 Shift work

Shift work refers to a situation in which groups of staff members work in rotation on a schedule which differs from the usual full-time working hours set out at paragraphs 810.1 and 810.2 above. The categories of staff concerned, duration of shifts, number and duration of breaks and other special conditions shall be defined by the Director General of Administration, having first consulted the Staff Committee.

810.5 Night work

Night work, which is any work carried out between 22:00 and 7:00, may be established for specific job profiles by the Secretary General following consultation with the Staff Committee, subject to the following limitations. Night work may not be prejudicial to the daily rest of staff members, which must average at least eleven hours over the course of a working week and may not be less than eight hours in any 24-hour period. Staff members may not be called upon to perform night work regularly without undergoing a prior medical examination. In no circumstances may pregnant persons be required to do night work.

810.6 Stand-by duty

If the needs of the Organisation or the nature of the job so require, the Director General of Administration may, having first consulted the Staff Committee, prescribe periods of stand-by duty for specified categories of jobs and set out the frequency and duration of the stand-by duty as well as the manner in which such periods shall be compensated.

820. PART-TIME WORK

820.1 Modalities of part-time work

Staff members may be authorised to work part-time at 50%, 60%, 70%, 80% or 90% of full-time working hours. Work at 50%, 60%, or 70% shall entail a corresponding reduction of the normal working day or working week described at paragraph 810.1 above. Part-time work at 80% or 90% may entail a corresponding reduction of the normal working day or working week or may, in the alternative, be carried out as full-time work with the acquisition

of additional days of annual leave. The salary of a staff member who works part-time shall be pro-rated, as provided in paragraph 720.3 of the Staff Rule on salaries and allowances. Periods of part-time work shall not affect the calculation of length of service for the purposes of Articles 530 or 540 of the Staff Rule on career development.

Authorisation

820.2 Authorisation to work part-time shall be sought by way of a reasoned request from the staff member to the Head of the relevant Major Administrative Entity or person to whom authority in such matters has been delegated. Such a request must be submitted three months in advance and shall be accepted provided that the part-time working arrangement is compatible with the needs of the service. Any rejection of such a request shall be made in writing and shall include an explanation of the reasons for the rejection.

820.3 If the request is accepted, authorisation to work part-time shall be granted for one year unless there are compelling reasons to grant authorisation for a different period. Authorisation shall be tacitly renewed on an annual basis. The staff member or the person who authorised the staff member to work part-time may end or amend the part-time working arrangement upon giving three months' notice in writing. In exceptional circumstances, where the staff member has made a duly reasoned request or the staff member and the person who authorised the staff member to work part-time have reached agreement to that effect, the three-month notice period may be shortened.

820.4 Notwithstanding the foregoing paragraph, where a staff member makes a request to increase their working hours, the Head of the relevant Major Administrative Entity or the person to whom authority in such matters has been delegated may, for budgetary reasons, stipulate that the increase in working hours shall only take effect at the beginning of the next calendar year.

820.5 Part-time work and job changes

820.5.1 Where, exceptionally, a staff member has been recruited to work on a part-time basis, that staff member may not request to increase their working hours unless they are promoted or transferred to a full-time job.

820.5.2 Part-time work shall not alter the length of fixed-term appointments or, where applicable, the maximum duration of appointments.

820.5.3 Where a staff member has requested a part-time working arrangement that is not compatible with the needs of the service for administrative or operational reasons, the staff member may be transferred to another job in terms of Article 570 of the Staff Rule on career development.

820.5.4 A staff member working part-time who is transferred, promoted or assigned to another job pursuant to Article 550 or transferred pursuant to Article 570 of the Staff Rule on career development shall require the authorisation of the relevant Head of Major Administrative Entity or person to whom authority in such matters has been delegated to continue their part-time work arrangement.

830. OVERTIME

830.1 In the event of urgency, excessive workload or other pressing needs of the service, staff members may be formally requested to carry out overtime. Such a request may not be refused, unless the staff member has imperative and duly justified personal reasons for their refusal. Overtime shall be understood as hours worked outside of the normal working hours. For staff members working flexible working hours on a full-time basis, any work done on Saturdays, Sundays or official holidays, or before 07:00 or after 19:00 on working days, shall be considered as overtime. For staff members working flexible working hours on a part-time basis, in addition to the foregoing, work done outside of their usual working hours or on a day on which they would not usually work shall be considered as overtime. For staff members carrying out shift work or night work, work done outside of their usual shifts or their usual working hours during the night shall be considered as overtime. Time spent by a staff member travelling to the place of duty and back shall not be considered as overtime.

830.2 Overtime shall be kept to a minimum. A direct manager (N+1) may request a staff member to work overtime where strictly necessary. Such requested overtime shall not exceed 15 hours per week or 30 hours per month. In exceptional cases, the monthly limit may be exceeded provided that a staff member does not work more than 40 hours of overtime in any given month or more than 150 hours of overtime in any given 6-month period. Where the requested overtime is to be worked on a weekend, a public holiday or after 19:00, the direct manager must obtain the authorisation of the staff member's N+2 before making the request.

830.3 The staff member shall record their hours of overtime, which must be checked and validated by the direct manager who requested such overtime before being notified to the Directorate of Human Resources.

830.4 Heads of Major Administrative Entities shall be responsible for ensuring that the limits in paragraph 830.2 are observed and that the manner and extent to which recourse is made to overtime is not detrimental to the well-being of staff members within their Major Administrative Entity.

Compensation for overtime

830.5 Any request for compensation for overtime must be made to the Directorate of Human Resources within 30 days of the date on which the overtime was worked. Provided that the overtime has been requested in accordance with paragraph 830.2, it shall be compensated as set out below. No compensation shall be made in respect of overtime of less than 60 minutes per day.

830.5.1 Overtime worked by staff members in categories A and L shall not, in principle, give rise to compensation. Exceptionally, where a staff member is repeatedly required to perform very substantial periods of overtime, compensatory leave may be granted.

830.5.2 Overtime worked by staff members in category B, holding grades B4 to B6, shall be compensated by leave. Each hour of overtime shall be compensated by one hour of leave. The compensatory

leave shall be increased by 50% in respect of any overtime performed on a Sunday, a public holiday or between the hours of 22:00 and 07:00.

830.5.3 Overtime worked by staff members in category B, holding grades B1 to B3, or in category C, shall be compensated by leave as provided in the foregoing paragraph. If the needs of the service are such that the full amount of compensatory leave cannot be taken, financial compensation may be paid in lieu of up to 80% of the total monthly overtime. The remaining 20% must be taken as compensatory leave. Financial compensation shall be calculated on the basis of 0.06% of the average annual basic salary of the grade held by the staff member per hour of overtime, increased by 50% for overtime worked on a Sunday, a public holiday or between the hours of 22:00 and 07:00.

830.6 Special conditions regarding compensation for overtime shall apply to certain categories of staff. These conditions shall be fixed by the Director General of Administration, having first consulted the Staff Committee.

Overtime and official journeys

830.7 Staff members on an official journey shall work the hours necessary for the successful completion of the activity. Hours worked from Monday to Friday whilst on an official journey cannot constitute overtime.

830.8 Time worked on a Saturday, Sunday or official holiday whilst on an official journey may be compensated according to the provisions set out at paragraph 830.5, provided that the time worked exceeds half a day.

830.9 Time spent travelling when making an official journey does not constitute overtime. However, a staff member shall be granted compensatory rest time of one half-day's leave, in principle immediately following their return from an official journey, if the return journey is made between the hours of 23:00 and 07:00 or if the journey has been made in particularly arduous circumstances.

840. OFFICIAL HOLIDAYS

840.1 There shall be 16.5 days of official holidays per calendar year, which shall be set by decision of the Secretary General, having consulted the Staff Committee, for each duty station and communicated to staff members during the preceding calendar year. The dates of official holidays shall be decided upon taking due account of public holidays in the country in which the duty station is located.

840.2 No compensation shall be granted for an official holiday missed due to sick leave or part-time work.

850. ANNUAL LEAVE

850.1 Staff members shall be entitled to 2.5 days' paid leave for each calendar month worked, and a further 2 days' paid leave per calendar year.

850.2 Entitlement to annual leave shall accrue on the basis of the total length of service, including any periods of maternity leave or adoption leave as well as periods of sick leave; but excluding any periods of unpaid leave or parental leave.

850.3 A staff member working part-time shall be entitled to annual leave on the same basis as a staff member working full-time, pro-rated in accordance with their working time. A staff member whose part-time working arrangement entails a shorter working day than that described at paragraphs 810.1 and 810.2 above is entitled to the same number of days' leave as a staff member working full-time.

Long service leave

850.4 Staff members who have completed at least 20 years of service with the Organisation, including on temporary contracts, shall be entitled to additional days of annual leave, as follows. For the purposes of calculating the length of service, periods of parental leave or part-time work shall be treated as periods of full-time work.

850.4.1 1 day per year as from the 20th year of service;

850.4.2 2 days per year as from the 25th year of service;

850.4.3 4 days per year as from the 30th year of service.

850.5 Long service leave may be taken as from 1 January of the year in which the requisite number of years of service is reached.

Conditions applicable to annual leave

850.6 The timing of leave shall be subject to the needs of the staff member's entity, which may also require that the leave is taken in several parts. The staff member must obtain the approval of their direct manager before taking leave.

850.7 A staff member's annual leave entitlement shall normally be used during the course of the year in respect of which it has accrued or, at the latest, before the end of the following year. A maximum of 5 days of annual leave which has not been taken at the end of the year following the year in which such leave was accrued may be placed in a leave savings account. Any accumulated leave in excess of these 5 days shall be forfeited, unless the staff member was prevented from taking it in time by maternity, adoption or parental leave; or other duly justified exceptional circumstances arising solely from professional obligations.

850.8 The number of days in a staff member's leave savings account shall not exceed 25 days.

Termination of service

850.9 Staff members should, in principle, take all of their annual leave, including any leave days in the leave savings account mentioned at paragraph 850.7 above, prior to the expiry of their contract.

850.10 A staff member who was prevented, by health reasons, from taking all of their annual leave prior to the expiry of their contract shall receive an amount corresponding to the number of days of leave not taken.

850.11 In the event that a staff member's contract is terminated by the Organisation prior to its expiry, for reasons other than disciplinary reasons, the staff member shall take as much of the annual leave to which they are entitled as possible before their departure from the Organisation. In the event that not all of the annual leave to which the staff member is entitled can be taken prior to their departure, the staff member shall be compensated.

850.12 If, on leaving the Organisation, a staff member has not completed the number of months of service corresponding to the number of days of leave already taken, an amount corresponding to the number of days' leave taken in excess of the accrued entitlement shall be deducted from the final salary of the staff member.

860. HOME LEAVE

860.1 Staff members who receive an expatriation allowance or residence allowance, or whose expatriation allowance has been reduced to zero within the meaning of paragraph 730.3.2 of the Staff Rule on salaries and allowances, shall be entitled to four days of home leave per calendar year of service, pro-rated where applicable by the number of months of service. No entitlement to home leave shall accrue during unpaid leave or parental leave.

Travel time

860.2 Staff members who are entitled to home leave under the foregoing paragraph shall also be entitled to travel time, as set out below, pro-rated where applicable by the number of months of service in the relevant calendar year.

860.2.1 Staff members recruited before 1 January 2005 shall be entitled to travel time in accordance with the legal provisions applicable at the time of their recruitment.

860.2.2 Staff members recruited between 1 January 2005 and 31 December 2011 shall be entitled to travel time, in accordance with the following table, provided that the place registered as their home is more than 80km, as the crow flies, from their duty station:

Distance, as the crow flies, between the staff member's home and duty station	**Travel time, in days, per calendar year**
80-300 km	1
301-600 km	2
601-900 km	3
more than 900 km	4

860.2.3 Staff members recruited as from 1 January 2012 shall be entitled to travel time, in accordance with the following table, provided that the place registered as their home is more than 350km, as the crow flies, from their duty station:

Distance, as the crow flies, between the staff member's home and duty station	**Travel time, in days, per calendar year**
350-600 km	1
more than 600km	2

860.3 A change in duty station shall entail a recalculation of the travel time to which a staff member is entitled.

Definition of a staff member's home

860.4 A staff member's home shall be determined by the Directorate of Human Resources at the time of their entry into service and shall correspond to the place with which the staff member has the closest ties, taking into account as applicable the staff member's country of citizenship; the place of residence of their parents or closest relatives; and their last place of permanent residence.

860.5 For staff members recruited after 1 January 2005, their home must be located in one of the Organisation's member states.

860.6 A staff member's home may be changed in duly justified circumstances, provided that the new home is located in one of the Organisation's member states.

860.7 Notwithstanding the two directly preceding paragraphs, if at the time of recruitment or thereafter a staff member has no ties, familial or other, to their country of citizenship but only to a non-member state of the Organisation, the staff member may request that such non-member state be considered as their home. In such a case, the travel time and costs reimbursed shall be limited to those that would have applied to the capital city of the staff member's country of citizenship.

870. SPECIAL LEAVE

870.1 Staff members may be granted authorisation to be absent with maintenance of remuneration in the specific circumstances listed below, upon production of the relevant supporting evidence. Authorisation must be requested in advance of the absence, except where paragraph 870.3 below applies. In the event that the relevant supporting evidence is not produced within the 3 months following the absence, a corresponding number of days shall be deducted from the staff member's annual leave entitlement. The authorised duration of the absence, entitlement or otherwise to travelling time and possibility of splitting the absence are as set out in the table below.

Grounds for absence	Number of days	Travelling time	Possibility of splitting the days
a) The staff member's marriage, civil union or registered partnership.	4 days	NO	YES
b) A child's marriage, civil union or registered partnership.	3 days	NO	YES
c) Marriage of a parent (including step-parent), grandparent or great-grandparent.	1 day	NO	YES
d) Change of the staff member's place of residence (removal), except at the end of their contract.	Up to 2 days per year	YES	YES
e) Serious illness of a staff member's spouse or partner.	Up to 3 days per year	YES	YES
f) Serious illness of a staff member's child	Up to 3 days per year (per child)	YES	YES
g) Serious illness of a staff member's parent (including step-parent), grandparent or great-grandparent	Up to 3 days per year (per parent)	YES	YES
h) Carer's leave	Up to 5 days per year (per person requiring care)	YES	YES
i) Death of a staff member's spouse, partner or child.	5 days	YES	YES
j) Death of a staff member's mother, father, step-mother or step-father.	3 days	YES	YES
k) Death of a staff member's grandparent or great grandparent.	2 days	YES	YES
l) Death of a staff member's brother or sister.	2 days	YES	YES
m) Death of a brother-, sister- or parent-in-law.	Up to 2 days	YES	YES
n) Performance of electoral duty (where voting takes place on a working day and where voting by post or by proxy or in a consulate located in the city of the staff member's duty station is not allowed).	1 day	YES	NO
o) Performance of jury duty.	Up to 5 days per year	YES	NO
p) Appearance as a witness in court proceedings.	1 day per year	YES	NO
q) Leave for trade union purposes.	1 day per year	YES	YES

Duration of travelling time

870.2 Where, according to the table above, travelling time is authorised, it shall be calculated as follows. If the distance, as the crow flies, between the place of the event in respect of which the absence is authorised and the staff member's duty station is between 350 and 600 km, the staff member shall be granted one day of travelling time. Where the distance is more than 600 km, the staff member shall be granted two days of travelling time. No travelling time shall be granted for events taking place less than 350 km from the duty station.

Bereavement during annual leave

870.3 Where a staff member's family member, belonging to one of the categories mentioned in the table above, dies whilst the staff member is on annual leave, the staff member may request the special leave provided above and the corresponding number of days will be restored to their annual leave entitlement.

Other grounds

870.4 Where authorisation to be absent is requested for reasons other than those set out in the table above, the Secretary General shall decide, on a case-by-case basis having regard to the particular circumstances, whether the request is justified and whether remuneration should be maintained during the absence.

Leave to care for a sick child

870.5 A staff member may be granted short periods of leave to care for a dependent child under the age of 16 who is living with them and who contracts a minor illness, undergoes a course of medical treatment, or otherwise requires the staff member's presence. Up to six days per year, pro-rated in accordance with the staff member's working time, may be granted in respect of each of the staff member's dependent children. The staff member must produce a medical certificate attesting to the child's illness as from the second day of absence.

870.6 Attendance at a medical consultation in respect of the child shall not be deemed to justify an absence under the foregoing paragraph. Staff members shall, in principle, arrange absences for children's medical or dental appointments outside the core hours set out at paragraph 810.2 above. Where this is not possible, a staff member may be authorised by their direct manager to accompany the child to a medical or dental consultation during core time up to twice per month, each time for one hour, provided that the absence is compatible with the needs of the Organisation and the staff member makes up the time. Attendance at a medical examination entailing a full or half-day's absence (such as a full medical check-up) shall be considered as giving entitlement to leave to care for a sick child, provided that the attendance and its duration is duly certified.

870.7 The age limit referred to in paragraph 870.5 above shall not apply to children who have been recognised by the Organisation as disabled pursuant to paragraph 760.2.1 of the Staff Rule on salaries and allowances.

870.8 Where recommended by the Disability Board referred to at paragraph 760.4 of the Staff Rule on salaries and allowances, the number of days provided for in paragraph 870.5 above shall be doubled. These days may only be taken to care for the child in respect of whom the Disability Board has issued its recommendation.

870.9 Where the parents of the child are both staff members of the Council of Europe, the entitlement to leave to care for a sick child shall, in principle, be split between them.

Training leave

870.10 A staff member may be granted up to 15 days' leave per year for the purposes of undertaking further study, research or professional training or participating in an examination which is in the interests of the Organisation. The decision as to whether and how many days of such leave shall be granted shall be taken by the Director of Human Resources, having regard to all the circumstances of the case.

880. PARENTAL LEAVE

880.1 A staff member shall be entitled to take parental leave of up to 12 months' duration following the birth of a child or the arrival in the staff member's household of a child as a result of an adoption procedure.

880.2 In the event of childbirth, parental leave must begin immediately after the maternity leave of the staff member or the maternity leave or parental leave of the staff member's spouse or partner or, as the case may be, of the staff member's new parent's leave. In the event of adoption, it must begin immediately after the adoption leave. As an exception to the foregoing, where staff members have annual leave outstanding, such leave may be taken between maternity, new parent's or adoption leave and parental leave.

880.3 A staff member who intends to take parental leave must notify their direct manager and the Directorate of Human Resources accordingly, at least one month prior to the proposed start of the parental leave. The intended duration of parental leave must be specified.

880.4 Parental leave must be taken as one continuous period. Any request to extend parental leave must be submitted to the staff member's direct manager and the Directorate of Human Resources at least two months before the end of such leave and may not result in a total duration of parental leave of more than 12 months. Any request to shorten parental leave once such leave is underway must be made at least two months before the end of such leave and will be granted only in exceptional circumstances.

880.5 Where both parents of the child are staff members of the Council of Europe, or of the Council of Europe and another Coordinated Organisation, the parental leave may be shared between them, but may not exceed 12 months per child. The parents may not both take parental leave at the same time but must take it in turn.

880.6 In the event that a staff member appointed under the Junior Professional Programme or Turnover Workforce Scheme takes parental leave, such

leave shall be counted as time worked, for the purposes of determining the staff member's total duration of employment. The staff member's contract may be prolonged by a period equal to the duration of their parental leave but may not exceed the maximum total length of employment foreseen at paragraph 4100.4 or 4110.4, as applicable, of the Staff Rule on entry into service.

880.7 In the event that a staff member, not appointed under the Junior Professional Programme or Turnover Workforce Scheme but holding a fixed-term contract, takes parental leave, such leave shall not count towards the staff member's total duration of service for the purposes of paragraph 470.2 of the Staff Rule on entry into service. It shall, however, not interrupt the staff member's continuity of service for the purposes of paragraph 470.4 of the same Staff Rule.

