



COMMISSION OF THE EUROPEAN COMMUNITIES

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**REPORT TO THE COUNCIL ON THE APPLICATION OF ANNEX X TO THE
STAFF REGULATIONS**

(Council Regulation No 3019/87 of 5 October 1987)

1997 and 1998

(presented by the Commission)

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REPORT TO THE COUNCIL ON THE APPLICATION OF ANNEX X TO THE STAFF REGULATIONS

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INTRODUCTION

In accordance with Article 101a of the Staff Regulations, Annex X determines, without prejudice to the other provisions of the Staff Regulations, the special and exceptional provisions applicable to officials serving in non-member countries.

Article 14 of Annex X requires the Commission to "submit an annual report to the Council on the application of this Annex and in particular on the fixing of the rate of the allowance for living conditions as provided for in Article 10".

Since 1 January 1988, the Commission has prepared eight reports. They cover the following periods:

- October 1987-December 1988, 1989, 1990-1991, 1992, 1993, 1994, 1995 and 1996.

In order to speed up the rate of presentation of the annual reports, this report covers both 1997 and 1998.

1997 and 1998 saw significant redeployment of staff (see comments on Article 2) and development of a scheme designed to curb the cost of establishing weightings (see comments on Article 13), as requested by the Council.

CHAPTER 1: GENERAL PROVISIONS

Article 1: Recruitment

The External Service was allocated 655 posts in 1997, unchanged in 1998. There was a flat-rate reduction of 39 units both in 1997 and in 1998.

At 31 December 1998, 610 posts were effectively filled (570 at 31 December 1997).

There were no new delegations opened in 1997 or 1998 because of budgetary restrictions.

In 1998, 8 officials were recruited from outside (9 in 1997), including 5 from the reserve list drawn up following competition COM/A/696 (development specialists for the delegations) (3 in 1997). Of the 8 officials, two were nationals of the new Member States (one Finnish, one Austrian) recruited as heads of delegation by special competition.

Article 2 Mobility

Rotation

The rotation arrangements for 1998 applied to 133 officials (171 in 1997), of whom

52 moved between delegations (74 in 1997)
49 moved from delegations to headquarters (57 in 1997)
8 terminated their service (10 in 1997)
24 remained in their posts (30 in 1997)

Lastly, three officials not on the rotation list were transferred following the publication of vacancy notices.

The rotation exercise showed that the principle of alternate postings in delegations and at headquarters continued to be applied:

49 moved from delegations to headquarters (57 in 1997)
58 moved from headquarters to the delegations (61 in 1997).

58 officials were transferred from one geographical area to another under a different RELEX DG (55 in 1997).

In all, then, 170 officials moved under the rotation exercise (202 in 1997).

Redeployment

In 1997 a decision was taken to redeploy 15 posts (A and B) to the delegations (13 from headquarters) in order to continue regionalisation of the network and to restore staffing levels.

Redeployment was stepped up in 1998. 23 posts (15 A, 5 B and 3 C) were redeployed from headquarters to the delegations, 21 from the RELEX DGs. A further 9 posts (7 A and 2 B) were redeployed as part of the decentralisation policy.

Article 3: Retraining

In 1998 retraining decisions affected 40 External Service officials posted back to headquarters (37 in 1997) to one of the RELEX DGs, in accordance with the principle of alternate postings under the rotation policy.

CHAPTER 2: OBLIGATIONS

Article 4: Carrying out duties at place of employment

Nothing to report.

Article 5: Accommodation

In 1997 and 1998 DG 1A continued the policy of providing furnished accommodation for officials serving outside the Community. References for floor area, number of bedrooms and cost/m² by country were established.

A few pilot cases were initiated with a view to an application of Article 23 of Annex X in countries where market conditions and the legal environment permit.

CHAPTER 3: WORKING CONDITIONS

Articles 6, 7 and 9: Annual leave

The planning of leave entitlements was improved, primarily with a view to reducing carryovers (37 requests to carry over more than 36 days in 1997, 25 in 1998).

In 1997 a change was made to the internal management rules with leave entitlements now being calculated on the basis of working days in line with standard practice. Similarly, in the interests of more equitable and rigorous management, the Commission has now set at six days per year the maximum number of days on which its offices close in all countries where it is represented instead of the number of public holidays in the host country, which had been the reference since 1988.