880.8 Periods of parental leave shall not count towards step or grade advancement. In the event that the staff member is entitled to the expatriation allowance pursuant to paragraph 730.2 or 730.3 of the Staff Rule on salaries and allowances, no expatriation allowance shall be payable during parental leave. However, the expatriation allowance shall, where applicable, continue to reduce in accordance with the relevant scale during parental leave, unless the exception provided for at paragraph 730.4.2 of the Staff Rule on salaries and allowances applies.

880.9 A staff member on parental leave shall not be entitled to any remuneration, with the exception of the allowance or supplement for a dependent child and, where applicable, the indemnity for a disabled child or supplement for a disabled or severely disabled child, referred to at paragraphs 760.1.2 and 760.2.2 of the Staff Rule on salaries and allowances, respectively. Such allowances shall be payable during parental leave for a maximum period of six months. Where both parents of the child are staff members of the Council of Europe, or of the Council of Europe and another Coordinated Organisation, the allowance or supplement for a dependent child shall be payable to the staff member who is not on parental leave, or where applicable, to the staff member who was already in receipt of the aforementioned allowance or supplement.

880.10 A staff member who has taken parental leave may request that a maximum period of six months of parental leave be credited to the pension scheme to which they are affiliated as if it had been service with the Organisation. In order for the first two months, or part thereof, of their parental leave to be credited, the staff member must pay an amount corresponding to their personal contribution to the relevant Pension Scheme. In order for the subsequent four months, or part thereof, to be credited, the staff member must pay both their personal contribution and the Organisation's contribution to the relevant Pension Scheme.

880.11 A staff member shall return from parental leave to the same job which they held prior to their parental leave.

890. UNPAID LEAVE

General provisions

890.1 A staff member who has been confirmed in employment and holds an open-ended contract or an indefinite-term contract may request unpaid leave. In duly justified exceptional circumstances, a staff member holding a fixed-term contract or undergoing their probationary period may be granted unpaid leave. In the case of a staff member undergoing their probationary period, the limitations contained in paragraph 4120.8 of the Staff Rule on entry into service shall apply.

890.2 Unpaid leave may be taken for a maximum total duration of four years over the course of a staff member's employment with the Organisation. Parental leave, or secondments as defined in Article 5110 of the Staff Rule on career development, shall not count towards this maximum duration.

890.3 In the event that a staff member appointed under the Junior Professional Programme or Turnover Workforce Scheme is exceptionally granted unpaid leave pursuant to paragraph 890.1, such leave shall be counted as time worked, for the purposes of determining the staff member's total duration of employment. The staff member's contract may be prolonged by a period equal to the duration of their unpaid leave but may not exceed the maximum total length of employment foreseen at paragraph 4100.4 or 4110.4, as applicable, of the Staff Rule on entry into service.

890.4 In the event that a staff member, not appointed under the Junior Professional Programme or Turnover Workforce Scheme but holding a fixed-term contract, is exceptionally granted unpaid leave pursuant to paragraph 890.1, such leave shall not count towards the staff member's total duration of service for the purposes of paragraph 470.2 of the Staff Rule on entry into service. It shall not, however, interrupt the staff member's continuity of service for the purposes of paragraph 470.4 of the same Staff Rule.

890.5 Any request for unpaid leave must be made at least four months before the proposed start date and must specify the proposed duration of such leave. The proposed duration may not be less than one year.

890.6 In deciding whether or not to grant a request for unpaid leave, the Secretary General shall have regard to the needs of the Organisation and the reasons for which unpaid leave is sought. Any refusal shall be duly justified in writing.

890.7 Any request to extend the duration of unpaid leave shall be made at least four months before the end of such leave, must extend the unpaid leave for a minimum of one year, and may not result in the total duration of the unpaid leave exceeding the maximum set out in paragraph 890.2 above. Any request to reduce the duration of unpaid leave shall be made at least four months before the end of such leave and shall be granted only in exceptional circumstances.

890.8 A staff member must take any accrued annual leave, including any leave in the savings account referred to at paragraph 850.7 above, before beginning unpaid leave.

890.9 During unpaid leave, there shall be no entitlement to any remuneration.

890.10 Periods of unpaid leave shall not count towards length of service or step or grade advancement.

890.11 A staff member who intends to resume their duties at the end of their unpaid leave shall confirm this intention, in writing, at the very latest four months before their unpaid leave is due to end. The Secretary General shall then make best efforts to identify a job within the Organisation that corresponds to the competencies, qualifications and experience of the staff member concerned, before their date of return. Paragraphs 670.3 and 670.4 of the Staff Rule on termination of service shall apply *mutatis mutandis*. If a suitable job is identified and accepted by the staff member, they shall resume their duties in the new job following the end of their unpaid leave. If no suitable job can be identified or if the staff member has refused one or more job offers, the staff member's employment shall terminate at the end of their unpaid leave. The Secretary General shall consult the Committee on Staff Matters in accordance with paragraph 1340.5 of the Staff Rule on staff participation and the staff member shall receive, as applicable, the indemnity for loss of job calculated in accordance with Article 690 of the Staff Rule on termination of service.

890.12 A staff member who does not resume their duties at the end of their unpaid leave shall be deemed to have resigned from the Organisation as of the date on which they should have resumed their duties.

Pension rights

890.13 A staff member who has had paid employment during their unpaid leave may request that the amount corresponding to the pension rights accrued during such employment be paid into the pension scheme to which they are affiliated by the Council of Europe, on the same terms as those set out in paragraph 5110.3 of the Staff Rule on career development.

890.14 A staff member who has not undertaken any paid activity during their unpaid leave may request that a maximum period of six months of unpaid leave be credited to the pension scheme to which they are affiliated as if it had been service with the Organisation. In order for the first two months, or part thereof, of their unpaid leave to be credited, the staff member must pay an amount corresponding to their personal contribution to the relevant Pension Scheme. In order for the subsequent four months, or part thereof, to be credited, the staff member must pay both their personal contribution and the Organisation's contribution to the relevant Pension Scheme.

Provisions applicable to unpaid leave for military training or service

890.15 A staff member who is called up for military training or service or who volunteers for the same shall be placed on unpaid leave for the duration of such training or service. The provisions above regarding unpaid leave shall not apply, with the exception of paragraphs 890.9, 890.10 and 890.11.

890.16 The placement of a staff member on unpaid leave for military training or service shall suspend the staff member's status as an international civil servant.

890.17 During unpaid leave for military training or service, the staff member's affiliation to the Organisation's social insurance scheme and pension scheme shall be suspended.

8100. UNJUSTIFIED ABSENCE

8100.1 Absence of a staff member at a time at which their presence is required under the present Staff Rule and in respect of which no prior authorisation has been granted shall be considered as unjustified absence. Any unjustified absence shall be compensated by a corresponding deduction from the staff member's annual leave entitlement or from their salary and may give rise to disciplinary proceedings.

8110. TELEWORK

8110.1 Telework is work which would normally be carried out on the Council of Europe premises but is performed elsewhere, at a defined location. Its aim is to contribute to a flexible, productive and result-oriented working environment and to a positive work-life balance for staff members. Telework is not a right of staff members, nor can it be imposed on staff members by the Organisation, except in the specific circumstances provided in paragraphs 8110.22 – 8110.24 below.

8110.2 The suitability of a job for telework will depend on the duties and responsibilities set out in the relevant job description.

8110.3 Subject to the foregoing paragraph, all staff members may telework, including staff members undergoing their probationary period and those working part-time.

8110.4 Presence in the workplace is required for at least 50% of a staff member's working time in any given two-week period. The two-week period shall be calculated on a rolling basis, disregarding any days not worked.

Authorisation

8110.5 Any telework requires the prior authorisation of the staff member's direct manager. A staff member whose job is suitable for telework may submit a request to telework.

8110.6 Requests for telework must be treated in a fair and consistent manner, without discrimination on any ground. Authorisation to telework shall be granted only if all of the following criteria are met:

8110.6.1 The staff member's tasks can be carried out away from Council of Europe premises;

8110.6.2 The requested telework is compatible with the needs of the service and would not have a negative impact on the staff member's team; and

8110.6.3 In the opinion of the direct manager, the staff member has the requisite organisational skills and capacity to work autonomously to enable them to meet their objectives whilst teleworking.

8110.7 Any refusal of a request to telework shall be given in writing and duly justified by reference to the provisions of the present Staff Rule.

8110.8 Telework at the duty station

Telework shall in principle be carried out at the staff member's place of residence, as declared to the Directorate of Human Resources. It may, however, be carried out in another suitable place in the vicinity of the staff member's duty station, provided that the place is located within two hours' travel, door to door, from the staff member's workplace.

8110.9 Telework away from the duty station

Staff members may, by way of exception to the foregoing paragraph and within the limit set out at paragraph 8110.4 above, telework away from the duty station for a total maximum of 50 days per calendar year. Telework away from the duty station may only be carried out in a member State of the Organisation or in a country in which the Organisation enjoys the privileges and immunities required to fulfil its mission. Staff members bear sole responsibility for any additional liabilities, including but not limited to those of a fiscal or social contribution nature, resulting from their telework away from the duty station.

8110.10 Working hours

Staff members who are teleworking shall observe the working hours set out at paragraphs 810.1 and 810.2 above, according to the time zone of their duty station.

8110.11 Telework within teams

Managers shall discuss with the members of their teams, at least annually, the team's framework for telework. Such discussions shall cover inter alia the anticipated frequency of telework by each team member and the times at which presence in the office is required.

Obligations of staff members

8110.12 Staff members must ensure that their place of teleworking is conducive to the effective exercise of their duties. They must not be subject to distractions and, in particular, must not act as primary caregiver to any person whilst teleworking.

8110.13 Staff members must ensure that their teleworking environment is ergonomically suitable and that they comply, whilst teleworking, with any health and safety guidance issued by the Organisation.

8110.14 Aside from the tools provided by the Organisation, staff members shall bear any costs incurred in setting up and maintaining their telework environment, as well as any travel, utilities, tax implications or other incidental costs associated with teleworking.

8110.15 Whilst teleworking, staff members must comply with all Council of Europe Regulations, Rules and Policies. They must take particular care to

ensure that no unauthorised persons have access to confidential or sensitive information or any personal data. Any incident involving confidential or sensitive information or personal data should be reported immediately to the entity of the Directorate of Information Technology concerned with information security or the Data Protection Officer, as applicable.

8110.16 A staff member may occasionally be required to make arrangements to return to the office or to change their teleworking schedule, where their direct manager deems it necessary. This shall not give rise to any compensation to the staff member concerned. The direct manager shall request the arrangements referred to in this paragraph, in writing, at least one day in advance if the staff member is teleworking at the duty station and at least two days in advance if the staff member is teleworking away from the duty station.

Rights of staff members

8110.17 Staff members who telework shall not be discriminated against as regards allocation of tasks, career development, or any other matter.

8110.18 Staff members, whether teleworking or not, have the right to fully participate in all relevant meetings and to receive all information necessary for the successful completion of their tasks.

8110.19 Teleworking, as a means to reconcile professional and private life, shall not result in an increased workload for staff members and shall not hamper their right to disconnect from work during non-working hours.

8110.20 Staff members shall enjoy all the rights set out in the Council of Europe's Regulations, Rules and Policies whilst teleworking, to the extent that such rights do not depend on the staff member's presence on Council of Europe premises.

Telework for medical reasons

8110.21 Telework may be approved by the Organisation's doctor for medical reasons, where the need to telework is duly justified by a medical certificate. The staff member's direct manager must validate the request to telework for medical reasons, on the basis of the approval of the Organisation's doctor. The limit set out at paragraph 8110.4 shall not apply. In the event that the medical certificate authorises the staff member to reside at a place other than their home address, the limit on days of telework away from the duty station set out at paragraph 8110.9 shall not apply.

Telework for special reasons

8110.22 The Secretary General may exceptionally, where the duly justified personal situation of the staff member so requires, authorise a staff member to telework in a manner which derogates from one or more of the provisions of this Article.

8110.23 In the event of a crisis or in other exceptional circumstances where the needs of the Organisation so require, the Secretary General may order all or certain staff members to telework to the extent strictly required by the circumstances. In so doing, the Secretary General may decide to derogate from one or more of the provisions of this Article.

8110.24 In special circumstances involving a temporary departure from the usual ways of working, the Director General of Administration may, after having consulted the Staff Committee, authorise derogation from one or more of the provisions of this Article, in respect of a limited number of staff members and for a limited time.

8110.25 In applying paragraphs 8110.22 – 8110.24, no derogation shall be made from paragraphs 8110.17 – 8110.20.

STAFF REGULATIONS

ARTICLE IX

Social Security

9.1 The Secretary General shall establish a scheme of social security for serving and, where applicable, former staff, including provisions for covering health care expenses, temporary incapacity for work, disability, dependency and death, as well as benefits in the case of maternity, paternity or adoption. The Scheme shall be financed jointly by the Organisation and staff.

9.2 The Secretary General shall determine in Staff Rules the benefits and risks covered, having regard to the French Social Security system. The guaranteed level of reimbursement of medical expenses shall not be lower than that provided by the French Social Security system.

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STAFF RULE ON SOCIAL SECURITY

910. DEFINITIONS

910.1 “Council of Europe Medical and Social Insurance Scheme” or “CEMSIS” is the Organisation’s own insurance scheme, guaranteeing benefits equivalent to those provided by French social security and/or additional benefits provided as complementary cover.

910.2 “Local scheme” is the French social security scheme in force in Alsace and Moselle which, in exchange for a contribution additional to those payable under the French general scheme, grants a reimbursement ceiling higher than that applicable under the general scheme.

910.3 “General scheme” is the French social security scheme as applicable throughout French territory.

910.4 “Third scheme” is a social security scheme other than those defined above.

910.5 “Mixed scheme” is an insurance scheme comprising primary cover under the French social security scheme supplemented by complementary cover provided by an external insurer and/or manager.

910.6 “Primary cover” is the basic cover provided by the local scheme or, by extension, the basic cover provided by CEMSIS which is equivalent to that provided by the local scheme.

910.7 “Complementary cover” is additional cover wholly or partly complementing the primary cover.

910.8 “Intermediate cover” is cover applicable to pensioners living outside France covered both by a third social security scheme and by CEMSIS where the expenses are not covered by that scheme, within the limits of the benefits provided for under CEMSIS.

910.9 A “principal beneficiary” is a staff member or former staff member of the Organisation, or the recipient of a secondary pension under one of the Organisation’s pension schemes and who is affiliated in this capacity to CEMSIS.

910.10 A “recipient of a secondary pension” is a surviving spouse or an orphan or other dependant of a deceased staff member or former staff member, who is in receipt of, respectively, a survivor’s pension or an orphan’s or other dependant’s pension under one of the Organisation’s pension schemes,

910.11 A “beneficiary entitled through a principal beneficiary” (or “*ayant droit*”) is a person entitled to medical cover on account of their relationship with the principal beneficiary of the cover.

910.12 A “dependant” and “dependent” refer to a person who is wholly and solely supported by the beneficiary and who receives no income in any country corresponding to paid employment, unemployment benefit, fees for a professional activity, an allowance, a pension, an annuity or other private income.

910.13 A “spouse” is the spouse of a principal beneficiary resulting from a marriage recognised by a member state.

910.14 A “registered partner” is a person who has entered into a partnership agreement with a principal beneficiary, that has been registered with a state whose law provides for such registration, where a copy of the partnership registration certificate has been submitted to the Directorate of Human Resources.

910.15 An “unmarried partner” is a person who is the *de facto* partner of a principal beneficiary; resides with that principal beneficiary; was insured as a beneficiary entitled through a principal beneficiary (“ayant droit”) by 31 December 2019; continued without interruption to fulfil the requirements of entitlement; and in respect of whom a declaration of honour signed by both partners has been submitted to the Directorate of Human Resources.

910.16 “French social security scheme reimbursement base” is the standardised rate for each item of medical care codified by the French social security scheme.

910.17 “Reimbursement ceiling” is the amount reimbursed by the French social security scheme, corresponding to a percentage of the reimbursement base.

910.18 “Sickness” is any organic or functional impairment of health insofar as it is duly certified by a doctor. This also covers a mental illness insofar as it is duly certified and determined by a doctor.

910.19 “Long-term illness” or “LTI” is any illness defined as an LTI by French social security and recognised as such under their relevant procedure by the manager of the group insurance contract, or, where applicable, by the *Caisse primaire d’assurance maladie*.

910.20 “Long-term care” is the permanent assistance of another person to carry out ordinary everyday activities, required as a result of a health condition.

910.21 “Stablilisation” is the point where, following a period of treatment, an injury stabilises and becomes long-term or permanent such that no further treatment is necessary except to prevent any deterioration.

910.22 “Accident” is any physical or mental harm resulting from the sudden and unforeseen effects of an external cause.

910.23 “Work accident” is any accident which is caused by, or occurs in the course of, functions undertaken in the Organisation and which causes physical or mental harm to a principal beneficiary in active service. In particular, any physical injury due to a sudden and unforeseen external cause shall be regarded as accidental.

Work accidents shall also include accidents occurring during a staff member’s usual journey to and from their usual or authorised place of work; when a staff member travels between the Organisation’s buildings; or when a staff member is travelling to or from an official destination or performing duties connected with an official journey (unless the journey has been interrupted for personal reasons unconnected with the staff member’s duties). The journey must not have been interrupted, or a detour have been made, for personal reasons unconnected with the principal beneficiary’s duties.

Work accidents shall include the further effects of an accident occurring while a staff member was performing their duties, even if these effects manifest themselves after the staff member has left the Organisation.

If problems arise with the interpretation of the principles relating to work accidents, French legislation on accidents at work, and the relevant French case law, shall apply by analogy

910.24 “Industrial disease” is an illness resulting from a succession of external events or a progressive effect linked to working conditions, which is recognised by the French social security scheme as an industrial disease in accordance with the table published by the National Research and Safety Institute (INRS) listing industrial diseases recognised under French legislation.

Industrial diseases shall include the further effects of an industrial disease contracted while a staff member was performing their duties, even if these effects manifest themselves after the staff member has left the Organisation.

If problems arise with the interpretation of the principles relating to industrial diseases, French legislation on industrial diseases, and the relevant French case law, shall apply by analogy.

910.25 The “insurer” is the external insurance company with whom the Organisation has taken out a group insurance contract in order to provide the cover described in this Staff Rule.

910.26 The “scheme manager” is the company which manages the administration of the Organisation’s insurance contract with the insurer.

910.27 The “total monthly salary (contribution basis)” shall be the basis for the assessment of a staff member’s contributions to CEMSIS, comprising the staff member’s basic salary plus, as applicable, the household allowance, basic family allowance, residence or expatriation allowance including the fixed monthly allowance in respect of expatriated/resident child, cost and conditions of living allowance, language allowance, work compensation allowance, overtime, and back pay.

910.28 The “pension (contribution basis)” shall be the basis for the assessment of a pensioner’s contributions to CEMSIS, comprising the pension paid by the Organisation under one of its Pension Schemes and the household allowance or basic family allowance, where applicable, and excluding any other allowances or indemnities.

910.29 A “technical repository” is a document adopted by the Director General of Administration setting out specific technical details pertaining to cover provided under this Staff Rule.

920. BENEFITS

920.1 The Council of Europe’s Medical and Social Insurance Scheme (CEMSIS) shall provide reimbursement of medical expenses as well as benefits in the event of maternity, sickness, disability or death, as specified in this Staff Rule.

930. BENEFICIARIES

930.1 Staff members and pensioners receiving a pension under one of the Organisation’s pension schemes shall be automatically and compulsorily affiliated to CEMSIS as principal beneficiaries for primary and/or complementary cover as the case may be.

930.2 Recipients of a secondary pension shall be automatically and compulsorily affiliated to CEMSIS as principal beneficiaries.

930.3 Former staff members who have left the Organisation for reasons other than retirement, as well as staff members who are on unpaid leave or parental leave, may, provided that the relevant conditions are met, remain affiliated to CEMSIS on a voluntary basis.

930.4 The categories of persons referred to at paragraphs 960.2.6 to 960.2.13 below may, provided that the relevant conditions are met, be affiliated to CEMSIS on a voluntary basis for the reimbursement of medical expenses only.

940. DURATION OF COVERAGE

940.1 *Staff members*

940.1.1 The cover for a staff member and the beneficiaries entitled through them, solely in respect of medical expenses following an accident, shall take effect on the day on which the staff member’s journey to

take up duties begins. The remainder of cover for such persons shall take effect on the first day of the principal beneficiary's employment contract.

940.1.2 The cover of a staff member on unpaid leave or parental leave, and the beneficiaries entitled through them, shall be suspended for the duration of such leave, except in the following situations:

940.1.2.1 A staff member who is covered on a primary and complementary basis may benefit free of charge from maintenance of the primary cover in respect of medical expenses for a maximum of 12 months, provided that they do not perform any paid activity or receive any indemnity or allowance paid by another scheme and do not benefit in their own right from primary cover provided by another scheme. Such staff member may continue to benefit from the maintenance of primary cover in respect of medical expenses, under the same conditions and subject to the same provisos, for a period of time longer than the aforementioned 12 months but not exceeding the duration of their parental leave or unpaid leave, subject to payment of the requisite premium and provided that they maintained the optional complementary cover provided for in the following paragraph during the period of entitlement to maintenance of primary cover.

940.1.2.2 A staff member who is covered on a primary and complementary basis may continue to benefit from the complementary cover in respect of medical expenses and benefits in the event of death or permanent total invalidity, provided that they request it at least one month before the start of their leave; pay the requisite premium; and benefit from the maintenance of primary cover mentioned in the foregoing paragraph or are entitled to primary cover under another scheme (other than compulsory primary cover linked to a professional activity).

940.1.2.3 A staff member who is covered on a complementary basis may continue to benefit from the complementary cover in respect of medical expenses and benefits in the event of death or permanent total invalidity, provided that they request it at least one month before the start of their leave; pay the requisite premium; and benefit from continued coverage under the French social security scheme or from primary cover under another scheme (other than compulsory primary cover linked to a professional activity).

940.1.3 Once suspended, either at the beginning of a period of unpaid leave or parental leave or following a period of maintenance of cover pursuant to one or more of the three foregoing paragraphs, the cover of a staff member on unpaid leave or parental leave shall not resume until the end of the aforementioned leave.

940.1.4 The cover of a staff member who has taken unpaid leave or parental leave, and the beneficiaries entitled through them,

regardless of whether the staff member maintained their cover during said leave, shall resume unconditionally on the first day on which the staff member resumes work.

940.1.5 The cover for a staff member and the beneficiaries entitled through them shall end on the last day of the staff member's contract, except in the following situations:

940.1.5.1 A former staff member who has left the Organisation for reasons other than retirement and who does not benefit in their own right from medical insurance cover under another scheme shall, together with the beneficiaries entitled through them, be entitled to the maintenance of primary cover in respect of medical expenses, without cost, for a maximum of twelve months or, in the case of a staff member who has received an indemnity for loss of job pursuant to Article 6.5 of the Staff Regulations, for a maximum period corresponding to the number of months taken into account in the calculation of the indemnity.

940.1.5.2 A former staff member who has left the Organisation for reasons other than retirement, together with the beneficiaries entitled through them, may optionally request to continue the complementary cover under CEMSIS in respect of medical expenses subject to payment of the relevant premium and provided that they do not benefit from complementary cover under any other scheme. This continuation of complementary cover shall be possible for as long as the former staff member is entitled to maintenance of primary cover pursuant to the foregoing paragraph.

940.1.5.3 A former staff member who has received an indemnity for loss of job pursuant to Article 6.5 of the Staff Regulations may optionally request to continue the primary and complementary cover in respect of either medical expenses or benefits in the event of death or permanent total invalidity or both beyond the time limits mentioned in the two foregoing paragraphs but within a maximum of five years from the date on which they left the Organisation, subject to payment of the relevant premium and on the following conditions:

940.1.5.3.1 The former staff member maintained the optional complementary cover in respect of medical expenses during the period of entitlement to maintenance of primary cover; and

940.1.5.3.2 The former staff member will reach the age of entitlement to a pension under the pension scheme of the Organisation to which they are affiliated within five years from the date on which they left the Organisation.

940.1.5.4 A former staff member who, on the date on which their employment with the Organisation ended, held a fixed-term contract and was on sick leave, shall continue to benefit from the guarantees set out in Articles 970 and 980 below, for as

long as the sick leave continues. This continuation shall not last longer than 36 months from the date on which the sick leave began, or from the date of stabilisation in the case of sick leave following a work accident or industrial disease, and in no case shall extend beyond the former staff member's 65th birthday.

940.1.6 The optional continuation of cover for a beneficiary entitled through a principal beneficiary, in the situations described in paragraphs 940.1.2.1 to 940.1.2.3 and 940.1.5.1 to 940.1.5.3 above, shall not be automatic but must be requested at the same time as the request is made for the principal beneficiary, and shall only be possible where the principal beneficiary benefits from the same optional continuation of cover.

940.1.7 Cover in respect of benefits in the event of death or permanent total invalidity shall end at the latest on the last day of the month in which the staff member, or former staff member who has subscribed the optional continuation of cover in respect of death or permanent total invalidity, turns 65.

940.1.8 Cover in respect of benefits in the event of permanent partial disability shall end at the latest on the last day of the month in which the staff member turns 65.

940.2 *Pensioners*

940.2.1 The cover of a pensioner of the Organisation or recipient of a secondary pension and the beneficiaries entitled through them shall take effect on the first day of entitlement to the pension and shall end on the date on which the pension entitlement ends or the pensioner dies.

940.2.2 The cover of a former staff member having benefitted from termination of service measures under Resolution 92(28) and the beneficiaries entitled through them shall take effect on the first day of payment of the termination of service allowance and end on the date on which the allowance ceases to be paid.

940.2.3 The cover of a pensioner of the Organisation who engages in a professional activity shall in principle be maintained and the pensioner shall continue to pay contributions. In the event that the aforementioned professional activity results in their compulsory affiliation to a scheme providing primary medical cover, the cover provided by CEMSIS shall be limited to complementary cover.

950. CONTRIBUTIONS

950.1 Staff members, pensioners and recipients of a secondary pension, who are affiliated to CEMSIS, shall contribute one-third of the cost of cover, two-thirds of the cost being borne by the Organisation. Staff members and pensioners affiliated to the mixed scheme, who benefit from CEMSIS at complementary level, shall be liable for the employee's share of the

contributions payable towards the social security scheme to which they are affiliated for primary cover.

950.2 The respective rates of contribution of the Organisation, on the one hand and, on the other, staff members, pensioners, former staff members and recipients of a secondary pension, shall be determined by the Director General of Administration and shall be communicated to staff members and former staff members by way of a technical repository.

950.3 The contribution of a staff member shall be calculated on the basis of that staff member's total monthly salary (contribution basis). Contributions shall be deducted monthly from the staff member's salary.

950.4 The contribution of a pensioner or of the recipient of a secondary pension shall be levied on the amount of the pension (contribution basis). The Director General of Administration may set minimum bases for the assessment of contributions on pensions. Contributions shall be deducted monthly from the pension.

950.5 The amount of the additional monthly premiums in respect of the optional extension of cover to family members, as referred to at paragraph 960.2.12 below, shall be set out in a technical repository by the Director General of Administration and shall be paid monthly by the principal beneficiary.

960. MEDICAL EXPENSES

960.1 The cover in respect of medical expenses under CEMSIS shall include the cost of medical treatment prescribed or provided by a qualified medical practitioner in case of sickness, accident or maternity and shall be at least equivalent to that provided under French social security. It shall cover the cost of items of medical care included by the French social security as "*actes medicaux*", as well as supplementary items of medical care which the Director General of Administration, having consulted the Committee on Medical and Social Protection, has decided shall be reimbursable. The items of medical care covered by CEMSIS, both those covered by French social security and the supplementary items, shall be communicated to staff members, pensioners, former staff members and recipients of a secondary pension by way of a technical repository.

960.2 Coverage under CEMSIS may take the form of primary cover only, primary and complementary cover, or complementary cover only. Cover in respect of the following categories of persons shall be as set out below:

960.2.1 Staff members shall in principle be insured on the basis of both primary and complementary cover.

960.2.2 Notwithstanding the foregoing paragraph, staff members who were recruited before 1 January 1999 and who opted to remain affiliated to the French social security scheme shall be insured on a complementary basis. Such persons and the persons entitled through them, as well as family members affiliated via an extension of complementary cover, shall, upon adding together the benefits paid by their social security scheme and those they receive on a complementary basis, obtain the same reimbursements as are

paid to staff members affiliated to CEMSIS for both primary and complementary cover, in terms of both the type of care and the amounts refunded.

960.2.3 A pensioner of the Organisation shall be insured on the basis of both primary and complementary cover, provided that the pensioner is not entitled, in their own right, to coverage of medical expenses under another scheme, as a result of compulsory affiliation to that scheme. A pensioner of the Organisation who is so entitled may voluntarily opt to be covered by CEMSIS on a primary and complementary basis on payment of the corresponding differential premium.

960.2.4 A pensioner of the Organisation who is entitled, in their own right, to coverage of medical expenses under another scheme and has not opted to be insured on a primary basis by CEMSIS, as described in the foregoing paragraph, shall be insured by CEMSIS on the basis of complementary cover.

960.2.5 A pensioner of the Organisation living outside of France who is entitled, in their own right, to coverage of medical expenses under a third scheme and has not opted to be insured on a primary basis by CEMSIS shall be covered on an intermediate basis. Their medical expenses shall be covered on a supplementary basis in relation to the third scheme and may be reimbursed from the first euro where the expenses are not covered by the relevant third scheme, provided that such expenses would be reimbursable under CEMSIS.

960.2.6 A spouse, registered partner or unmarried partner who is insured as a beneficiary entitled through a principal beneficiary covered on a primary and complementary basis, and who is dependent upon the principal beneficiary, shall be covered on a primary basis.

960.2.7 A divorced spouse or former registered partner of a principal beneficiary covered on a primary and complementary basis shall be covered on a primary basis for a period of one year from the date of divorce or the end of the partnership, provided that the divorced spouse or former registered partner is not entitled in any capacity to reimbursement of medical expenses under another scheme.

960.2.8 A dependent child of a principal beneficiary, covered on a primary and complementary basis, who is under the age of 18 shall be covered on a primary and complementary basis, provided that the child is not covered by another scheme. This primary and complementary cover shall also extend to a dependent child of a principal beneficiary’s spouse or registered partner, provided that the child is dependent on the principal beneficiary, according to paragraph 760.1.1 of the Staff Rule on salaries and allowances. If a child to whom this paragraph applies is covered at the primary level by the other parent’s insurance, the child shall be covered by CEMSIS at the complementary level.

960.2.9 A dependent child of a principal beneficiary, covered on a primary and complementary basis, who is over the age of 18 and is recognised by the Organisation as disabled shall be covered on a primary basis, provided that the child is not entitled in their own right to coverage of medical expenses under another scheme.

960.2.10 A close relative, who lives with the principal beneficiary and looks after the home and at least two children under the age of 14, who is dependent on the principal beneficiary, and was insured as a beneficiary entitled through a principal beneficiary until 31 December 2019, shall be entitled to primary cover, on condition that they do not benefit in their own right from coverage of medical expenses under another scheme and provided that they continue without interruption to fulfil the requirements to be entitled.

960.2.11 Any person (with so-called “new beneficiary entitled through a principal beneficiary status”) who is dependent on, and living with, the principal beneficiary, and who was insured as a beneficiary entitled through a principal beneficiary until 31 December 2019, shall be entitled to primary cover, on condition that they do not qualify in their own right for coverage of medical expenses under another scheme and provided that they have continued without interruption to fulfil the requirements to be entitled.

960.2.12 A principal beneficiary’s family member who is not entitled to cover, or who is entitled to primary cover only, under the six foregoing paragraphs, and in respect of whom the principal beneficiary has requested the extension of complementary cover and paid the relevant additional monthly premium, shall be covered on a complementary basis. The Director General of Administration shall, having consulted the Committee on Medical and Social Protection, set out in a technical repository the categories and conditions of these optional extensions along with the premiums.

960.2.13 The dependent child, under the age of 18, of a principal beneficiary covered on a complementary basis as provided for by paragraph 960.2.2 above, shall be covered on a complementary basis, whether they benefit from the principal beneficiary’s, or the other parent’s, primary cover for medical insurance purposes. This complementary cover shall also extend to the dependent children of a principal beneficiary’s spouse or registered partner, provided that the child is dependent on the principal beneficiary, according to paragraph 760.1.1 of the Staff Rule on salaries and allowances.

960.3 The reimbursement of items of medical care for which a prior agreement is required under the French social security scheme shall be subject to prior agreement by a medical adviser of the insurer or of the scheme manager and shall be assessed under the same criteria as those applied by the French social security scheme. For a beneficiary covered on a complementary basis, agreement given by the French social security scheme shall qualify as prior agreement under CEMSIS.

960.4 The reimbursement base used to calculate reimbursements in respect of a long-term illness or the effects of a work accident or industrial disease

shall not be less than the reimbursement base of the general scheme of the French social security.

960.5 Only medical expenses already paid shall be reimbursed under CEMSIS, with the exception of hospitalisation costs and, for beneficiaries suffering from a long-term illness, pharmaceutical expenses, laboratory costs and the costs of appliances, which may under certain conditions be paid directly by the insurer, subject to the approval of the scheme's manager. If a beneficiary's primary cover so permits, a beneficiary covered on a complementary basis by CEMSIS may benefit from the electronic transmission of data and/or the third-party payer ("tiers payant").

960.6 The Director General of Administration may, having consulted the Committee on Medical and Social Protection, introduce a fixed charge and/or deductible amount applicable to the reimbursement of certain items of medical care under CEMSIS, provided that such charge or amount is also provided for by the French social security scheme. The Director General of Administration may similarly, also having consulted the Committee on Medical and Social Protection, authorise the coverage under CEMSIS complementary cover of fixed charges and/or deductible amounts applied by the French social security system to the reimbursement of certain items of medical care.

960.7 No reimbursement shall be made of expenses incurred more than two years before the date on which the reimbursement claim is made. The two-year time limit shall begin on the date of treatment or, in the case of medicines or optical equipment, the date of invoicing.

960.8 All persons entitled to benefits under the present Staff Rule, who are personally entitled to benefits under another social insurance scheme, must always obtain the benefits due under such scheme before applying for benefits under CEMSIS, from which the former benefits shall be deducted.

960.9 All principal beneficiaries are under an obligation to notify the relevant unit of the Directorate of Human Resources of any change in their situation or that of any beneficiary entitled through them that might affect their entitlement to cover. Any failure to comply with this obligation may result in the payment of the corresponding insurance premiums by the principal beneficiary and, in the case of staff members, in disciplinary proceedings. All principal beneficiaries are also under an obligation to comply with any periodic administrative checks carried out by the Directorate of Human Resources. Failure to do so may result in the suspension or cancellation of cover.

960.10 The Organisation may retroactively recover the insurance premiums due to the insurers, as well as any sums unduly paid by the insurers, in respect of a period of two years preceding the date on which the relevant unit of the Directorate of Human Resources became aware of a change in situation of which it should have been notified pursuant to the foregoing paragraph. The aforementioned period of two years shall be increased to ten years in the event that the principal beneficiary intentionally provided false information or omitted to provide relevant information to the relevant unit of the Directorate of Human Resources.

960.11 Any disputes arising between a principal beneficiary and the insurer or the scheme manager shall be settled as provided for in the relevant information note.

970. BENEFITS IN THE EVENT OF DEATH

970.1 In the event of the death of a staff member, or a former staff member who has subscribed the optional continuation of cover, the Organisation shall pay a capital sum to the survivor or survivors of the deceased, under the conditions set out in this Article.

970.2 Where the beneficiary of the cover provided for in this Article is a staff member, the amount of the capital sum shall be equivalent to twenty-four times the staff member's last total monthly salary (contribution basis). Where the beneficiary is a former staff member or staff member on unpaid leave or parental leave and benefitting from the optional continuation of cover, the amount of the capital sum shall be equivalent to twenty-four times the last total monthly salary (contribution basis) they received before their employment ceased or before the start of their unpaid leave or parental leave, respectively.

970.3 Where the beneficiary has, prior to their death, been declared as suffering from category 1 or category 2 invalidity under one of the Organisation's pension schemes, they shall remain entitled to the benefits in the event of death provided by this Article for a maximum period of five years from the date of the recognition of invalidity and before they turn 65. In such a case, the capital sum already paid in respect of their invalidity shall be deducted from the capital sum to be paid in respect of their death.

A beneficiary who has been declared as suffering from category 3 invalidity and has consequently received the corresponding capital sum shall cease to be entitled to the benefits in respect of death.

970.4 Any beneficiary of cover under this Article may designate one or more recipients of the capital sum. Such designation can be altered at any time, but only by the beneficiary. Any designation or alteration of a designation must be done in accordance with the prescribed procedures and form. If more than one recipient is designated, the beneficiary may stipulate the respective share of the capital sum to be received by each, failing which the capital sum shall be divided equally between the designated recipients. In the event that one or more of the designated recipients dies before or at the same time as the beneficiary, their share shall be divided proportionately between the remaining designated recipients. No bank, financial institution or insurance company may be designated in connection with the taking out of a loan.

970.5 In the absence of designation by the beneficiary prior to their death, the payment of the capital sum shall be made in the following order of priority:

970.5.1 In full to the beneficiary's spouse or registered partner;

970.5.2 Failing which, in equal shares to each of the beneficiary's birth or adopted children as well as any other children or other dependants

in respect of whom the beneficiary received the Organisation's dependants' allowances;

970.5.3 Failing which, to the beneficiary's legal heirs under the applicable private international law.

970.6 Sums due to minors or persons lacking legal capacity shall be paid to their legal guardian.

970.7 The capital sum shall be paid to the recipient in the currency in which it is paid by the insurers. Should the amount due be transferred to a country with another currency, any bank and exchange charges shall be borne in full by the recipient.

970.8 Should any recipient, whether designated or by default, refuse the sum due to them under this Article, their sum shall be divided on a proportional basis among any remaining recipients, unless the beneficiary has provided to the contrary.

970.9 In the event that, at the time of the death, the beneficiary has no known legal heirs and their estate consequently reverts by escheat to a state, the capital sum shall revert to the Council of Europe.

980. BENEFITS IN THE EVENT OF PERMANENT TOTAL INVALIDITY

980.1 In the event of the permanent and total invalidity, as recognised by the Invalidity Board defined in Article 13 of the Pension Scheme Rules, New Pension Scheme and Third Pension Scheme, of a staff member or a former staff member or staff member on unpaid leave or parental leave who has subscribed the optional continuation of cover, the Organisation shall pay a capital sum to that person (or, should the person lack legal capacity, to their legal guardian) under the conditions set out in this Article. Paragraph 970.7 above shall apply *mutatis mutandis.*

980.2 The amount of the capital sum shall depend on the degree of invalidity, based on the categories applied by the French social security scheme:

980.2.1 A person suffering from category 3 invalidity shall be entitled to a capital sum equivalent to twenty-four times the staff member's last total monthly salary (contribution basis) or, in the case of a former staff member or staff member on unpaid or parental leave and benefitting from the optional continuation of cover, twenty-four times the last total monthly salary (contribution basis) they received, respectively, before their cessation of employment or the start of their unpaid leave or parental leave;

980.2.2 A person suffering from category 1 or 2 invalidity shall be entitled to a capital sum equivalent to twelve times the staff member's last total monthly salary (contribution basis) or, in the case of a former staff member or staff member on unpaid or parental leave and benefitting from the optional continuation of cover, twelve times the last total monthly salary (contribution basis) they received before, respectively, their cessation of employment or the start of their unpaid leave or parental leave.