Articles 8 and 9(2): Exceptional granting of rest leave

On 21 March 1997 and 16 December 1997, as part of its customary annual exercises, the Commission decided to grant rest leave by way of exception for 1997 and 1998 in respect of only those places of employment where living conditions were considered "particularly difficult" on the basis of the parameters used to fix the allowance for living conditions each year.

Strict application of the conditions set out in Article 8 of Annex X resulted in this decision being taken for 25 places of employment in 1997 and 27 in 1998 (see Annex I). The number involved was 25 in 1996 and 30 in 1995. The slight increase between 1997 and 1998 was due to the increase in the number of countries where crises were declared (8 in 1997 against 5 in 1996) following a deterioration in security. The budgetary impact of this increase was neutralised by making the number of days' entitlement proportional to the actual duration of the crisis.

CHAPTER 4: EMOLUMENTS AND SOCIAL SECURITY BENEFITS

SECTION 1: EMOLUMENTS AND FAMILY ALLOWANCES

Article 10(1) Allowance for living conditions

The Commission fixed the rates of the allowance for living conditions for 1997 and 1998 as shown in the tables at Annex II.

Article 10(2) Additional allowance

In 1997 and 1998, the Commission decided to pay the additional allowance to officials serving in the following countries, declared to be in crisis:

- Albania, classed at the 10% level from 13 March 1997 to 9 June 1997, then at the 5% level from 10 June 1997;
- Republic of the Congo (Brazzaville), classed at the 10% level from 7 June 1997 to 30 September 1998;
- Democratic Republic of the Congo (Kinshasa), classed at the 10% level from 21 March 1997 to 5 June 1997, from 1 October 1997 to 31 October 1997 and from 14 August 1998 to 30 September 1998 and at the 5% level from 6 June 1997 to 30 September 1997, from 10 August 1998 to 13 August 1998 and from 1 October 1998 to 31 November 1998;

- Eritrea, classed at the 10% level from 5 June 1998 to 13 July 1998 and at the 5% level from 14 July 1998;
- Guinea Bissau, classed at the 10% level from 10 June 1998;
- Indonesia, classed at the 5% level from 18 May 1998 to 7 June 1998;
- Lesotho, classed at the 5% level from 23 September 1998 to 30 September 1998;
- Sierra Leone, classed at the 10% level from 27 May 1997 to 31 July 1998, then at the 5% level from 1 August 1998 to 23 December 1998, and again at the 10% level since 24 December 1998;
- Federal Republic of Yugoslavia, classed at the 5% level from 5 October 1998 to 11 October 1998 and from 18 October 1998 to 26 October 1998 and at the 10% level from 12 October 1998 to 17 October 1998.

The Commission also continued to monitor its previous decisions for any change in security conditions in the following countries:

- Algeria, classed at the 10% since 10 December 1993;
- Bosnia-Herzegovina, classed at the 10% level from 25 April 1996 to 28 February 1998 and at the 5% level from 1 March 1998 to 31 December 1998;
- Burundi, classed at the 10% level from 14 June 1996 to 30 September 1998 and at the 5% level from 1 October 1998 to 31 December 1998;
- Central African Republic, classed at the 10% level from 23 May 1996 to 29 November 1997 and at the 5% level from 30 November 1997 to 31 July 1998.

Articles 11 and 12: Arrangements for the payment of remuneration

In 1997 and 1998 the number of officials can be broken down as follows with regard to the currency in which remuneration was paid:

- 84% opted for the payment of their salaries in Belgian francs under Article 11 of Annex 10;
- 12% requested payment of part of their remuneration in local currency. Of these, 75% asked for the maximum allowed by the internal directives relating to Article 12 of Annex X (80%) and the remainder opted for percentages varying between 17% and 79%;
- in 1997 and 1998 a 90% ceiling continued to apply to Japan under the second paragraph of Article 1 of the internal directives relating to article 12 of Annex X staff regulations;
- lastly, 4% requested, on the basis of the necessary supporting documents, payment of part of their remuneration in a currency other than that of the place of employment under the second paragraph of Article 12 of Annex X staff regulations +(Russia, Ukraine and Kazakhstan).