980.3 A beneficiary who has been declared as suffering from category 1 or category 2 invalidity and has consequently received the corresponding capital sum shall remain entitled to the capital sum in the event of category 3 invalidity, free of payment of any premium, for a maximum period of five years from the date of recognition of the invalidity and at the latest by the end of the month in which they turn 65. In such a case, the capital sum already paid in respect of their category 1 or category 2 invalidity shall be deducted from the capital sum to be paid.

980.4 From the first day of the month following the beneficiary's 56th and subsequent birthdays, the capital sum payable in the event of category 1 or category 2 invalidity shall be reduced as follows:

56th	11 x the total monthly salary (contribution basis)
57th	9 x the total monthly salary (contribution basis)
58th	7.5 x the total monthly salary (contribution basis)
59th	6 x the total monthly salary (contribution basis)
60th	4.5 x the total monthly salary (contribution basis)
61st	3 x the total monthly salary (contribution basis)
62nd	1.5 x the total monthly salary (contribution basis)
63rd	1 x the total monthly salary (contribution basis)
64th	1 x the total monthly salary (contribution basis)

980.5 Where the Invalidity Board finds, in conformity with the rules established by the French social security system, that as a result of the permanent and total invalidity in respect of which the capital sum is payable, the beneficiary of cover under this Article requires long-term care, that is, the constant assistance of another person to carry out ordinary everyday activities, a monthly attendance allowance shall be payable to the beneficiary for life. The allowance is payable as from the month following the decision of the Invalidity Board. The allowance shall be payable whether the need for such assistance is recognised at the time of the declaration of invalidity or within five years of such declaration as a result of the worsening of the invalidity, and regardless of the age of the beneficiary at the time the need for assistance is recognised. If the need for such assistance is recognised, as a result of the worsening of the invalidity, more than five years from the declaration of invalidity, the monthly attendance allowance shall be payable for a duration limited to five years. The monthly attendance allowance shall be payable only where another person's assistance is needed as a result of the permanent and total invalidity that gave rise to the payment of the capital sum and shall under no circumstances be awarded following another illness that arose at a later date.

980.6 The amount of the attendance allowance referred to in the preceding paragraph shall be 2,313.39 EUR as at 31 December 2025 and shall be indexed each year under the same conditions as the adjustment of pensions paid in France under the Organisation's pension schemes.

990. LONG-TERM CARE GUARANTEE FOR FORMER STAFF MEMBERS

990.1 Where a pensioner or a recipient of an invalidity pension from the Organisation is assessed by the insurer as being incapable of carrying out a pre-defined number of ordinary everyday activities, such as to necessitate the permanent assistance of another person, a monthly attendance allowance shall be payable for life. The amount of the attendance allowance shall be as provided in the foregoing paragraph. The payment of the monthly attendance allowance shall be subject to a waiting period of 90 days from the date on which the relevant request is made, and shall not be payable simultaneously with the monthly attendance allowance described at paragraph 980.5 above.

9100. BENEFITS IN THE EVENT OF PERMANENT PARTIAL DISABILITY

9100.1 A staff member shall be considered to be in a situation of permanent, partial disability, and the provisions contained in the subsequent paragraphs shall apply, if:

9100.1.1 The staff member has been temporarily unable to work in accordance with their usual working time regime as a result of sickness or accident for a sufficient period for the permanent nature of their disability to be established (consolidation); and

9100.1.2 The staff member has been recognised by the Invalidity Board provided for under Article 13 of the Pension Scheme rules, the New Pension Scheme and the Third Pension Scheme as having a permanent disability that renders them incapable of carrying out, in accordance with their usual working time regime, their duties or other duties proposed by the Organisation which correspond to their experience and qualifications. The referral to the Invalidity Board and the functioning of the latter shall be governed by Article 13 of the aforementioned pension scheme rules and their respective implementing instructions.

9100.2 The staff member's working hours shall be reduced to 50% of full-time hours and their salary, which shall be reduced accordingly, shall be supplemented by a work compensation allowance.

9100.3 The amount of the work compensation allowance shall be equal to 70% of the difference between the basic salary payable for the working time regime of the staff member at the time when the partial disability is recognised and the basic salary in respect of a 50% working time regime.

Working time regime before permanent, partial disability	**Share of salary paid by the Organisation**	**Compensation allowance as a percentage of the basic salary for full-time work**	**Total salary (salary + WCA) as a percentage of the basic salary for full-time work**
100%	50%	35%	85%
90%		28%	78%
80%		21%	71%
70%		14%	64%
60%		7%	57%
50%		0%	50%

9100.4 The work compensation allowance shall be taken into account when calculating the household allowance, basic family allowance, expatriation allowance and contributions to health insurance. It shall also be included in the calculation of pension contributions but shall give entitlement to pensions benefits corresponding to the beneficiary's working time regime at the time of the recognition of permanent partial disability.

9100.5 The staff member's annual leave entitlement shall be that of a staff member working part-time at 50%. Their work schedule shall be determined by the Organisation's doctor in collaboration with the staff member's managers. Their tasks and objectives shall be adapted to take into account their working hours and medical situation.

9100.6 The situation of all staff members in receipt of the work compensation allowance shall be reviewed annually by the Organisation's doctor who may convene the Invalidity Board if necessary to have it decide on the continuation of the work compensation allowance; a recommendation that the staff member concerned be recognised as suffering from permanent total invalidity; or the resumption of work by the staff member concerned on their previous working time regime.

9100.7 Entitlement to the work compensation allowance ceases in the event of a decision by the Invalidity Board to recognise the staff member as suffering from permanent total invalidity or to recommend that the staff member resumes work; upon death of the staff member; at the end of the staff member's employment with the Organisation; or at the end of the month in which the staff member turns 65.

9110. WORK ACCIDENTS AND INDUSTRIAL DISEASES

9110.1 Except in the event of force majeure, a beneficiary who suffers a work accident shall immediately inform, or have someone else inform, the relevant unit of the Directorate of Human Resources, specifying the detailed circumstances of the accident. The relevant unit shall, within 48 hours, transmit a declaration to the insurance organisation with which the staff member is affiliated, which shall assess whether or not the accident is work related and notify the staff member and the Directorate of Human Resources of its conclusions.

9110.2 A staff member who considers that they are suffering from an industrial disease must contact the insurance organisation with which the staff member is affiliated, in accordance with the procedures set out by the latter, which shall assess whether or not the staff member is suffering from an industrial disease and notify the staff member and the Directorate of Human Resources of its conclusions.

9110.3 A staff member who, following or as a result of a work accident or industrial disease, suffers an impairment or sequelae such that the staff member cannot recover their previous capacity for work, shall be entitled to specific benefits from the day after the date of stabilisation of their condition.

9110.4 The aforementioned benefits shall be calculated according to the criteria applied by the French social security scheme. Where the degree of disability is less than 10%, the benefits shall be paid as a lump sum. For any greater degree of disability, the benefits shall be paid as an allowance.

9110.5 Where the beneficiary requires the assistance of another person to carry out everyday activities, the allowance shall be increased by 40%.

9110.6 The benefits provided for in this Article shall be payable in addition to any other benefits provided under the Staff Rules or Pension Scheme Rules, New Pension Scheme or Third Pension Scheme.

9120. ABSENCE FOR REASONS OF HEALTH

Sick leave

9120.1 Any absence for health reasons shall be notified, as from the first half-day of absence, to the staff member's direct manager or other person within their entity who has been designated as responsible for matters concerning leave. The expected duration of the absence shall be indicated as soon as this is known.

Sick leave notices

9120.2 Staff members shall comply with the following procedures in respect of sick leave notices:

9120.2.1 Any sick leave notice issued to a staff member shall be completed as necessary by the staff member and sent to the relevant unit of the Directorate of Human Resources within 48 hours of its issuance. The staff member shall complete and send all sick leave notices in the manner set out in guidance issued by the Directorate of Human Resources and shall also provide any other necessary information and carry out any other administrative formality required by the same guidance.

9120.2.2 In the event of hospitalisation, an entry form (*bulletin d'entrée*) or equivalent document provided by the admissions department shall serve as a sick leave notice and must be sent in the same manner and within the same time limits as a sick leave notice. In the event of long-term hospitalisation, the beneficiary must send a health status document (*bulletin de situation*) to the relevant unit of the Directorate of Human Resources once a month. At the end of the hospitalisation, an exit form (*bulletin de sortie*) must be requested by the beneficiary from the admissions department and sent to the aforementioned unit.

9120.2.3 Any sick leave notice issued outside of France shall, if possible, be sent to the relevant unit of the Directorate of Human Resources accompanied by the "sick leave declaration" form, which exempts beneficiaries from the obligation to provide a translation of the sick leave notice in English or French.

9120.2.4 Beneficiaries affiliated to CEMSIS for primary cover must retain any sick leave notice for two years from the start of their sick leave.

9120.3 In the event of sick leave which has been prolonged, the beneficiary must ensure that successive sick leave notices cover the entire period of absence without interruption. Prolongations to a sick leave notice shall, where possible, be issued by the same doctor as issued the initial sick leave notice. Notices of prolongation of sick leave must be sent in the same manner and within the same time limits as the initial notices. A period of absence for health reasons may not be interrupted by a period of annual leave. Where applicable, the beneficiary may be required to produce a sick leave notice in lieu of annual leave. Any periods of closure of the Organisation must be covered by a sick leave notice when they are preceded and followed by a period of absence for health reasons. The preceding provisions do not apply if the second period of absence is for a different reason from the first.

Location during sick leave

9120.4 Unless otherwise stated on the sick leave notice, a staff member on sick leave is not authorised to leave their home. Even if authorised to leave home, a staff member on sick leave shall remain at home between the hours of 09:00 and 11:00; and the hours of 14:00 and 16:00, unless required to undergo treatment or medical examinations during those hours or unless specific authorisation to leave their home without restrictions has been given by a doctor. Should the sick leave notice specifically state that the staff member is authorised to leave home, the reasons for such authorisation shall be stated and the Organisation's doctor may ask the staff member to provide these reasons.

9120.5 A staff member on sick leave shall in principle be required to reside on a permanent basis at their home address, as notified to the Directorate of Human Resources. In exceptional circumstances, where a journey is medically justified and contributes to their recovery, a staff member may be authorised by the Organisation's doctor to reside temporarily at another address, provided that:

9120.5.1 They provide a medical certificate from their doctor authorising them to travel and stating why the journey is medically justified;

9120.5.2 They submit the aforementioned certificate, together with the prescribed form available from the relevant unit of the Directorate of Human Resources, to the Organisation's doctor at least 15 calendar days prior to their proposed journey; and

9120.5.3 In the case of staff members affiliated to the French social security system, they first obtain authorisation from the medical adviser of their social security office. This requirement does not apply to staff members working on a part-time basis for health reasons, pursuant to paragraph 9120.21 below.

Maintenance of salary

9120.6 The full salary of a staff member who is absent for medically certified health reasons shall be met by the Organisation for a total of 120 days. Thereafter, and for a further 60 days, 50% of the salary shall be met by the Organisation and the staff member shall receive a supplement equivalent to 50% of their salary from the relevant medical and social insurance scheme. At the end of the 60 days, the Organisation shall no longer meet the cost of the salary of the staff member, who shall receive an allowance equivalent to 100% of their salary from the relevant medical and social insurance scheme.

9120.7 In the case of a staff member holding a fixed-term contract, if the expiry of the contract occurs before the end of the absence for health reasons and the beneficiary is thereafter no longer in the Organisation's employment, the Organisation shall no longer meet the cost of their salary. Nonetheless, the beneficiary shall receive daily allowances from the relevant medical and social insurance scheme. For beneficiaries affiliated to CEMSIS for primary and complementary cover, continued payment of daily allowances shall be guaranteed for the same duration and at the same level as provided for under the French social security scheme.

9120.8 The total period of absence on sick leave shall not exceed 36 months, unless the sick leave results from a work accident or industrial disease, in which case the absence on sick leave may continue until the stabilisation of the staff member's condition. Any periods of part-time sick leave and any sick leave of more than 30 days' duration resulting from a relapse within 9 months of resumption of work shall count towards the total period of absence. Part-time sick leave pursuant to paragraph 9120.21 below shall be counted as full-time absence.

9120.9 The Organisation shall, by subrogation, maintain the beneficiary's salary within the limits of the benefits paid under the relevant medical and social insurance scheme, and shall continue to pay the family allowances to which the beneficiary is entitled as long as they remain in the employment of the Council of Europe.

Sick leave and holidays, annual leave and non-working days

9120.10 Where a sick leave notice covers a holiday set by decision of the Secretary General pursuant to paragraph 840.1 of the Staff Rule on working time and leave or a day not worked due to the staff member's part-time working arrangement, the staff member shall not be entitled to time off in compensation.

9120.11 If sick leave is prescribed during a period of annual leave, the annual leave shall be cancelled upon the request of the staff member, provided that the staff member immediately informs the relevant unit of the Directorate of Human Resources of their sick leave. If the sick leave notice is not sent within 48 hours of its issuance, as required by paragraph 9120.2.1 above, only the days of leave following its receipt by the aforementioned unit can be cancelled. The annual leave shall not be cancelled before the aforementioned unit receives the relevant sick leave notice.

9120.12 In the event that sick leave begins prior to planned annual leave and covers all or part of the same, the staff member may cancel the annual leave using the relevant tool. If the sick leave begins on the same day as planned annual leave and covers all or part of the same, the annual leave shall be cancelled upon the request of the staff member, provided that the staff member immediately informs the relevant unit of the Directorate of Human Resources of their sick leave.

9120.13 Periods of sick leave shall be taken into account in the calculation of annual leave entitlement as if they were periods of work. If, at the start of their absence for health reasons, a staff member was authorised to work part-time, whether in the form of a reduction of the normal working day or working week or in the form of the acquisition of additional days of annual leave, they may not change their part-time work arrangement before the end of their absence for health reasons, including in the event of a return to work on a part-time basis for health reasons.

9120.14 The provisions of paragraphs 850.7 and 850.8 of the Staff Rule on working hours and leave shall apply, regardless of the duration of the absence for health reasons and regardless of whether the annual leave was accrued through the acquisition of additional days of annual leave as the result of a part-time working arrangement.

Resumption of work

9120.15 Should a staff member wish to resume work prior to the end of their sick leave, they must immediately inform the relevant unit of the Directorate of Human Resources. If the proposed resumption of work is five calendar days or more before the end of the prescribed sick leave, the staff member must first seek the authorisation of the Organisation's doctor, and inform the aforementioned Unit if such authorisation is granted. The resumption of work renders the sick leave notice null and void for the remainder of the period covered.

9120.16 Any staff member who resumes work following sick leave of 60 days' duration or more must make an appointment to see the Organisation's doctor for a return-to-work medical examination within the 8 working days following the resumption of work. Any staff member who resumes work following sick leave of any duration may be required by the Organisation's doctor to undergo such a return-to-work medical examination.

9120.17 A staff member who resumes work following sick leave of 30 days' duration or more resulting from a work accident must make an appointment to see the Organisation's doctor for a return-to-work medical examination within 8 working days of the resumption of work. A staff member who resumes work following sick leave of any duration resulting from an industrial disease must make an appointment to see the Organisation's doctor for a return-to-work medical examination within 8 working days of the resumption of work.

Uncertified absences

9120.18 Any absence for health reasons lasting more than 2 days must be covered by a sick leave notice. For the purposes of this paragraph,

absence on a Friday and the following Monday is considered as including the weekend, thus requiring a sick leave notice.

9120.19 In the event that a staff member's combined total days of uncertified absence reaches four days in one calendar year, any further uncertified absence for health reasons shall result in a corresponding deduction from their annual leave entitlement or, should this have been exhausted, from their salary. The staff member may also be subject to disciplinary sanctions.

9120.20 Where a staff member has been on sick leave, any absence following the expiry of their sick leave notice not covered by a prolongation thereof shall be deemed to be an unjustified absence pursuant to Article 8100 of the Staff Rule on working hours and leave.

Adjustments to working hours or arrangements for health reasons

9120.21 A staff member may resume work on a part-time basis for health reasons following a period of sick leave, or may be authorised to work on a part-time basis for health reasons, if their doctor prescribes such an arrangement and the Organisation's doctor grants authorisation. The sick leave notice must be submitted to the relevant unit of the Directorate of Human Resources, in the same manner as stipulated in paragraph 9120.2 above.

9120.22 Where a staff member works 40% or less of full-time working hours for health reasons, their working time shall be considered as part-time work at 50% for the purposes of calculating annual leave entitlement and the number of days' leave taken.

9120.23 Periods of part-time sick leave, as described in the foregoing paragraphs, shall be considered as absence for health reasons.

9120.24 During part-time sick leave the prior authorisation of the Organisation's doctor shall be required for any official travel, under the same conditions as set out above at paragraph 9120.5 above.

9120.25 A staff member may be authorised to telework for health reasons, as provided at paragraph 8110.21 of the Staff Rule on working time and leave, provided that the health reasons justifying telework are medically certified and the authorisation of the Organisation's doctor is obtained. Such authorisation may be granted under the same conditions to a staff member on part-time sick leave.

9120.26 Authorisation to work part-time shall be maintained during an absence for health reasons. Beneficiaries who are absent for health reasons cannot request a change to their working time arrangements, whatever form these arrangements may take. This includes the acquisition of additional days' leave through a part-time working arrangement.

Medical appointments

9120.27 Subject to the following paragraph, a certificate of attendance at a medical consultation or examination shall not constitute a sick leave notice. Staff members shall endeavour to arrange their medical

appointments outside of the core working hours set out at paragraph 810.2 of the Staff Rule on working time and leave. Where it is not possible to do so, a staff member may be authorised by their direct manager to be absent during the core hours for a medical appointment, within the limit of one hour twice per month, provided that such absence is compatible with the needs of the Organisation and with the staff member's duties.

9120.28 Attendance at a medical consultation or examination entailing a full or half day of absence shall be considered as absence for health reasons, provided that the certificate of attendance, which must state the duration of attendance, is submitted in accordance with paragraph 9120.2 above.

9120.29 A staff member may be authorised by the Organisation's doctor to adapt their working hours to permit them to attend a course of long-term treatment which requires their absence during the core hours. Such an adaptation may not exceed six months' duration and shall be agreed between the Organisation's doctor and the staff member's direct manager following a reasoned request submitted by the staff member and accompanied by the relevant medical certification.

Duty to notify the Organisation

9120.30 A staff member shall immediately notify the relevant unit of the Directorate of Human Resources of any communication received from their insurance provider as regards sick leave, in particular but not limited to, communications pertaining to the payment or cessation of payment of daily allowances or a decision as to the staff member's fitness for work.

9120.31 Any delay or failure to transmit information referred to in the foregoing paragraph may render the staff member liable to disciplinary proceedings.

Breach of the provisions on absence for health reasons

9120.32 Non-compliance by a staff member with the provisions on absences for health reasons shall result in the deduction from the staff member's salary of an amount corresponding to the daily allowances calculated by French social security.

9120.33 Instead of a deduction from their salary, a staff member concerned by the foregoing paragraph may request that a corresponding deduction from their annual leave entitlement is made, provided that sufficient entitlement remains.

Medical inspections

9120.34 At the request of the Director of Human Resources, a staff member on sick leave may be required to undergo a medical inspection by a doctor appointed by the Organisation, with the aim of verifying, *inter alia*, that sick leave is justified and that the staff member is present at their home when they are required to be present. Such a medical inspection may also be carried out at the request of the insurance provider.

9120.35 A staff member who has been deemed fit to return to work following a medical inspection carried out pursuant to the foregoing paragraph shall resume work on the date stipulated, as shall a staff member who has not been examined due to their refusal or failure to attend a medical inspection. In such cases, the staff member shall also undergo a return-to-work medical examination by the Organisation's doctor.

9120.36 If a staff member who is required to resume work pursuant to the foregoing paragraph does not return to work, their salary shall no longer be maintained as provided in paragraph 9120.6 above. The staff member concerned may request that instead of a deduction from their salary, a corresponding deduction from their annual leave entitlement is made, provided that sufficient entitlement remains.

9120.37 A staff member who has been deemed fit to return to work may challenge the decision, as follows:

9120.37.1 Where the medical inspection following which the staff member was deemed fit to return was carried out at the request of the insurance provider, the decision may be challenged by way of the dispute procedures laid down by that provider;

9120.37.2 Where the medical inspection was carried out at the request of the Organisation, the decision may be challenged before an *ad hoc* board comprising the Organisation's doctor, the staff member's doctor and a third doctor chosen by the other two doctors.

9120.38 Pending the outcome of a challenge as described in paragraph 9120.37 above, the staff member may return to work if they so wish, provided that they have also been deemed fit to return by the Organisation's doctor. If the staff member does not wish to return to work, they shall be placed on annual leave or, if their annual leave entitlement is not sufficient, on unpaid leave. Should the outcome of the aforementioned challenge be in the staff member's favour, any annual leave taken from their entitlement, or deduction from their salary as a result of being placed on unpaid leave, shall be reinstated.

9140. LEAVE FOR A COURSE OF TREATMENT ("CURE")

9140.1 A course of medical or healing treatment shall be considered a "cure" for the purposes of this Staff Rule if it has been prescribed by a doctor and approved in advance by the staff member's insurance provider. Authorisation to take a "cure" shall in principle be granted only once per year per staff member, unless the medical advisor of the relevant insurance provider exceptionally approves an additional "cure".

9140.2 A staff member who intends to take a "cure" shall make a request using the relevant tool at least one month prior to the beginning of the "cure". The request, which must be approved by the staff member's direct manager, shall state the duration and location of the "cure" and the expected dates of the staff member's absence. The staff member must also seek authorisation from the Organisation's doctor, at least 15 days before the beginning of the "cure", to reside at an address other than

their home address as notified to the Directorate of Human Resources, in terms of paragraph 9120.5, above.

9140.3 The maintenance of salary during leave for a “cure” shall be based on the criteria for the payment of daily allowances, as established by the French social security system.

9140.4 Leave for a “cure” shall be considered as sick leave provided that the income of the beneficiary’s household is below the maximum limits set by the French social security scheme, the treatment’s duration is in conformity with the standards applied by that scheme and the whole course of treatment is completed. In this case, the beneficiary shall continue to receive their salary throughout the course of treatment, provided that a certificate of treatment is submitted upon their return to work. In the case of beneficiaries affiliated to the mixed scheme, the daily allowances paid by the social security scheme shall belong to the Council of Europe by subrogation. The relevant unit of the Directorate of Human Resources may, for the purposes of this paragraph, ask the beneficiary concerned for details of their household’s resources. In the absence of a statement of resources, where one has been requested, the “cure” cannot be considered as sick leave.

9140.5 In the event that leave for a “cure” does not qualify as sick leave in accordance with the foregoing paragraph, a staff member may be granted special leave for the “cure”, provided that the treatment’s duration is 10 days or longer and the staff member submits a certificate of treatment upon resumption of work. The special leave granted shall be equal to two-thirds of the duration of the “cure”, subject to a maximum of 10 working days. The remainder of the duration of the “cure” or the entire duration if the conditions of this paragraph are not met shall be deducted from the staff member’s annual leave entitlement if sufficient entitlement remains, or from their salary.

9150. MATERNITY LEAVE

Pregnancy of a staff member

9150.1 A staff member shall notify the relevant unit of the Directorate of Human Resources of their pregnancy prior to the end of the third month, by submitting a medical certificate which states the due date or estimated date of conception.

9150.2 A pregnant staff member shall, as from the beginning of the third month of pregnancy, work a maximum of 6 hours and 45 minutes per day, in order to avoid excessive fatigue, provided that the relevant unit of the Directorate of Human Resources has been informed in accordance with the foregoing paragraph.

9150.3 A pregnant staff member who is working part-time may not, during their pregnancy, request an increase in their working hours but may request to reduce their working hours.

9150.4 From the beginning of the seventh month, any official travel by a pregnant staff member shall be subject to the authorisation of the Organisation's doctor. The request for authorisation must be made at least 10 days prior to the start of the official journey and must be accompanied by a certificate from the medical practitioner monitoring the staff member's pregnancy, which states that the staff member's state of health permits the travel. Should the Organisation's doctor refuse to grant authorisation, this decision shall be notified to the relevant unit of the Directorate of Human Resources and the staff member's direct manager.

9150.5 Upon submission of proof of attendance, a pregnant staff member is entitled to three authorised absences of one-half day each to attend prenatal medical examinations (as of the third month of pregnancy) and postnatal medical examinations (within the six months following the birth); and a staff member undertaking a course of medically assisted procreation is entitled to three authorised absences of one-half day each for the required medical treatment in the event that such treatment cannot be scheduled outside of working hours.

Duration of maternity leave

9150.6 Maternity leave shall have the duration indicated in the table below, subject to the following provisions. If the child is born before the due date, the dates of maternity leave remain unchanged. If the child is born after the due date, the post-natal leave shall be extended by the number of days between the due date and the birth. If the child has to be hospitalised at birth and the hospitalisation continues beyond six weeks from birth, the staff member may resume work and postpone the remaining maternity leave to the end of the hospitalisation. Other than as provided in this paragraph, a staff member on maternity leave is not permitted to work during said leave.

Situation	Prenatal leave	Post-natal leave
Staff member with no children or who has already given birth to one child born alive or whose household already has one dependent child.	6 weeks	10 weeks
Staff member who has already given birth to two children born alive or whose household already has two or more dependent children.	8 weeks	18 weeks
Staff member expecting twins	12 weeks	22 weeks
Staff member expecting triplets or more	24 weeks	22 weeks

9150.7 A staff member may postpone 7, 14 or 21 consecutive calendar days of pre-natal leave to the period after the birth. A request to postpone pursuant to this paragraph must be submitted to the Organisation's doctor between the middle of the sixth month and the middle of the seventh month of pregnancy, accompanied by a certificate from the

medical practitioner monitoring the pregnancy which states that the staff member's state of health permits the postponement of the leave. A staff member who has opted to remain affiliated to the French social security system as provided at paragraph 960.2.2 above shall, before seeking the agreement of the Organisation's doctor, request authorisation to postpone maternity leave from their social security office in accordance with that office's procedures.

9150.8 In any case, if the Organisation's doctor agrees to the postponement of the maternity leave as provided in the foregoing paragraph, the relevant unit of the Directorate of Human Resources shall be informed and shall notify the staff member, the staff member's direct manager and the Head of the relevant MAE of the modified dates of maternity leave.

9150.9 In the event that a sick leave notice is issued during the period of postponement, it must be transmitted to the relevant unit of the Directorate of Human Resources in accordance with paragraph 9120.2 above. The maternity leave shall begin immediately. The aforementioned Unit shall inform the staff member, the staff member's direct manager and the Head of the relevant MAE of the new dates of maternity leave, taking into account the days of the postponed period which have already elapsed.

9150.10 A staff member may bring forward the start of their pre-natal leave in the following circumstances:

- If the staff member is expecting a third child, the leave may be brought forward by 7 or 14 days;
- If the staff member is expecting multiple children, the leave may be brought forward by 7, 14, 21 or 28 days.

The post-natal leave shall be reduced by the corresponding number of days. A request to bring forward leave pursuant to this paragraph must be submitted to the Organisation's doctor at least 15 days before the intended start date of the leave, accompanied by a certificate from the medical practitioner monitoring the pregnancy. A staff member who has opted to remain affiliated to the French social security pursuant to paragraph 960.2.2 above must, prior to making the aforementioned request to the Organisation's doctor, request authorisation to bring forward the pre-natal leave from their social security office, in line with that office's procedures.

9150.11 If the Organisation's doctor accedes to the request to bring forward pre-natal leave, pursuant to the foregoing paragraph, the relevant unit of the Directorate of Human Resources shall be informed and shall notify the staff member, the staff member's direct manager and the Head of the relevant MAE of the modified dates of maternity leave.

Salary and annual leave entitlement during maternity leave

9150.12 The salary of a staff member on maternity leave shall be maintained during the full period of leave or, in the case of a staff member holding a fixed-term contract, until the expiry of the contract if that marks the end of their employment with the Organisation.

9150.13 In the event that the employment with the Organisation of a staff member affiliated to CEMSIS for primary and complementary cover ceases during maternity leave, as described in the foregoing paragraph, the Organisation shall pay daily allowances for the same duration and at the same level as provided by the French social security system.

9150.14 Any daily allowances received by a staff member on maternity leave from a national social security scheme must be declared to the relevant unit of the Directorate of Human Resources, and will be deducted from the salary paid by the Organisation.

9150.15 Time spent on maternity leave shall be taken into account in calculating a staff member's annual leave entitlement as if it had been time spent working.

Return to work following maternity leave

9150.16 A staff member who returns to work following maternity leave must make an appointment to undergo a return-to-work medical examination with the Organisation's doctor within the 8 working days following their resumption of work.

9150.17 A staff member who is still breast-feeding upon their return to work following maternity leave may, within the first 12 months following the birth, reduce their working hours by one half hour per half day worked, provided that they submit to the relevant unit of the Directorate of Human Resources, every three months, a medical certificate which states that they are still breast-feeding.

9150.18 A staff member may request a modification of their working hours upon their return to work, in accordance with Article 820 of the Staff Rule on working time and leave.

9160. NEW PARENT'S LEAVE

9160.1 A staff member shall be entitled to new parent's leave following the birth of a child or arrival in the household of an adopted child, where the staff member is the father or other parent of the child, or the spouse or registered partner of the person who has given birth to the child.

9160.2 The duration of new parent's leave shall be 28 calendar days for the birth or adoption of one child and 35 calendar days for a multiple birth or adoption.

9160.3 A first period of nine consecutive calendar days must be taken from the day following the birth or arrival in the household of an adopted child. All or some of the remaining days may be taken either immediately after this first period, or at a later date, as a second period, which must begin within the first six months following the birth or arrival in the household of an adopted child and may not be shorter than five consecutive days. New parent's leave cannot be split into more than two periods. In the event of the hospitalisation of the child immediately after birth, the new parent's

leave may be extended by the duration of the hospitalisation, up to a maximum of 30 consecutive additional days.

9160.4 New parent's leave shall be requested by way of the relevant tool not less than one month before it is due to start, except in duly justified exceptional circumstances. It may be postponed or brought forward, if the date of birth or arrival in the household of an adopted child does not correspond to the expected due date. The staff member's direct manager shall be informed of the request.

9160.5 New parent's leave is compulsory and neither the staff member nor their manager may waive the entitlement.

9160.6 The salary of a staff member on new parent's leave shall be maintained during the full period of leave or, in the case of a staff member holding a fixed-term contract, until the expiry of the contract if that marks the end of their employment with the Organisation.

9160.7 Upon submission of proof of attendance, the spouse or registered partner of a pregnant person or person who is engaged in a course of medically assisted procreation is entitled to three authorised absences of one-half day each to attend prenatal (as of the third month of pregnancy) and postnatal medical examinations (within the six months following the birth) or, as the case may be, for the required medical treatment for the course of medically assisted procreation.

9160.8 Time spent on new parent's leave shall be taken into account in calculating a staff member's annual leave entitlement as if it had been time spent working.

9170. ADOPTION LEAVE

9170.1 A staff member who initiates an adoption procedure shall inform the relevant unit of the Directorate of Human Resources in good time if they intend to take adoption leave.

Duration of adoption leave

9170.2 Adoption leave shall have the duration shown in the table below, and shall begin on the date of the child's arrival in the home or 7 days before that date.

Situation	Adoption leave
Following the adoption of one child, the staff member's household will have 1 or 2 dependent children	16 weeks
Following the adoption of one child, the staff member's household will have at least 3 dependent children	18 weeks
Simultaneous adoption of two or more children, regardless of the number of children that will belong to the staff member's household	22 weeks

9170.3 A staff member who adopts a child or takes in a child with a view to adoption shall be entitled to the full duration of adoption leave as shown in the table above, provided that if their spouse is in employment, their spouse has waived their entitlement to adoption leave.

9170.4 Alternatively, entitlement to adoption leave may be divided between the two adoptive parents, in which case the total duration of adoption leave shall be increased by 28 consecutive calendar days for the adoption of one child or 35 consecutive calendar days for the adoption of more than one child. If the adoption leave is divided between the two parents, one parent's part of the leave may not be less than 28 days or 35 days respectively.

9170.5 Exceptionally, and at the explicit request of the staff member, the duration of their adoption leave may be shortened.

Salary and annual leave entitlement during adoption leave

9170.6 The salary of a staff member on adoption leave shall be maintained during the full period of leave or, in the case of a staff member holding a fixed-term contract, until the expiry of the contract if that marks the end of their employment with the Organisation.

9170.7 In the event that the employment with the Organisation of a staff member affiliated to CEMSIS ceases during adoption leave, as described in the foregoing paragraph, the Organisation shall pay daily allowances for the same duration and at the same level as provided by the French social security system.

9170.8 Any daily allowances received by a staff member on adoption leave from a national social security scheme must be declared to the relevant unit of the Directorate of Human Resources, and will be deducted from the salary paid by the Organisation.

9170.9 Time spent on adoption leave shall be taken into account in calculating a staff member's annual leave entitlement as if it had been time spent working.

9180. EXCLUSIONS

9180.1 Medical expenses not covered by French social security, with the exception of cases specifically provided for in the table of benefits set out in the technical repository of medical expenses, are not covered by CEMSIS.

9180.2 Articles 970 (benefits in the event of death), 980 (benefits in the event of permanent total invalidity), 990 (long-term care guarantee) and 9100 (benefits in the event of permanent partial disability), as well as paragraph 9120.6 on the maintenance of salary in the event of absence for health reasons, shall not apply to claims arising from the consequences of:

9180.2.1 driving a motorised land vehicle without a valid licence as required by law, where such a licence is required; or

9180.2.2 insurrection, riot, or popular uprising; attack or attempted attack; and war including civil war; regardless of where these events take place and who is involved, unless the beneficiary is not actively involved, or is called upon to carry out a maintenance or surveillance mission with a view to maintaining the safety of persons and property for the benefit of the Organisation.

9180.3 Article 9100 (benefits in the event of permanent partial disability), as well as paragraph 9120.6 on the maintenance of salary in the event of absence for health reasons, shall not apply to claims arising from consequences of:

9180.3.1 sickness or accidents which are the voluntary and intentional act of the principal beneficiary or the beneficiaries entitled through them, other than suicide;

9180.3.2 participation in any professional sports or competitions;

9180.3.3 participation in any sporting activity carried out in clear violation of the safety rules defined by the public authorities in such a way that the beneficiary could not have been unaware of the risk;

9180.3.4 participation in a duel, a crime, an intentional offence or a brawl, except in cases of self-defence and assistance to a person in danger;

9180.3.5 the beneficiary's possession, handling or use at the scene of the accident of either weapons of war or weapons whose possession is prohibited.

9180.4 The consequences of an aircraft accident are not covered, unless the beneficiary is on board an aircraft authorised to fly by a certificate of airworthiness and piloted by a pilot with a valid licence and certificate, who may be the beneficiary provided that they have complied with all regulations in force.

9180.5 The consequences of participation, in an official or private capacity, in contests or trials, races, matches, competitions, acrobatics or demonstrations where such participation involves the use of vehicles, motorised boats or aircraft, are excluded from cover.

9190. FRAUD

9190.1 Beneficiaries shown to have defrauded the Scheme shall be required to repay the sums wrongfully received and shall also, if they are serving staff members, be liable to disciplinary sanctions.

9200. SUBROGATION

9200.1 The Organisation is subrogated to the rights and actions of the beneficiaries against any third party who may be liable, up to the amount of the benefits paid, except for lump sum payments which may be combined with benefits of the same nature paid by third parties.

9200.2 Beneficiaries must inform their insurance provider and the Directorate of Human Resources of any accident of which they or other beneficiaries have been the victim, whether or not that accident was caused by a third party. They must provide any information concerning the identity of the persons involved and their insurers, and the circumstances of the accident, in case the Organisation decides to pursue claims against potentially liable third parties.

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STAFF REGULATIONS

ARTICLE X

Pension Schemes

10.1 Staff members shall be affiliated to one of the Organisation's Pension Schemes, financed jointly by the Organisation and staff, in conformity with the Pension Scheme applicable to them.

10.2 For each of the Pension Schemes, the Committee of Ministers shall determine the pensionable age, the accrual rate and staff members' contribution rate.

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STAFF RULE ON PENSION SCHEMES

1. The Pension Scheme Rules shall apply to staff members who:

- were in service on 31 December 2002; or
- were recruited on or after 1 January 2003 under the exceptional recruitment procedure open to long serving temporary staff members[31]; or
- having benefited, during their last appointment with an organisation mentioned in Article 1 of the Pension Scheme Rules, from the provisions of Article 11 of the Pension Scheme Rules, have repaid or are repaying the amount provided for under that article; or
- were recruited on or after 1 January 2003 and have a deferred pension entitlement under the same pension scheme with an organisation mentioned in Article 1 of the Pension Scheme Rules.

2. The New Pension Scheme "NPS" shall apply to staff members who:

- were recruited between 1 January 2003 and 31 March 2013, with the exception of those entitled to be affiliated to the Pension Scheme; or
- having benefited, during their last appointment with an organisation mentioned in Article 1 of the New Pension Scheme, from the provisions of Article 11 of the New Pension Scheme, have repaid or are repaying the amount provided for under that article; or
- were recruited on or after 1 April 2013 and have a deferred pension entitlement under the same pension scheme with an organisation mentioned in Article 1 of the New Pension Scheme or with the Defined Benefit Funded Pension Scheme (DBFPS) of the European Centre for Medium-Range Weather Forecasts (ECMWF) under the conditions laid down in Article 7, paragraph 2, of the New Pension Scheme.

3. The age of entitlement to a retirement pension under Article 8 of the New Pension Scheme shall be:

- 63 years for staff members having reached the age of 55 on 1 January 2013;
- 63 years and 6 months for staff members aged between 50 and 55, without having reached their 55th birthday, on 1 January 2013;
- 64 years for staff members aged between 45 and 50, without having reached their 50th birthday, on 1 January 2013;

- 64 years and 6 months for staff members aged between 40 and 45, without having reached their 45th birthday, on 1 January 2013;
- 65 years for staff members who have not reached the age of 40 on 1 January 2013.

4 The Third Pension Scheme shall apply to staff members who were recruited on or after 1 April 2013, with the exception of those entitled to be affiliated to the Pension Scheme or the New Pension Scheme.

5. Staff members who, during their last appointment with an organisation mentioned in Article 1 of the Pension Scheme Rules or the New Pension Scheme, benefited from the provisions of Article 11 of the Pension Scheme Rules or the New Pension Scheme and have not repaid the amount provided for under that article shall be subject to the Pension Scheme in force on the date when they take up their duties.