Article 13: Weightings

Weightings are fixed by Council decision every six months, effective on 1 January and 1 July. For the period running from 1 January 1997 to 1 July 1998, Council decisions were taken on 11 September 1997 (Reg. No 1785/97), 20 February 1998 (Reg. No 63/98), 8 September 1998 (Reg. No 1995/98) and 15 February 1999 (Reg. No 342/99) respectively.

During the period in question - and every six months generally - the Commission, as required by the Council, presented its proposals within six months at most (from the date on which the proposals laying down the weightings take effect, for the purpose of applying the "clawback" clause).

During the interim periods, the Commission adjusts the weightings for countries where the variation has exceeded 5% and transmits the decision to the Council for information, as required by the Staff Regulations.

Establishing the monthly basis of the weightings for all the places of employment is a large-scale operation involving a vast volume of statistical data. These data are obtained most frequently from surveys on consumer prices and family budgets of the officials in the various places of employment. Since the adoption of Annex X, these surveys have been carried out by Eurocost, a limited liability body set up by Eurostat, which analyses and validates their results.

In 1997 and 1998, DG 1A and Eurostat intensified previous cost-cutting efforts, which had already resulted in a 25% reduction, with a view to creating a less expensive but reliable system for establishing and updating weightings.

Following the Council's request to review methods in an attempt to reduce costs, the Commission, also aware of this need, re-examined working procedures in order to arrive at a system which, while still ensuring the quality of the data needed to implement the Staff Regulations, would reduce the cost of gathering statistics and bring them more into line with the total emoluments actually involved.

The Group on the Staff Regulations was briefed on this point on 15 May 1998.

The main lines of this reform, at the formulation stage at the end of 1998, will be presented to the Eurostat Working Party on Article 64 of the Staff Regulations consisting of representatives of the National Statistics Institutes of the Member States in 1999 and subsequently to the Council Group on the Staff Regulations for information.

Article 15: Education allowance

A total of € 1 580 000 was paid in education allowances in 1997 and € 2 232 841 in 1998.

The system of granting advances to officials whose school fees were particularly high was maintained. All the advances granted in respect of 96/97 and 97/98 were settled within the prescribed deadlines.

As in previous years, the relatively high exchange rate for the yen prompted the Commission to exceed the annual ceiling for reimbursement during the 96/97 and 97/98

school years to officials serving in Japan whose children attended an international school there.

Article 16: Reimbursement of costs and installation allowances and resettlement allowances

In 1997 the equivalent of € 1 568 705 was paid in Belgian francs for 162 installation allowances and 5 resettlement allowances and the equivalent of € 219 910 in local currency for 10 installation allowances and 9 resettlement allowances.

In 1998, the equivalent of € 1 494 609 was paid in Belgian francs for 147 installation allowances and 3 resettlement allowances and the equivalent of € 225 651 in local currency for 8 installation allowances and 11 resettlement allowances.

SECTION 2: RULES RELATING TO REIMBURSEMENT OF EXPENSES

Article 17: Reimbursement of expenses incurred in respect of removal of furniture and actual installation allowances for officials not in furnished accommodation provided by the institution

No problems.

The second paragraph of this Article (reimbursement of installation allowances where officials are obliged to change residence at the place of employment) was applied twice in 1997 at a total cost of € 1 720 and was not applied in 1998.

Article 18: Temporary accommodation

187 decisions authorising temporary accommodation were taken in 1998 (166 in 1997).

Article 19 Service cars/mileage allowance

The rules for the use of private cars for the purposes of work and vice versa have been applied since June 1996. The mileage allowance referred to in Article 19 was established in accordance with practice in several Member States on the basis of average running costs. At present it stands at € 0.26/km (€ 0.36 for 4 + 4).

Article 20: Travel expenses for rest leave

Under Article 8 of Annex X travel expenses for rest leave are always reimbursed on the basis of the distance between the place of employment and the place of leave determined by the Commission, i.e. the nearest place to the place of employment meeting the conditions for place of leave. By way of exception, where the place of rest leave is disregarded, reimbursement is made up to that amount.

Expenses were € 189 000 for 1997 and € 202 000 for 1998.

Article 21: Reimbursement of the cost of transporting personal effects, removals and storage

No problems.