STAFF REGULATIONS

ARTICLE XI

Expenses borne by the Organisation

11.1 The following expenses shall be borne by the Council of Europe, in accordance with the conditions and procedures established by the Secretary General:

11.1.1 travel and removal expenses when a staff member is taking up duties or being transferred to a different duty station and on termination of employment;
11.1.2 travel expenses on the occasion of home leave;
11.1.3 travel and subsistence expenses of a staff member on an official journey.

11.2 The Secretary General may authorise the reimbursement of other expenses incurred by staff members in, or in connection with, the performance of their duties, provided that they are indispensable and have been duly approved.

11.3 The Council of Europe shall defray expenses arising from the death of a staff member under conditions prescribed by the Secretary General.

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STAFF RULE ON EXPENSES BORNE BY THE ORGANISATION

1110. TRAVEL AND REMOVAL EXPENSES

1110.1 Conditions of entitlement

Staff members are entitled to the reimbursement of travel expenses and the costs of removal of household and personal effects incurred upon:

- taking up duties, provided that the staff member's place of residence at the time of recruitment is more than 100 km from their duty station;

- transfer to another duty station;

- termination of the staff member's employment, except where such termination is on disciplinary grounds or as a result of resignation within the first ten years of employment, and provided that the staff member's new place of residence is more than 100 km from their duty station and that the staff member was entitled to this reimbursement upon taking up duties. A staff member who was not entitled to this reimbursement upon taking up duties shall be entitled to reimbursement of travel and removal costs upon termination of employment, provided that their duty station at the time their employment terminates is different to the duty station in which they took up duties, and that all other criteria mentioned in this paragraph are met.

1110.2 Travel expenses

1110.2.1 Staff members shall be entitled to the reimbursement by the Organisation of the travel expenses, excluding accommodation costs, incurred by them and their spouse or registered partner as well as any dependent children, provided that the latter persons take up residence with the staff member at the duty station or, in the event of reimbursement of travel expenses upon termination of employment, provided that the latter persons were living with the staff member at the duty station.

1110.2.2 Travel expenses must be claimed within three months following the travel, which must take place within the first year of employment or within a year of the staff member's transfer or the termination of their employment. They shall be reimbursed upon presentation of proof of travel and shall be paid as a lump sum calculated on the basis of the distance travelled, as the crow flies, according to the table below.

Distance between the staff member's place of residence and duty station or between two duty stations (one-way)	Amount of reimbursement per person for a one-way journey
100-150 km	39.80 €
151-300 km	106.13 €
301-600 km	185.72 €
601-900 km	238.79 €
901-1250 km	265.32 €
1251-2100 km	371.45 €
2101-2700 km	397.98 €
2701-3300 km	451.05 €
3301-3900 km	530.64 €
3901-4500 km	663.30 €
4501 km or more	981.69 €

The above table shall be revised annually by the Director of Human Resources.

1110.2.3 Where dependent children are up to two years of age, 10% of the applicable amount as set out above shall be payable. For children between two and twelve years of age, it shall be 80%. The age taken into account shall be the age at the time of travel.

1110.2.4 Reimbursement of travel expenses incurred upon termination of employment shall be limited to the amount calculated on the basis of the distance, as the crow flies, between the staff member's duty station and place of residence at the time of recruitment.

1110.3 Removal expenses

1110.3.1 Staff members shall be entitled to the reimbursement of removal expenses, provided that they are actually incurred and not reimbursed by any other party, within the limits set out below:

	Maximum volume authorised	Distance as the crow flies between the place of residence and duty station or two duty stations	Maximum amount reimbursed
Staff members not in receipt of any family allowance paid by the Council of Europe	30 m^3	< 1000 km	5250 €
		1000 or more	7500 €
Staff members in receipt of any family allowance paid by the Council of Europe	40 m^3	< 1000 km	7000 €
		1000 or more	10000 €

The indicated volumes shall cover the household goods and personal belongings of the staff member and their spouse or registered partner. The applicable maximum volumes and amounts will be increased by 10% for each dependent child who relocates with the staff member. Expenses related to the spouse or partner shall not be reimbursed if they are already covered by the spouse or partner's employer.

1110.3.2 Reimbursement shall cover the costs of packing, handling, insurance, with the exception of insurance for works of art or collector's items, and transport by land or sea. The costs of removal of motor vehicles or domestic animals shall not be covered.

1110.3.3 Removal must take place within one year of taking up duties, transfer to another duty station or of the termination of employment. Expenses must be claimed, with proof of expenses incurred, within three months following the removal.

1110.3.4 Reimbursement of removal costs incurred upon termination of employment shall be limited to the amount calculated on the basis of the distance, as the crow flies, between the staff member's duty station and place of residence at the time of recruitment

1120. TRAVEL EXPENSES RELATED TO HOME LEAVE

1120.1 Staff members who receive an expatriation allowance or residence allowance, or whose expatriation allowance has been reduced to zero within the meaning of paragraph 730.3.2, and whose home is more than 100 km from their duty station shall be entitled, as set out below, to claim the reimbursement of their travel expenses for one round-trip between their duty station and their home per two years of service. Such expenses of staff members, their spouses or partners and dependent children shall be reimbursed upon presentation of proof of travel and shall be paid as a lump sum calculated on the basis of the distance travelled, as the crow flies, according to the table below.

Distance between the staff member's home and duty station (round-trip)	Amount of reimbursement per person for the round-trip
100-300 km	56,85 €
301-600 km	151,61 €
601-1200 km	265,32 €
1201-1800 km	341,13 €
1801-2500 km	379,03 €
2501-4200 km	530,64 €
4201-5400 km	568,55 €
5401-6600 km	644,35 €
6601-7800 km	758,06 €
7801-9000 km	947,58 €
9001km or more	1 402,41 €

The above table shall be revised annually by the Director of Human Resources.

Where dependent children are up to two years of age, 10% of the applicable amount as set out above shall be payable. For children between two and twelve years of age, it shall be 80%. The age taken into account shall be the age at the time of travel.

1120.2 After the completion of each two-year period of service, staff members shall be entitled to the reimbursement of their travel expenses in respect of one round-trip to their place of home leave. Travel must take place within the two years following the accrual of entitlement and the lump-sum must be claimed, after travel has occurred, within three months of the return journey.

1120.3 Where spouses or partners are both employed by the Council of Europe and are both entitled to home leave, the travel expenses of each staff member will be reimbursed only once for every two-year period qualifying for home leave. Home leave may be taken either together in the place where one of them has their home or separately in their respective homes.

1120.4 The travel expenses of a staff member's spouse or partner, who is entitled to reimbursement by their employer of travel expenses related

to home leave, shall not be reimbursed by the Council of Europe. If the staff member's expenses related to home leave or that of staff member's dependent children are covered by the employer of the staff member's spouse or partner, the staff member may not claim reimbursement of travel expenses from the Council of Europe.

1130. TRAVEL EXPENSES RELATED TO OFFICIAL JOURNEYS

1130.1 Travel and subsistence expenses incurred by staff members in connection with official journeys shall be defrayed or reimbursed by the Organisation in line with Rule No. 1389 of 27 April 2017 on the organisation of official journeys.

1140. EXPENSES INCURRED IN CONNECTION WITH DUTIES

1140.1 Where a staff member is obliged to incur, in connection with the performance of their duties, expenses other than those covered elsewhere in this Staff Rule, these shall be reimbursed on the condition that prior authorisation was given and the expense was necessary and proportionate.

1150. EXPENSES ON DEATH

1150.1 On the death of a staff member who was in receipt of the expatriation allowance or residence allowance, or whose expatriation allowance had been reduced to zero within the meaning of paragraph 730.3.2, the Council of Europe shall defray:

- the cost of transporting the body of the staff member from the place of death to the place of the funeral;

- the cost of transporting the deceased staff member's personal belongings;

- the travel costs of the members of the staff member's household; as well as any removal costs relating to the household goods of the deceased staff member or the members of their household. Removal costs shall be reimbursed up to the amount which would have been payable, having regard to paragraph 1110.3 above, in respect of a removal between the deceased staff member's duty station and their home.

STAFF REGULATIONS

ARTICLE XII

Discipline

12.1 A staff member who acts or omits to act, whether deliberately, recklessly or negligently, in breach of these or any other Regulations, Staff Rules, Instructions or Policies; who fails to observe the established standards of conduct; or who fails to perform assigned tasks without reasonable excuse, may be subject to one of the following disciplinary sanctions, to be determined by the Secretary General:

12.1.1 written warning;
12.1.2 written reprimand;
12.1.3 relegation in up to three steps;
12.1.4 suspension without pay of up to six months' duration;
12.1.5 downgrading;
12.1.6 dismissal.

12.2 Prior to imposing any disciplinary sanction, with the exception of a written warning, the Secretary General shall consult the relevant standing joint advisory committee.

12.3 The Secretary General may summarily dismiss a staff member for gross misconduct, without first consulting the relevant standing joint advisory committee.

12.4 A single case of misconduct shall not give rise to more than one disciplinary sanction.

12.5 The severity of the disciplinary sanction imposed must be commensurate with the seriousness of the misconduct.

12.6 No disciplinary sanction may be imposed until a staff member has been informed of the allegations against them and given the opportunity to make oral or written representations.

12.7 A staff member or former staff member may be required to reimburse the Organisation either partially or in full for any financial loss suffered by the Organisation as a result of the staff member's breach of these or any other Regulations, Staff Rules, Instructions, Policies or established standards of conduct.

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STAFF RULE ON DISCIPLINE

1210. INSTIGATION OF DISCIPLINARY PROCEEDINGS

1210.1 Reports of alleged wrongdoing made to the Directorate of Internal Oversight (DIO) pursuant to *Speak* Up*: Council of Europe Policy on reporting wrongdoing and protection from retaliation* will be handled by that entity in accordance with the aforementioned Policy and the Rule on investigations. Where an investigation report resulting from such a report, or from an allegation of wrongdoing which has come to the attention of the DIO by a different means, discloses misconduct on the part of a Secretariat member, the report shall be transmitted by the DIO to the Secretary General for possible disciplinary follow-up.

1210.2 Formal complaints of harassment made to the Director of Human Resources pursuant to the Policy on respect and dignity in the Council of Europe will be handled in accordance with the aforementioned Policy. Any investigation into such a complaint will be conducted by external investigators in compliance with the Rule on investigations. Where an investigation report resulting from such a formal complaint discloses misconduct on the part of a Secretariat member, the report shall be transmitted by the Director of Human Resources to the Secretary General for possible disciplinary follow-up.

1220. INTERIM MEASURES

1220.1 If, following a preliminary assessment or at any stage prior to the submission of an investigation report to the Secretary General, the DIO or the Director of Human Resources, as applicable, is of the view that any of the following conditions are met, a recommendation may be made to the Secretary General that specific interim measures be taken in the interests of the Organisation:

1220.1.1 indications that a Secretariat member has perpetrated gross misconduct; and/or

1220.1.2 a credible risk that the continued presence of the Secretariat member suspected of wrongdoing would endanger the investigation, the interests of the Organisation, or a harmonious work environment.

1220.2 The Secretary General shall, upon receipt of such a recommendation, decide whether or not a specific interim measure shall be taken.

1220.3 Interim measures include, but are not limited to:

1220.3.1 temporary suspension of a Secretariat member;

1220.3.2 temporary exclusion of a Secretariat member from access to certain files or certain premises;

1220.3.3 temporary imposition of mandatory teleworking by a Secretariat member;

1220.3.4 temporary suspension of payments to a Secretariat member;

1220.3.5 revision of the duties and responsibilities of a Secretariat member; and/or

1220.3.6 imposition of any other limits on a Secretariat member's official activities.

1220.4 Interim measures are without prejudice to the rights and entitlements of the person concerned and do not constitute a disciplinary measure.

1220.5 If the recommended interim measure involves the suspension of a Secretariat member, the Secretary General shall, at the same time as taking the decision referred to in paragraph 1220.2 above, decide whether the person shall continue to receive their full remuneration during their suspension or, if not, what part of the remuneration shall be withheld. The part of remuneration withheld shall in no case be more than half of the Secretariat member's basic salary. The duration of suspension of a Secretariat member shall depend on the duration of the preliminary assessment and investigation, as well as any subsequent disciplinary proceedings.

1220.6 A decision to impose interim measures shall be reviewed when necessary and at least monthly. At the end of disciplinary proceedings or, as the case may be, when a decision is taken by the Secretary General not to institute disciplinary proceedings, any interim measure imposed shall be lifted. Where the interim measure involved suspension of the Secretariat member and no disciplinary sanction more severe than a written reprimand has been imposed, the Secretariat member shall resume their duties and any sums withheld from their remuneration shall be paid to them.

1230. ACTION BY THE SECRETARY GENERAL

1230.1 The Secretary General, upon receipt of an investigation report from the DIO or the Director of Human Resources, shall decide:

1230.1.1 that no further action is warranted, in which case the person concerned shall be informed accordingly;

1230.1.2 to refer the matter to the Director of Human Resources for non-disciplinary follow-up, which may include oral or written communication with the person concerned; or a proposal of training, coaching or other follow-up which the Director of Human Resources considers to be appropriate;

1230.1.3 that the appropriate disciplinary sanction to be imposed upon the person concerned appears, in the view of the Secretary General, to be a written warning, in which case the Secretary General will ask the Director of Human Resources to hear the person;

1230.1.4 to refer the matter to the Joint Advisory Committee on Discipline with a view to the possible imposition of a disciplinary sanction

provided for by Article 12, paragraphs 1.2 – 1.6 of the Staff Regulations; or

1230.1.5 to hear the person concerned in accordance with paragraph 1250.3 below, with a view to determining whether summary dismissal is warranted.

With the exception of cases referred to at paragraph 1230.1.5 above, the Secretary General shall take the aforementioned decision within one month of receipt of the investigation report.

1230.2 The Secretary General may seek clarification and/or additional information on specific points from the DIO or from the external investigators via the Director of Human Resources, as necessary.

1230.3 When so requested by the Secretary General pursuant to paragraph 1230.1.3 above, the Director of Human Resources will hear the person concerned so as to ascertain their version of events and the existence or otherwise of any mitigating factors. The person concerned may be accompanied to the hearing before the Director of Human Resources by a Secretariat member of their choosing, whose role shall be to observe the proceedings and to provide moral support. The accompanying staff member must not participate in the proceedings in any way but shall have the right to make comments at the end of the interview, including on the manner in which the interview was conducted, and have their comments recorded in the report of the hearing. Following the hearing, the Director of Human Resources will transmit a written report of the hearing to the Secretary General together with a recommendation as to whether or not a written warning should be imposed.

1240. JOINT ADVISORY COMMITTEE ON DISCIPLINE

1240.1 The Chair and members of the Joint Advisory Committee on Discipline (the Committee) shall be entirely independent and impartial in the performance of their duties. The Committee's proceedings shall be secret.

1240.2 In the event that the Secretary General decides to seek the opinion of the Committee, pursuant to paragraph 1230.1.4 above, a request for an opinion, together with the relevant investigation report and the comments thereon by the person concerned, will be transmitted to the Secretariat of the Committee. The request shall also include a deadline for the Committee's opinion, which shall not be more than 2 months from the date of transmission of the request.

1240.3 Upon receipt of a request for an opinion, the Committee's Secretariat shall promptly inform the Chair of the Committee and shall establish the provisional composition of the Committee. This shall be done by taking the first two names from each of two alphabetised lists, the first showing members appointed by the Secretary General and the second showing members appointed by the Staff Committee. If a member selected in this manner is in any of the following situations, they shall be excluded from participation in the Committee and the next person on the respective list shall be selected in their place:

1240.3.1 A person in the same Major Administrative Entity as the person concerned, with the exception of the Directorate General of Administration; Directorate General Human Rights and Rule of Law; or Directorate General of Democracy and Human Dignity;

1240.3.2 A person who is or has been the N+1 or N+2 of the person concerned; or

1240.3.3 A person whose current or former N+1 or N+2 is the person concerned.

The Secretariat may, if necessary, check with the person concerned whether a member selected pursuant to this paragraph is in a situation described at paragraphs 1240.3.2 or 1240.3.3 above.

1240.4 The provisional composition of the Committee shall be notified to the Chair and to the members selected to participate. The name of the person concerned shall not be disclosed at this stage. A person selected to participate who is not available, for reasons of sick leave, annual leave, or official travel in the time before the deadline for the Committee's opinion shall inform the Secretariat accordingly, and the Secretariat shall select the next person on the respective list to replace them. Once the Secretariat has established that all selected members are available to participate, the Secretariat shall inform the selected and available members of the name of the person concerned. Any member who considers themselves to be in a situation of conflict of interest shall notify the Chair accordingly and recuse themselves from participation. Any member who recuses themselves in this manner shall be replaced by the next person on the respective list.

1240.5 Once the Secretariat has established the provisional composition of the Committee, as provided in the foregoing paragraphs, the names of the members shall be notified to the person concerned, who shall have the right, if they wish, to object to one member of the Committee, without any obligation to give reasons for this objection. In the event of such an objection, the member shall be replaced by the next member on the respective list and both the member removed and the member added to the Committee's composition, as well as the person concerned, shall be notified accordingly. The person concerned may object to the newly selected or any other selected members of the Committee but must provide reasons for such a further objection to the Chair of the Committee, who shall evaluate the reasons given and decide whether or not to replace the member(s) to whom the person concerned has objected.

1240.6 For the purposes of selecting the members on the next occasion the Committee is requested to provide an opinion, a member of the Committee who has been selected and actually participated in the Committee's examination of a file shall move to the bottom of the list on which their name appears. A member who was initially selected but was excluded; unavailable; or recused themselves, pursuant to the foregoing paragraphs, shall remain at the top of the list on which their name appears.

1240.7 The person concerned shall be summoned to a hearing before the Committee. The purpose of the hearing shall be to ascertain the version of events of the person concerned and the existence or otherwise of any mitigating factors. The person concerned may be accompanied by a person

of their choosing, provided that the accompanying person has no connection with the matter under consideration.

1240.8 In the event that, at the time at which the summons is sent, the person concerned is absent by reason of medically certified illness for a period of 10 calendar days or less, or on approved annual leave of any duration, the hearing may be postponed by a period of time corresponding to the duration of sick leave or annual leave. In such an event, the Committee may ask for an extension to the deadline referred to at paragraph 1240.2 above. In the event of absence by reason of medically certified illness for a period exceeding 10 calendar days, the person concerned shall be given the option of either providing written comments in place of attending the hearing or being represented at the hearing by a person of their choosing. Any claimed inability to provide comments or to instruct a representative shall be supported by a statement from a medical practitioner which confirms the inability to do so. The Chair of the Committee shall decide whether it is possible for the Committee to formulate its opinion, without hearing the person concerned.

1240.9 The Committee shall not conduct its own fact-finding but shall base itself on the facts as established in the investigation report. In the event that the Committee considers that the investigation report does not provide a sufficient basis for its opinion, it may request that the Secretary General seek further information or clarification from the DIO or the Director of Human Resources on any specific points where the Committee considers it necessary. In such an event, the Committee may ask for an extension to the deadline referred to at paragraph 1240.2 above.

1240.10 The Committee shall, after its hearing of the person concerned, formulate its opinion including a reasoned recommendation as to the most appropriate disciplinary sanction to be imposed. This opinion shall be transmitted to the person concerned by the Committee's Secretariat.

1240.11 The person concerned shall be given 10 working days to review and comment on the Committee's opinion. In the event that, at any time between the date of transmission of the opinion and the deadline for comments thereon, the person concerned is absent by reason of medically certified illness for a period of 10 calendar days or less, or on approved annual leave of any duration, the time given for comments shall be extended by a period of time corresponding to the duration of sick leave or annual leave. In the event of absence by reason of medically certified illness for a period exceeding 10 calendar days, the person concerned shall be required to provide their comments if they are able to do so. Any claimed inability to provide comments shall be supported by a statement from a medical practitioner which confirms the inability to do so. Where such a statement is provided, the Secretary General shall decide whether it is reasonable and fair in all the circumstances of the case to take a decision as to the sanction to be imposed, in the absence of the comments of the person concerned.