There were 247 removals in 1997 and 260 in 1998.

The rules for the removal of personal effects were updated in 1997 and implemented at the beginning of 1998. An invitation to tender for the insurance of the transport of personal effects was launched in 1997 and the contract was approved by the ACPC and signed at the end of February 1998.

Article 23: Reimbursement of rent where the official is not provided with accommodation by the institution

As stated in the comments on Article 5, Article 23 is currently being applied to six cases. On the basis of this experience, the Commission will draw the necessary conclusions with regard to the conditions under which this Article may be applied with a view to reconciling efficiency and sound budgetary management.

SECTION 3: SOCIAL SECURITY

Article 24 (third paragraph): Repatriation in the event of a medical emergency or an extreme medical emergency

In 1997 there were 23 repatriations, including one in an extreme medical emergency. The Commission maintained the standby contract, under which transport with intensive care facilities can be provided in the event of an extreme medical emergency. Total cost of these repatriations was € 149 000 (including the annual premium for the standby contract paid by the institution).

In 1998, 25 evacuations of which three of extreme urgency took place. The total cost of these evacuations was € 172 000.

Article 25: Accident cover for dependants

Following adoption by the Commission of general implementing provisions relating to accident cover for members of the family of an official serving in a non-member country on 20 July 1997, steps were taken to conclude an outside insurance contract covering the European Communities' financial obligations.

The Commission departments responsible for the management of the Joint Insurance Sickness Scheme have not encountered any difficulties in applying these provisions.

CHAPTER 6: TRANSITIONAL MEASURES

Article 27: Transitional provisions relating to remuneration

This Article has been obsolete since October 1992.

DETERMINATION DES DROITS A CONGE DE DETENTE
(Article 8 de l'Annexe X)

Date d'effet : 1er janvier 1997

| PAYS | PERIODICITE | LIEU |
|------------------------|-------------|-----------------------|
| Algérie | 3 x 5 jours | Casablanca (Maroc) |
| Angola | 2 x 5 jours | Windhoek (Namibie) |
| Bangladesh | 3 x 5 jours | Phuket (Thaïlande) |
| Bosnie-Herzégovine | 3 x 5 jours | Bruxelles (Belgique) |
| Burundi | 3 x 5 jours | Mombasa (Kenya) |
| Cameroun | 1 x 5 jours | Libreville (Gabon) |
| Centrafrique | 3 x 5 jours | Libreville (Gabon) |
| Congo | 2 x 5 jours | Libreville (Gabon) |
| Ethiopie | 1 x 5 jours | Mombasa (Kenya) |
| Georgie | 2 x 5 jours | Vienne (Autriche) |
| Guinée (Conakry) | 2 x 5 jours | Dakar (Sénégal) |
| Guinée Equatoriale | 1 x 5 jours | Libreville (Gabon) |
| Kazakhstan | 1 x 5 jours | Francfort (Allemagne) |
| Libéria | 3 x 5 jours | Dakar (Sénégal) |
| Mauritanie | 2 x 5 jours | Casablanca (Maroc) |
| Niger | 2 x 5 jours | Libreville (Gabon) |
| Nigéria (Abuja) | 1 x 5 jours | Libreville (Gabon) |
| Nigéria (Lagos) | 2 x 5 jours | Libreville (Gabon) |
| Papouasie Nouv. Guinée | 1 x 5 jours | Darwin (Australie) |
| Sierra Léone | 3 x 5 jours | Dakar (Sénégal) |
| Soudan | 3 x 5 jours | Mombasa (Kenya) |
| Tchad | 3 x 5 jours | Dakar (Sénégal) |
| Togo | 1 x 5 jours | Libreville (Gabon) |
| Vietnam | 1 x 5 jours | Phuket (Thaïlande) |
| Zaïre | 2 x 5 jours | Libreville (Gabon) |

DETERMINATION DES DROITS A CONGE DE DETENTE
(Article 8 de l'Annexe X)

Date d'effet : 1er janvier 1998

| PAYS | PERIODICITE | LIEU |
|------------------------|-------------|---------------------------|
| Albanie | 3 x 5 jours | Rome (Italie) |
| Algérie | 3 x 5 jours | Casablanca (Maroc) |
| Angola | 2 x 5 jours | Windhoek (Namibie) |
| Bangladesh | 3 x 5 jours | Phuket (Thaïlande) |
| Bosnie-Herzégovine | 3 x 5 jours | Bruxelles (Belgique) |
| Burundi | 3 x 5 jours | Mombasa (Kenya) |
| Cameroun | 1 x 5 jours | Libreville (Gabon) |
| Centrafrique | 3 x 5 jours | Libreville (Gabon) |
| Comores | 1 x 5 jours | Antananarivo (Madagascar) |
| Congo Rép. | 2 x 5 jours | Libreville (Gabon) |
| Congo Rép. Dém. | 2 x 5 jours | Libreville (Gabon) |
| Ethiopie | 1 x 5 jours | Mombasa (Kenya) |
| Georgie | 2 x 5 jours | Vienne (Autriche) |
| Guinée (Conakry) | 2 x 5 jours | Dakar (Sénégal) |
| Guinée Equatoriale | 1 x 5 jours | Libreville (Gabon) |
| Kazakhstan | 1 x 5 jours | Francfort (Allemagne) |
| Libéria | 3 x 5 jours | Dakar (Sénégal) |
| Mauritanie | 2 x 5 jours | Casablanca (Maroc) |
| Niger | 2 x 5 jours | Libreville (Gabon) |
| Nigéria (Abuja) | 1 x 5 jours | Libreville (Gabon) |
| Nigéria (Lagos) | 2 x 5 jours | Libreville (Gabon) |
| Papouasie Nouv. Guinée | 3 x 5 jours | Darwin (Australie) |
| Sierra Léone | 3 x 5 jours | Dakar (Sénégal) |
| Soudan | 3 x 5 jours | Mombasa (Kenya) |
| Tchad | 3 x 5 jours | Dakar (Sénégal) |
| Togo | 1 x 5 jours | Libreville (Gabon) |
| Vietnam | 1 x 5 jours | Phuket (Thaïlande) |

**LISTE DES LIEUX D'AFFECTION
ET DES TAUX D'INDEMNITE CONDITIONS DE VIE**

(Article 10 de l'Annexe X)

Date d'effet : 1er janvier 1997

| 35 % | 25 % | 20 % | 15 % | 10 % | 0 % |
|---|--|--|--|--|---|
| ALGERIE ANGOLA BANGLADESH BOSNIE- HERZEGOVINE BURKINA FASO BURUNDI CAMEROUN REP.CENTRAFRIQUE CONGO DJIBOUTI ETHIOPIE GEORGIE GUINEE GUINEE BISSAU GUINEE EQUATOR. HAITI KAZAKHSTAN LIBERIA MALI MAURITANIE MOZAMBIQUE NICARAGUA NIGER NIGERIA (ABUJA) NIGERIA (LAGOS) OUGANDA PAKISTAN PAPOUASIE NOUV. GUINEE RUSSIE RWANDA SAO TOME ET PRINCIPE SIERRA LEONE SOUDAN TANZANIE TCHAD TOGO UKRAINE VIETNAM ZAIRE | BELIZE BENIN CAP VERT CISJORDANIE/GAZA COLOMBIE COMORES COTE D'IVOIRE EGYPTE ERYTHREE GAMBIE GHANA GUATEMALA GUYANE INDE INDONESIE KENYA MADAGASCAR PEROU PHILIPPINES SALOMON (ILES) SAMOA OCCIDENT. SOMALIE (UNITE) SRI LANKA TONGA VENEZUELA ZAMBIE | ALBANIE ANCIENNE REPUB. YUGOSLAVE DE MACEDOINE BOLIVIE BULGARIE CHINE COSTA-RICA FIDJI GABON JAPON (NAKA) MALAWI ROUMANIE SURINAME SWAZILAND THAILANDE VANUATU | AFRIQUE DU SUD ANTIGUA ET BARBUDA BOTSWANA CHILI COREE DU SUD GRENADE HONG KONG JAMAIQUE JAPON (TOKYO) JORDANIE LESOTHO LIBAN MEXIQUE NOUVELLE CALEDONIE SENEGAL SYRIE TURQUIE YUGOSLAVIE | ANTILLES NEERLAND. ARGENTINE AUSTRALIE BARBADE BRESIL CROATIE REP. DOMINICAINE ESTONIE HONGRIE ISRAEL (TEL AVIV) LETTONIE LITUANIE MAROC MAURICE NAMIBIE POLOGNE SLOVAQUIE SLOVENIE REP. TCHEQUE TRINIDAD ET TOBAGO TUNISIE URUGUAY ZIMBABWE | CANADA CHYPRE MALTE NORVEGE SUISSE USA-NEW YORK USA-SAN DIEGO USA-WASHINGTON |