1250. IMPOSITION OF A DISCIPLINARY SANCTION

1250.1 Upon receipt, from the Committee's Secretariat, of the Committee's opinion and the written comments thereon by the person concerned, the Secretary General shall, within 10 working days, take a decision whether to impose a

sanction or not and, where applicable, the appropriate sanction to be imposed, which shall be proportionate to the wrongdoing which gave rise to it. The Secretary General, in imposing the sanction, shall provide reasons for the choice of sanction, which shall take due account of the written comments of the person concerned. Where the Secretary General decides to depart from the Committee's recommendation, the reasons for such departure shall be indicated.

1250.2 In cases where the Secretary General has asked the Director of Human Resources to hear the person concerned, with a view to imposing a written warning, pursuant to paragraph 1230.1.3 above, the decision as to whether or not to impose the written warning shall be taken after receiving the Director of Human Resources' report of the hearing and recommendation. The written warning shall include the reasons for which it is being imposed. The Secretary General may also decide, following receipt of the hearing report:

1250.2.1 To take no further action, in which case the person concerned will be informed accordingly; or

1250.2.2 To refer the matter to the Committee for its opinion, as per paragraph 1230.1.4 above.

1250.3 In cases where the Secretary General is of the view that the wrongdoing established in the investigation report may amount to gross misconduct, as defined below, and that summary dismissal may be warranted, the person concerned shall be invited to a hearing before the Secretary General, with a view to determining whether termination of contract would indeed be the most appropriate sanction. The invitation to the hearing shall be transmitted within 10 working days of the receipt of the investigation report and the hearing shall take place as soon as practically possible thereafter. The person concerned may be accompanied to the hearing by a person of their choosing, the purpose of which shall be to ascertain the version of events of the person concerned and the existence or otherwise of any mitigating factors. Following the hearing, the Secretary General shall take a decision as to whether summary dismissal is warranted and, if so, shall impose the sanction by way of a duly reasoned decision. The Secretary General may, in the alternative, decide:

1250.3.1 To take no further action, in which case the person concerned will be informed accordingly; or

1250.3.2 To refer the matter to the Committee for its opinion, as per paragraph 1230.1.4 above.

1250.4 Gross misconduct shall be understood to mean a breach of the staff member's obligations of such gravity as to fundamentally undermine the relationship of trust between the staff member and the Organisation. The following acts, when perpetrated in the context of a staff member's professional duties, are examples of gross misconduct: physical or sexual violence or threats of violence; harassment; theft or wilful destruction of property; fraud; or corruption.

1250.5 A decision by the Secretary General to impose a disciplinary sanction may be challenged in accordance with Article 14 of the Staff Regulations on grievance procedures and the Staff Rule on grievance procedures.

1260. RECORDS AND RETENTION

1260.1 Where a disciplinary sanction of any nature is imposed upon a staff member, mention of the sanction shall be included in the personal administrative file of the staff member concerned for not longer than the following period from the date of its imposition:

1260.1.1 Written warning or written reprimand: 2 years;

1260.1.2 Relegation in steps, suspension without pay, or downgrading: 6 years;

1260.1.3 Dismissal: record may be kept in the personal administrative file of the former staff member for as long as the file is retained by the Organisation.

1260.2 In the event that a disciplinary sanction is imposed, the Director of Human Resources shall notify the direct hierarchical superiors (N+1 and N+2) of the staff member concerned as well as the Head of the Major Administrative Entity to which that staff member is assigned. Such notification shall be limited to the type of sanction imposed and the nature of the misconduct which gave rise to it, unless any other information is necessary for the effective implementation of the sanction and its follow-up. The Director of Human Resources may also inform any other person of the imposition of a disciplinary sanction, provided that such information is necessary for the effective implementation of the sanction and its follow-up. The information communicated shall be limited to the absolute minimum necessary.

1260.3 Where the disciplinary proceedings resulted from an allegation of harassment, the Director of Human Resources shall inform the person who made the formal complaint or report of harassment whether or not the disciplinary proceedings have resulted in the imposition of a sanction, but shall not disclose the type of sanction.

1260.4 Where an investigation report has not established a breach of any of the Organisation's regulations, rules, policies or standards of conduct, or where an investigation report has found such a breach but the Secretary General has decided to take no further action, no mention of the investigation shall be made in the personal administrative file of any staff member.

1260.5 No mention shall be made in the personal administrative file of a staff member who has participated in a preliminary assessment or investigation as a potential witness or alleged victim of wrongdoing.

1270. CONFIDENTIALITY OF PROCEEDINGS

1270.1 All information about any disciplinary proceedings, as well as all information garnered in the course of the same, shall be treated in strictest confidentiality by all those involved. Information regarding sanctions

imposed shall be shared on a need-to-know basis in conformity with these and any other applicable rules, regulations and policies.

1270.2 The unauthorised disclosure of any information pertaining to or garnered as a result of the procedures described in the present Staff Rule, whether by the persons conducting the procedures or any other person, shall amount to wrongdoing and may result in a disciplinary sanction.

1280. PARALLEL CRIMINAL PROCEEDINGS

1280.1 Where the person concerned is subject to criminal proceedings before the relevant national authorities for the same acts, omissions or conduct that gave rise to proceedings under this Staff Rule, the Secretary General may decide to suspend the proceedings under this Staff Rule until such time as the criminal proceedings have reached their conclusion.

1290. REOPENING DISCIPLINARY PROCEEDINGS

1290.1 The Secretary General may decide to reopen disciplinary proceedings, at their own initiative or pursuant to a reasoned request from the staff member or former staff member concerned, in the event that relevant new facts come to light.

STAFF REGULATIONS

ARTICLE XIII

Staff Participation

13.1 The Secretary General shall maintain contact and communication with staff to ensure effective staff participation in discussing issues relating to working conditions and staff welfare.

13.2 The General Meeting of Staff shall be the organ in which all staff members may express their opinions on their terms of employment and working conditions and pensioners on the conditions concerning them. The General Meeting of Staff shall be held annually and shall elect its own Chair and adopt its own Rules of Procedure.

13.3 There shall be a Staff Committee. Its composition shall be determined by way of elections in which all staff members and pensioners shall be entitled to vote. The term of office of the members of the Staff Committee shall be two years. The Secretary General shall establish a list of offices whose holders shall not be members of the Staff Committee due to incompatibility.

13.4 The Secretary General shall consult the Staff Committee on any envisaged amendment to, or adoption of, Staff Regulations, Rules, Instructions or Policies, or any other legal provisions which affect staff members' rights or obligations, as well as on any proposals to the Committee of Ministers regarding strategic orientations in staff policy which would affect these or any other Regulations. The Staff Committee shall give the opinion requested within a time limit set by the Secretary General, which may not be less than 15 working days unless mutually agreed.

13.5 The Staff Committee shall be entitled to make proposals to the Secretary General, on behalf of staff, on questions pertaining to salaries, allowances and pensions and questions relating to staff welfare and staff administration.

13.6 The Staff Committee shall have the right to submit to the Committee of Ministers, through the Secretary General, any draft or proposal related to these or any other Regulations concerning staff. The Secretary General shall be entitled to submit to the Committee of Ministers comments on any such draft or proposal. Any oral communication between the Staff Committee and the Committee of Ministers shall take place in the presence of the Secretary General.

13.7 Staff members may form and join trade unions, other associations, or groups. However, the Staff Committee shall be the only authorised representative of staff for the purposes of formal communication with the Secretary General or the Committee of Ministers.

13.8 The Secretary General shall establish standing joint advisory committees, composed of staff members nominated by the Secretary General and other staff members nominated by the Staff Committee, and consult them, in particular on the following matters:

13.8.1 staff appointments, with the exception of appointments at A6 and A7 level; promotions; and termination of service;
13.8.2 imposition of disciplinary sanctions;
13.8.3 general questions of workplace safety and security;

13.8.4 general questions of staff welfare;
13.8.5 general questions of diversity and non-discrimination.

13.9 The Secretary General may set up ad hoc joint committees with specific mandates.

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STAFF RULE ON STAFF PARTICIPATION

1310. GENERAL MEETING OF STAFF AND ELECTORAL BOARD

1310.1 Staff members and pensioners are entitled to attend the General Meeting of Staff, which shall meet at least once a year in ordinary session and must be convened in extraordinary session if fifty staff members and/or pensioners of the Council of Europe so request in writing, stating their reasons.

1310.2 The General Meeting of Staff shall define the composition of the Staff Committee and establish the procedure for its election.

1310.3 The General Meeting of Staff shall establish the Electoral Board, which shall organise, supervise and ensure the fairness of elections of the Staff Committee and any other voting exercise decided on by the General Meeting of Staff or by the Secretary General of the Council of Europe.

1310.4 The Electoral Board shall adopt its own Rules of Procedure.

1320. STAFF COMMITTEE

Elections

1320.1 The Staff Committee shall be comprised of members, elected within two electoral colleges, the first representing staff members, the second representing pensioners of the Council of Europe.

1320.2 The Staff Committee shall be elected by secret ballot. Elections within each electoral college shall be valid only if a majority of the individuals entitled to vote within each college takes part.

Incompatibility

1320.3 The following categories of staff members shall not be entitled to stand for election to the Staff Committee:

1320.3.1 The Director General of Administration;

1320.3.2 The Director of Human Resources;

1320.3.3 Staff members of the Directorate General of Administration entrusted with delivering legal advice on staff-related issues to the

Director General of Administration or Director of Human Resources;

1320.3.4 The Legal Adviser of the Organisation and staff members of the Directorate of Legal Advice and Public International Law entrusted with delivering legal advice on staff-related issues or entrusted to represent the Secretary General in grievance proceedings;

1320.3.5 Staff members of the Directorate of Human Resources occupying the position of Head of Division or above.

Rules of Procedure

1320.4 The Staff Committee shall adopt its own Rules of Procedure.

Mandate

1320.5 As the standing body representing the staff of the Organisation, the Staff Committee shall:

1320.5.1 Express opinions and make proposals on behalf of staff, both orally and in writing and either on its own initiative or following an invitation to do so;

1320.5.2 Advise staff members on the defence of their rights and the fulfilment of their obligations;

1320.5.3 Hold regular exchanges of views with the Secretary General or their representatives; and

1320.5.4 Seek information on decisions affecting staff members' rights or obligations.

Recruitment and internal competitions

1320.6 The Staff Committee shall be entitled, upon prior notice to the Director of Human Resources, to attend any interviews in the context of internal competition or recruitment, except for recruitment in respect of vacancies at grades A6 or A7. When exercising its right under this provision the representative of the Staff Committee must attend the interviews of all candidates interviewed in respect of a specific vacancy pursuant to paragraph 490.5 of the Staff Rule on entry into service or paragraph 560.3 of the Staff Rule on career development. The Staff Committee may seek the opinion of the Appointments Review Committee in respect of any issue arising from any such interview, pursuant to paragraph 1350.5 below.

1330. STANDING JOINT ADVISORY COMMITTEES

1330.1 The following Standing Joint Advisory Committees shall be established:

1330.1.1 Committee on Staff Matters;

1330.1.2 Appointments Review Committee;

1330.1.3 Committee on Staff Assessment;

1330.1.4 Committee on Discipline;

1330.1.5 Committee on Workplace Safety and Security;

1330.1.6 Committee on Medical and Social Protection;

1330.1.7 Committee on Diversity, Inclusion and Non-Discrimination.

1330.2 Members and substitutes of the Standing Joint Advisory Committees shall be appointed by the Secretary General and the Staff Committee every two years, following the election of the Staff Committee. Appointments shall be renewable.

1330.3 When appointing members to Standing Joint Advisory Committees, the Secretary General and the Staff Committee shall pay due regard to the importance of achieving gender parity and representation on as wide a geographical basis as possible.

1330.4 A substitute shall sit on the respective Standing Joint Advisory Committee only in the absence of a member.

1330.5 Proceedings of a Standing Joint Advisory Committee shall be valid only if every member is present or replaced by a substitute.

1330.6 Each Standing Joint Advisory Committee shall strive to adopt its opinions by consensus. If no such consensus can be reached, the matter shall be subject to a vote. In the case of tie, the Chair shall have the deciding vote. Any member of the Committee may request that their views be recorded in the opinion.

1330.7 Procedural matters shall be settled by a majority of the votes cast.

1330.8 Where a question arises as to whether or not a matter is procedural in nature, the Chair shall decide.

1330.9 A meeting of a Standing Joint Advisory Committee may be held by way of video conferencing.

1330.10 Deliberations of a Standing Joint Advisory Committee shall be confidential.

1330.11 Meetings of Standing Joint Advisory Committees shall be concluded by the adoption of a meeting report or, as the case may be, by an opinion which shall be communicated to the Secretary General, who shall inform the respective Committee of any follow-up given to the opinion.

1330.12 The Secretary General shall provide for secretarial assistance for each Standing Joint Advisory Committee. Any persons providing secretarial assistance shall not be members or substitutes on the same Committee.

1330.13 A Standing Joint Advisory Committee may, where necessary, invite a person or persons with specific relevant expertise to attend its meeting.

1340. COMMITTEE ON STAFF MATTERS

Chair

1340.1 The Chair of the Committee on Staff Matters shall be the Deputy Secretary General or their representative.

Composition

1340.2 The Committee on Staff Matters shall be composed of four members and their substitutes appointed by the Secretary General, and four members and their substitutes appointed by the Staff Committee, from among members of staff well-acquainted with the functioning of the Organisation.

1340.3 In addition to the appointed members, the Legal Adviser or their representative shall participate in an advisory capacity without the right to vote.

1340.4 The Committee may decide to invite representatives of the staff's trade unions to participate in its deliberations.

Mandate

1340.5 The Committee on Staff Matters shall give its opinion on:

1340.5.1 matters of workforce planning;

1340.5.2 job classification;

1340.5.3 termination of service that gives rise to payment of indemnity for loss of job, including implementation of departure schemes;

1340.5.4 changes to provisions of Staff Regulations or rules concerning staff participation.

1340.6 The Committee may also be consulted by the Secretary General or the Staff Committee on questions of a general nature which either of them sees fit to submit to it.

Frequency of meetings

1340.7 The Committee on Staff Matters shall meet at the request of the Secretary General or of the Staff Committee.

Documents

1340.8 Documents of the Committee on Staff Matters shall be confidential unless the Committee or the Secretary General decides otherwise.

1350. APPOINTMENTS REVIEW COMMITTEE

Chair

1350.1 The Chair of the Appointments Review Committee shall be the Director of Human Resources or their representative.

Composition

1350.2 The Secretary General and the Staff Committee shall each create a list of members of the Appointments Review Committee comprising no fewer than ten staff members.

1350.3 Each time the opinion of the Appointments Review Committee is required, the composition of the Committee shall be determined based on members' availability and, as far as possible, the relevance of their expertise. This shall be done by selecting one staff member from each of the above-mentioned lists. The selection from the Secretary General's list shall be done by the Chair of the Committee and the selection from the Staff Committee's list shall be done by the Staff Committee.

Mandate

1350.4 The opinion of the Committee on Appointments Review shall be sought regarding:

1350.4.1 the establishment of pre-selection lists within the meaning of paragraph 490.3 of the Staff Rule on entry into service;

1350.4.2 the non-confirmation of a staff member's appointment following a probationary period or the prolongation of a probationary period within the meaning of paragraph 4130.3 of the Staff Rule on entry into service;

1350.4.3 the non-conversion of a contract from fixed-term to open-ended and its resulting termination;

1350.4.4 the promotion of a staff member as a result of an internal competition or as a result of a job upgrade.

1350.5 The Committee may also, on the basis of a reasoned request from the Director of Human Resources or the Staff Committee, review an internal competition or external recruitment procedure prior to the proposal by the head of the Major Administrative Entity concerned to appoint a candidate, to ensure that all appointments comply with applicable regulations, rules, policies and the relevant selection criteria, and are conducted in a fair and transparent manner. Upon the completion of such a review, the Committee shall transmit its opinion to the Secretary General.

Documents

1350.6 Documents of the Appointments Review Committee shall be confidential.

1360. COMMITTEE ON STAFF ASSESSMENT

Chair

1360.1 The Chair of the Committee on Staff Assessment shall be the Director of Human Resources or their representative.

Composition

1360.2 The Committee on Staff Assessment shall comprise two members and two substitutes appointed by the Secretary General and two members and two substitutes appointed by the Staff Committee. The members of the Committee shall have relevant experience or knowledge of human resource management.

Mandate

1360.3 The Committee on Staff Assessment shall monitor the fair and homogeneous application of the assessment system, as referred to in Article 510 of the Staff Rule on career development, throughout the Organisation. To this end, it shall analyse the functioning and results of the system and may address opinions to the Secretary General containing the Committee's recommendations on:

1360.3.1 amendments needed to make the system more efficient and to correct any anomalies;

1360.3.2 steps to be taken to guarantee fair and homogeneous use of the system;

1360.3.3 training needs to be met and activities to be carried out to disseminate information about the system.

1360.4 The Committee shall not examine individual cases.

Frequency of meetings

1360.5 The Committee on Staff Assessment shall meet at least once a year.

Documents

1360.6 Documents of the Committee on Staff Assessment shall be confidential unless the Secretary General authorises the publication of the Committee's recommendations.

1370. COMMITTEE ON DISCIPLINE

Chair

1370.1 The Chair of the Committee on Discipline shall be appointed by the Secretary General, after having consulted the Staff Committee, for two years. The appointment, which shall take place following the elections of the Staff Committee, may be renewed. The Chair shall not be a member of the Committee on Staff Matters.

Composition

1370.2 The Secretary General and the Staff Committee shall each establish an alphabetised list of Committee members comprising no fewer than 10 staff members each, ensuring to the greatest practicable extent a balanced representation of Major Administrative entities and grades.

1370.3 Each time the Secretary General seeks the opinion of the Committee, the final composition of the Committee shall be established pursuant to Article 1240 of the Staff Rule on discipline.

Mandate

1370.4 The Committee on Discipline shall be consulted by the Secretary General with a view to the possible imposition of a disciplinary sanction provided for by Article 12, paragraphs 1.2 – 1.6 of the Staff Regulations.

Proceedings and documents

1370.5 Proceedings and documents of the Committee on Discipline shall be confidential.

1380. COMMITTEE ON WORKPLACE SAFETY AND SECURITY

Chair

1380.1 The Chair of the Committee on Workplace Safety and Security shall be appointed by the Secretary General for two years, after having consulted the Staff Committee. The appointment, which shall take place following the elections of the Staff Committee, may be renewed. The Chair should not be directly involved in health, safety or security operations of the Organisation in their professional capacity.

Composition

1380.2 The Committee on Workplace Safety and Security shall be composed of four members and four substitutes appointed by the Secretary General, and four members and four substitutes appointed by the Staff Committee.

1380.3 At least one member and one substitute appointed by the Secretary General shall be staff members responsible for security and safety in the Organisation.

1380.4 In addition to the appointed members, the Organisation's doctor and the staff member responsible for issues of staff welfare shall sit on the Committee in an advisory capacity without the right to vote.

1380.5 The Committee may decide to invite representatives of the staff's trade unions to participate in its deliberations.

Mandate

1380.6 The Committee on Workplace Safety and Security may be consulted by the Secretary General on issues concerning:

1380.6.1 protection of the health, safety and security of persons on the Organisation's premises;

1380.6.2 compliance with rules, policies and procedures on health, safety and security.

1380.7 The Committee shall also:

1380.7.1 conduct enquiries into work-related diseases and any accident that has or might have had serious consequences, and make appropriate proposals on how to avoid future accidents; and

1380.7.2 conduct regular inspections of the Organisation's premises to assess compliance with the rules on health, safety and security.