**LISTE DES LIEUX D'AFFECTATION
ET DES TAUX D'INDEMNITE CONDITIONS DE VIE**

(Article 10 de l'Annexe X)

Date d'effet : 1er janvier 1998 (Albanie au 1.3.97)

| 35 % | 25 % | 20 % | 15 % | 10 % | 0 % |
|------------------|------------------|-----------------|----------------|-------------------|----------------|
| ALBANIE | BELIZE | ANCIENNE REPUB. | AFRIQUE DU SUD | ANTILLES | CANADA |
| ALGERIE | BENIN | YOUGOSLAVE | ANTIGUA ET | NEERLAND. | CHYPRE |
| ANGOLA | CAP VERT | DE MACEDOINE | BARBUDA | ARGENTINE | MALTE |
| BANGLADESH | CISJORDANIE/GAZA | BOLIVIE | BOTSWANA | AUSTRALIE | NORVEGE |
| BOSNIE- | COLOMBIE | BULGARIE | CHILI | BARBADE | SUISSE |
| HERZEGOVINE | COTE D'IVOIRE | CHINE | COREE DU SUD | BRESIL | USA-NEW YORK |
| BURKINA FASO | EGYPTE | FIDJI | COSTA RICA | CROATIE | USA-SAN DIEGO |
| BURUNDI | ERYTHREE | GABON | HONG KONG | REP. DOMINICAINE | USA-WASHINGTON |
| CAMEROUN | GAMBIE | JAPON (NAKA) | JAMAIQUE | ESTONIE | |
| REP.CENTRAFRIQUE | GHANA | LESOTHO | JAPON (TOKYO) | HONGRIE | |
| COMORES | GUATEMALA | MALAWI | JORDANIE | ISRAEL (TEL AVIV) | |
| CONGO REP. | INDE | MEXIQUE | LIBAN | LETTONIE | |
| CONGO REP. DEM. | INDONESIE | ROUMANIE | NOUVELLE | LITUANIE | |
| DJIBOUTI | KENYA | SWAZILAND | CALEDONIE | MAROC | |
| ETHIOPIE | MADAGASCAR | THAILANDE | SENEGAL | MAURICE | |
| GEORGIE | PEROU | VANUATU | SYRIE | NAMIBIE | |
| GUINEE | PHILIPPINES | | TURQUIE | POLOGNE | |
| GUINEE BISSAU | SALOMON (ILES) | | YOUGOSLAVIE | SLOVAQUIE | |
| GUINEE EQUATOR. | SAMOA OCCIDENT. | | | SLOVENIE | |
| GUYANE | SRI LANKA | | | REP. TCHEQUE | |
| HAITI | SURINAME | | | TRINIDAD ET | |
| KAZAKHSTAN | TONGA | | | TOBAGO | |
| LIBERIA | VENEZUELA | | | TUNISIE | |
| MALI | ZAMBIE | | | URUGUAY | |
| MAURITANIE | | | | ZIMBABWE | |
| MOZAMBIQUE | | | | | |
| NICARAGUA | | | | | |
| NIGER | | | | | |
| NIGERIA (ABUJA) | | | | | |
| NIGERIA (LAGOS) | | | | | |
| OUGANDA | | | | | |
| PAKISTAN | | | | | |
| PAPOUASIE | | | | | |
| NOUV. GUINEE | | | | | |
| RUSSIE | | | | | |
| RWANDA | | | | | |
| SAO TOME | | | | | |
| ET PRINCIPE | | | | | |
| SIERRA LEONE | | | | | |
| SOUDAN | | | | | |
| TANZANIE | | | | | |
| TCHAD | | | | | |
| TOGO | | | | | |
| UKRAINE | | | | | |
| VIETNAM | | | | | |