1380.8 The Committee may also transmit opinions on the above-mentioned subjects to the Secretary General on its own initiative.

1380.9 The Committee shall prepare an annual report on working conditions related to health and safety in the Organisation.

Frequency of meetings

1380.10 The Committee on Workplace Safety and Security shall meet at least three times a year.

Documents

1380.11 Documents of the Committee on Workplace Safety and Security shall be public unless the Committee decides otherwise.

1390. COMMITTEE ON MEDICAL AND SOCIAL PROTECTION

Chair

1390.1 The Chair of the Committee on Medical and Social Protection shall be appointed by the Secretary General for two years, after having consulted the Staff Committee. The appointment, which shall take place following the elections of the Staff Committee, may be renewed. The Chair shall not be a staff member in the Directorate General of Administration, Private Office, the Directorate of Legal Advice and Public International Law or a member of the Staff Committee.

Composition

1390.2 The Committee on Medical and Social Protection shall be composed of five members and their substitutes appointed by the Secretary General, and five members and their substitutes appointed by the Staff Committee, among staff members and pensioners with relevant experience or knowledge of matters of medical or social protection.

1390.3 One member and one substitute appointed by the Secretary General shall be staff members of the entity within the Directorate of Human Resources responsible for the administrative, social and financial management of staff.

1390.4 One member and one substitute appointed by the Secretary General shall be staff members of the entity within the Directorate of Human Resources responsible for medical and social insurance.

1390.5 One member and one substitute appointed by the Staff Committee shall be pensioners of the Council of Europe and shall be appointed following consultation with the pensioners' associations.

1390.6 In addition to the appointed members, the Organisation's doctor shall sit on the Committee in an advisory capacity without the right to vote.

1390.7 The Committee may decide to invite representatives of the staff's trade unions and/or the pensioners' associations to participate in its deliberations.

Mandate

1390.8 The Committee on Medical and Social Protection shall be consulted by the Secretary General on questions relating to the medical and social protection offered to serving and former staff members. It may also transmit advice on the above-mentioned subjects to the Secretary General on its own initiative.

1390.9 The Committee shall be consulted on any envisaged amendment to the Staff Regulations or implementing provisions affecting the medical and social protection of serving and former staff members and their families.

1390.10 The Committee shall also be entrusted with:

1390.10.1 reviewing the Council of Europe's collective insurance cover for medical and social protection of serving and former staff members;

1390.10.2 monitoring the accounts and statistics presented by the insurer and the insurance manager;

1390.10.3 formulating opinions on the rate of contributions towards collective insurance premiums as well as on the use of the adjustment account;

1390.10.4 proposing to the Secretary General modifications in medical and social protection.

Frequency of meetings

1390.11 The Committee on Medical and Social Protection shall meet at least twice a year. It shall also meet at the request of the Secretary General or of the Staff Committee.

Documents

1390.12 Documents of the Committee on Medical and Social Protection shall be confidential unless the Committee decides otherwise.

13100. COMMITTEE ON DIVERSITY, INCLUSION AND NON-DISCRIMINATION

Chair

13100.1 The Chair of the Committee on Diversity, Inclusion and Non-Discrimination shall be the Deputy Secretary General or their representative.

Composition

13100.2 The Committee on Diversity, Inclusion and Non-Discrimination shall comprise two members and two substitutes appointed by the Secretary General and two members and two substitutes appointed by the Staff Committee. The members of the Committee shall have relevant experience or knowledge in matters of diversity and inclusion.

13100.3 The Committee may decide to invite representatives of the staff's trade unions to participate in its deliberations.

Mandate

13100.4 The Committee on Diversity, Inclusion and Non-Discrimination may be consulted by the Secretary General on any issue relating to diversity, inclusion, non-discrimination and equity.

13100.5 The Committee shall also be entrusted with:

13100.5.1 monitoring and evaluating the implementation of the policies on diversity, inclusion and non-discrimination within the Secretariat;

13100.5.2 providing recommendations to the Secretary General and otherwise supporting the efforts of the Secretary General on the implementation of the relevant policies.

13100.6 The Committee may also transmit advice on the above-mentioned subjects to the Secretary General on its own initiative.

13100.7 Each year the Committee shall prepare an annual report on diversity, inclusion, non-discrimination and equity within the Secretariat and on its activities for the preceding year.

Frequency of meetings

13100.8 The Committee on Diversity, Inclusion and Non-Discrimination shall meet at least once a year.

Documents

13100.9 Documents of the Committee on Diversity, Inclusion and Non-Discrimination shall be public unless the Committee decides otherwise.

13110. AD HOC JOINT ADVISORY COMMITTEES

13110.1 The Secretary General may set up ad hoc joint advisory committees, composed of staff members appointed by the Secretary General and others appointed by the Staff Committee, with specific mandates, whenever complex decisions concerning rights and obligations of staff are involved. The Staff Committee may make a proposal to the Secretary General for the establishment of an ad hoc joint advisory committee.

13110.2 When appointing members to ad hoc joint advisory committees, the Secretary General and the Staff Committee shall pay due regard to the

importance of achieving gender parity and representation on as wide a geographical basis as possible

13110.3 The Secretary General shall provide for secretarial assistance for ad hoc joint committees with specific mandates.

13120. OTHER STAFF PARTICIPATION INITIATIVES

13120.1 Serving and former staff members shall be entitled to exercise the right of association and form trade unions, associations or groups. Upon receipt of a reasoned request from the Staff Committee, the Secretary General shall give consideration to means of supporting and facilitating any such staff participation initiatives.

13130. FUNCTIONS PERFORMED IN CONNECTION WITH STAFF REPRESENTATION

13130.1 Any functions performed by staff members on Joint Advisory Committees shall be deemed to be part of their official duties. No staff member shall suffer prejudice as a result of performing such functions, either currently or in the past.

STAFF REGULATIONS

ARTICLE XIV

Grievance procedures

14.1 The Secretary General shall establish appropriate procedures to deal with staff members' grievances relating to their terms of employment or working conditions.

14.2 In cases of dispute, amicable resolution shall be encouraged whenever possible. A mechanism for independent mediation shall be established to assist in the prevention and non-contentious resolution of disputes.

14.3 Staff members who consider that an administrative decision is prejudicial to their interest and conflicts with their terms and conditions of appointment, or with any pertinent provisions of the Staff Regulations, Rules, Instructions or Policies, may initiate the process of management review, allowing for the correction of an improper decision or, where a decision was properly taken, its confirmation along with a reasoned explanation. The modalities of the review shall be set out in Staff Rules adopted by the Secretary General.

14.4 After pursuing management review, staff members who are not satisfied with the outcome thereof may lodge a formal complaint with the Secretary General against the contested administrative decision adversely affecting them, provided that they have a direct and existing interest in doing so. The modalities of the complaints procedure shall be set out in Staff Rules adopted by the Secretary General.

14.5 The Secretary General's decision on the complaint may be appealed to the Administrative Tribunal of the Council of Europe in accordance with the provisions of the Tribunal's Statute. While an appeal is pending, the Secretary General shall refrain from taking any further measure in respect of the staff member which, if the appeal was upheld, would make the redress sought impossible.

14.6 An appeal may be lodged with the Administrative Tribunal by a staff member, without first lodging a formal complaint with the Secretary General, against the imposition of a disciplinary sanction, with the exception of a written warning. An appeal may also be lodged by a staff member directly with the Administrative Tribunal against a decision taken by the Secretary General personally, or against an administrative decision implementing a legislative measure of general character adopted by the Committee of Ministers, provided that the staff member has a direct and existing interest in challenging such a decision.

14.7 The Administrative Tribunal's judgments shall be final and binding on the parties.

14.8 Requesting a management review, filing a complaint or lodging an appeal shall not suspend the contested administrative decision. However, the staff member may file a request with the Administrative Tribunal to suspend the implementation of a contested administrative decision in cases of particular urgency where the implementation of the administrative decision would cause serious and irreparable damage to the staff member.

14.9 In exceptional cases, the Secretary General may, in the interest of the Organisation and within the limits of the available budget, conclude a mutually agreed

settlement to end a dispute on the condition that the staff member renounces all future action, claims and demands in respect of that dispute.

14.10 In addition to staff members, the complaints and appeals procedure shall be open mutatis mutandis to:

14.10.1 former staff members of the Council of Europe;
14.10.2 persons claiming through staff members or former Council of Europe staff members;
14.10.3 job candidates, insofar as their complaint or appeal concerns irregularities of the selection process directly affecting them;
14.10.4 the Staff Committee, where the procedure relates to an act directly affecting the Staff Committee or its powers under the Staff Regulations.

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STAFF RULE ON GRIEVANCE PROCEDURES

1410. PURPOSE OF THE GRIEVANCE PROCEDURES

1410.1 The grievance procedures are set up with the following purposes:

To ensure fair, consistent, lawful and impartial decision-making;
To ensure that officials entrusted with administrative or managerial powers are responsible and accountable for their decisions;
To protect the rights of staff members;
To provide a framework enabling the exercise of a right to review, including judicial review; and
To redress abuses of administrative power.

1420. DEFINITIONS

1420.1 An administrative decision is any decision, action or implicit decision, taken by an official with administrative powers or a staff member's manager, which affects a staff member's terms and conditions of employment or rights under the Staff Regulations or Rules or any applicable legal provisions.

1420.2 An "implicit administrative decision" shall be deemed to have been taken where a staff member has made a request concerning their terms and conditions of appointment or rights under the Staff Regulations or Rules or any applicable legal provisions and has not received a response thereto within the relevant deadline if any or, where no such deadline is specified, within 60 days of the date of the request. The request shall be deemed to have been refused on the date on which the deadline expired or, as the case may be, 60 days after the date on which the request was made.

1420.3 The term "original decision-maker" refers to the official who took the administrative decision.

1420.4 The term "reviewer" refers to a manager of the staff member who took the administrative decision.

1420.5 The term “complainant” refers to a staff member, or a person referred to in Article 14.10 of the Staff Regulations, who has lodged a formal complaint with the Secretary General pursuant to Article 14.4 of the Staff Regulations.

1420.6 The term “appellant” refers to a staff member, or a person referred to in Article 14.10 of the Staff Regulations, who has lodged an appeal with the Administrative Tribunal of the Council of Europe pursuant to Article 14.5 or 14.6 of the Staff Regulations.

1430. CALCULATION OF TIME LIMITS

1430.1 All time limits in this Staff Rule are expressed in calendar days and shall run from the day following the day on which the relevant event occurred and shall expire at midnight (Paris time) on the last day of the time limit. Calculation of time limit shall include Saturdays, Sundays and public holidays. Where the last day of a time-limit is a Saturday, Sunday or a public holiday or non-working day in the Organisation’s headquarters, the time-limit shall expire on the next working day. All time limits shall be suspended during the annual closure of the Council of Europe headquarters fixed by decision of the Secretary General.

1430.2 Any request for management review or any formal complaint not submitted within the specified time limit shall be rejected as being out of time, save for exceptional cases where, for duly substantiated reasons, a request for management review or a formal complaint lodged outside the specified time limit may be declared admissible. The failure to abide by the time limits must result from reasons beyond the control of the staff member seeking management review or the complainant, as the case may be, and the length of the delay must be reasonable having regard to the circumstances of the case.

1440. MANAGEMENT REVIEW

1440.1 Staff members who consider that an administrative decision is:

- prejudicial to their interest; and
- conflicts with their terms and conditions of appointment, or with any relevant provisions of the Staff Regulations or Staff Rules or any other applicable legal provisions;

may request a review of the decision by the manager of the original decision-maker in accordance with Article 14.3 of the Staff Regulations.

1440.2 A request for management review must be filed with the original decision-maker within 30 days from the date on which the contested administrative decision was notified to the staff member or, in the absence of notification, from the date on which the staff member became aware of the decision. Where the contested decision is an implicit administrative decision, the request for management review must be made within 30 days from the date on which the implicit administrative decision is deemed to have been taken, pursuant to paragraph 1420.2 above.

1440.3 A request for management review must be made in writing, submitted electronically and contain a brief explanation of the reasons for the request. The original decision-maker must acknowledge receipt of the request and promptly transfer it to the reviewer.

1440.4 If, having reviewed the administrative decision, the reviewer finds that it was improperly taken, the reviewer must correct it. If the reviewer concludes that the administrative decision was properly taken, a reasoned explanation for this finding must be provided to the staff member. The reviewer must notify the staff member of the outcome of the management review, in writing, within 30 days from the date on which the request was received by the original decision-maker.

1440.5 The following administrative decisions are not subject to management review:

1440.5.1 A decision to impose a disciplinary sanction;

1440.5.2 A decision taken personally by the Secretary General, Deputy Secretary General or a Head of Major Administrative Entity;

1440.5.3 A decision implementing a general legislative measure adopted by the Committee of Ministers.

1440.5.4 A decision addressed to the persons referred to in Article 14.10 of the Staff Regulations.

1450. COMPLAINTS PROCEDURE

1450.1 A staff member who is not satisfied with the outcome of the management review or has not been notified of the outcome of the management review within the time limit, shall be entitled to lodge a formal complaint with the Secretary General pursuant to Article 14.4 of the Staff Regulations.

1450.2 The complaint must be lodged within 30 days from the date on which the outcome of the management review was notified or, in the absence of notification, within 30 days from the date on which the notification was due.

1450.3 A formal complaint may also be lodged:

1450.3.1 by a staff member who has been subject to a disciplinary sanction consisting of a written warning, within 30 days from the date on which they were notified of the decision to impose the disciplinary sanction;

1450.3.2 by a staff member contesting an administrative decision taken personally by the Deputy Secretary General or a Head of Major Administrative Entity, within 30 days from the date on which the contested administrative decision was notified to them or, in the absence of notification, from the date on which they became aware thereof;

1450.3.3 by those referred to in Article 14.10.1 to 14.10.3 of the Staff Regulations, within 30 days from the date on which the contested administrative decision was notified to them or, in the absence of notification, from the date on which they became aware thereof;

1450.3.4 by the Staff Committee, where the administrative decision directly affects the Staff Committee or its powers, within 30 days from the date on which the contested administrative decision was notified to the Staff Committee or, in the absence of notification, within 30 days from the date on which the Staff Committee became aware thereof. In case of a general act affecting the Staff Committee or its powers, a formal complaint must be lodged within 30 days from the publication of the act.

1450.4 A formal complaint must be made in writing and submitted to the Secretary General via the Director of Human Resources, who shall acknowledge receipt to the complainant.

1450.5 The complainant shall be notified of a reasoned decision on the complaint within 30 days from the date on which the complaint was received by the Director of Human Resources. Failure to notify the complainant within the time limit is deemed to be a rejection of the complaint by the Secretary General.

1460. APPEALS PROCEDURE

1460.1 The Secretary General's rejection, in whole or in part, of a formal complaint may be appealed to the Administrative Tribunal of the Council of Europe in accordance with the provisions of the Tribunal's Statute and Rules of Procedure.

1460.2 Appeals may also be lodged with the Administrative Tribunal of the Council of Europe against the following, without the requirement to lodge a formal complaint beforehand:

1460.2.1 the imposition of a disciplinary sanction, with the exception of a written warning;

1460.2.2 an administrative decision personally taken by the Secretary General;

1460.2.3 an administrative decision implementing a legislative measure of general character adopted by the Committee of Ministers, provided that the appellant has a direct and existing interest in challenging such a decision.

1470. MEDIATION

1470.1 Mediation may be sought by staff members of the Council of Europe with a view to reaching an amicable resolution of an inter-personal dispute with one or more staff member(s).

1470.2 Staff members may also consult the mediators on any issue which affects them and is covered by the Policy on respect and dignity at the Council of Europe, or which otherwise impacts upon their well-being or performance at work.

1470.3 Mediation can be sought at any time. In the context of alleged harassment, however, mediation cannot be sought while a formal complaint of harassment that has been lodged with the Director of Human Resources, in terms of the Policy on respect and dignity at the Council of Europe, is pending.

1470.4 Mediation is an entirely voluntary process, which will be entered into only with the consent of all participants.

1470.5 The mediation process is confidential.

1470.6 The mediation process will be conducted in conformity with the Guidelines on mediation.

The Mediators

1470.7 The Secretary General shall select two mediators, one of each gender, from a list, prepared jointly by the Director of Human Resources and the Staff Committee, which includes the names of at least two persons of each gender.

1470.8 The mediators shall be independent and, while in office, shall not hold any post or engage in any activity that might be considered to affect their independence or impartiality. They shall not be staff members of the Council of Europe.

1470.9 The mediators shall be selected for a period of five years, upon the expiry of which they shall not be selected again. Should a mediator be unable to serve for the full five-year period, a new mediator of the same gender as the outgoing mediator shall be selected in their place.

1470.10 The mediators shall have a secretariat, consisting of two staff members appointed by the Secretary General after consultation with the mediators and the Staff Committee.

1470.11 The mediators shall submit an activity report to the Secretary General every two years. The Secretary General shall publish the activity report, together with details of any follow-up action taken.

STAFF REGULATIONS

ARTICLE XV

Final Provisions

15.1 In case of conflict between these Regulations and any provision contained in a Rule, Instruction, Office Circular or Policy, these Regulations shall prevail.

15.2 These Regulations may be amended by the Committee of Ministers. Unless otherwise decided, amendments so made to these Regulations shall apply to all staff.

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History of the Staff Regulations and Staff Rules

Staff Regulations adopted by the Committee of Ministers on 22 September 2021 at the 1412th meeting of the Ministers' Deputies (Resolution CM/Res(2021)6-consolidated);
Staff Regulations amended by the Committee of Ministers on 11 May 2022, at the 1434th meeting of the Ministers' Deputies (Decision CM/Del/Dec(2022)1434/11.2);
Staff Regulations amended by the Committee of Ministers on 14 December 2022 at the 1452nd meeting of the Ministers' Deputies (Resolution CM/Res(2022)66);
Staff Rules adopted by the Secretary General by Decision dated 30 December 2022;
Staff Rule on expenses borne by the Organisation and Staff Rule on discipline amended by the Secretary General by Decision dated 31 May 2023.
Staff Rule on termination of service amended by the Secretary General by Decision dated 8 November 2023.
Staff Rule on working hours and leave amended by the Secretary General by Decision dated 20 December 2023.
Staff Rule on entry into service, Staff Rule on career development, Staff Rule on termination of service, Staff Rule on working hours and leave and Staff Rule on staff participation amended by the Secretary General by Decision dated 26 March 2024.
Staff Rule on working hours and leave amended by the Secretary General by Decision dated 9 July 2024.
Staff Rule on entry into service amended by the Secretary General by Decision dated 28 August 2024.
Staff Rule on social security amended by the Secretary General by Decision dated 8 December 2025.
Staff Rule on salaries and allowances amended by the Secretary General by Decision dated 29 January 2026.
Staff Rule on salaries and allowances, Staff Rule on working hours and leave and Staff Rule on social security amended by the Secretary General by Decision dated 29 June 2026.

Previous versions

Staff Regulations and Staff Rules – in force from 1 January 2023 until 31 May 2023

Staff Regulations and Staff Rules – in force from 1 June 2023 until 14 November 2023

Staff Regulations and Staff Rules – in force from 15 November 2023 until 31 December 2023

Staff Regulations and Staff Rules – in force from 1 January 2024 to 31 March 2024

Staff Regulations and Staff Rules – in force from 1 April 2024 to 31 August 2024

Staff Regulations and Staff Rules – in force from 1 September 2024 to 30 September 2024

Staff Regulations and Staff Rules – in force from 1 October 2024 to 31 December 2025

Staff regulations and Staff rules – in force from 1 to 31 January 2026

Staff Regulations and Staff Rules – in force from 1 February 2026 to 31 July 2026