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CORRIGENDUM

This document corrects document COM (2018) 377 final of 15 June 2018.

Concerns all language versions.

Updates in the tables of some of the annexes.

The text shall read as follows:

REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

pursuant to Article 27 of the Staff Regulations of Officials and to Article 12 of the Conditions of Employment of Other Servants of the European Union (Geographical balance)

SECTION 1 – BACKGROUND AND GENERAL PRINCIPLES

1. LEGAL BASIS

This report deals with the level of representation of nationals of each Member State among staff of the institutions to whom the Staff Regulations (SR) apply. It is presented pursuant to Article 27, third paragraph, of the Staff Regulations of Officials of the European Union (SR) and to Article 12, paragraph 1, fourth paragraph, of the Conditions of Employment of Other Servants of the European Union (CEOS). Unless explicitly otherwise provided, any reference to Article 27 SR also refers to Article 12 CEOS.

As a general rule, discrimination on the basis of nationality is prohibited by the Treaties, the Charter of Fundamental Rights and the Staff Regulations[1]. At the same time, the Staff Regulations require that EU institutions recruit staff from the broadest possible geographical basis (Article 27 SR)[2]. The balance between these two elements already enables the institutions to take nationality into account, even for filling specific posts "where qualifications of the various applicants are substantially the same"[3].

With the reform of the Staff Regulations in 2013 and its reference to the principle that all the Union's citizens are equal, the co-legislators introduced a new legal basis for each institution to adopt appropriate measures where a significant imbalance between nationalities of officials, which is not justified by objective criteria, is observed. The aim of this amendment was to provide for the necessary legal means to deal with situations of significant imbalance, which would be in contradiction with the very principle of equality of citizens of the Union.

1 Article 9 of the Treaty on the European Union requires that "in all its activities, the Union shall observe the principle of equality of its citizens". Similarly, Article 1d SR prohibits "any discrimination on any ground". In addition, Article 27 SR prohibits reserving individual posts for nationals of any Member State. See Annex 1 for a more detailed description of the legal framework.

2 In this context, the legislator has adopted in the past specific regulations aiming at limiting recruitments and allowing posts to be reserved for nationals of one or more Member States; this was typically the case in the context of enlargements.

3 See for example Court Judgement of 30.6.1983 in Case 85/82 Schloh vs Council, point 26

2. SCOPE OF THE REPORT

Article 27SR, requires that the Commission report to the European Parliament and the Council on the implementation of this Article. For the purpose of the report, the following definitions are used:

Institutions: the institutions concerned are those to whom the Staff Regulations apply. The Commission invited all institutions and decentralised agencies to contribute. A specific section is dedicated to the contributing institutions and agencies.

Staff members: the legal basis covers officials (Article 27 SR) and temporary staff (Article 12 CEOS). Both populations are examined together.

Function group: the legal basis does not require distinction to be made by function group. However, having regard to the underlying objective of the report, the analysis concerning the Commission will focus on the AD function group.

SECTION 2 – EUROPEAN COMMISSION

1. METHODOLOGY

1.1. Background

Before the entry into force of Article 27 SR in its current wording, the issue of geographical balance was primarily addressed during enlargements of the Union to new Member States. The objective in each case was to reach, within a limited period of time, an adequate level of representation of nationals from new Member States taking into account the relative size of the enlargement in comparison to the existing situation.

The Commission adopted several communications setting out the methodology for defining the objective to be reached, be it in the form of "guiding rates" before 2003[4] or "indicative recruitment targets" since 2003[5]. The Commission reported regularly on the progress towards reaching the recruitment targets and adopted corrective measures when necessary.

A detailed overview of the evolution of the "guiding rates" applicable before 2003 is provided in Annex 2 together with a table setting out the recruitment targets adopted since 2003.

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4 See Commission Communication of Mr Van Miert SEC(1994)844 of 17 May 1994 at the occasion of the accession of Austria, Finland and Sweden

5 See Communication of Mr Kinnock concerning the recruitment of Commission officials from the new Member States of 14 February 2003 C(2003)436/5, adopted on 19 February 2003; Communication of Mr Kallas C(2006)5778 concerning the recruitment of Commission officials and temporary agents from Bulgaria and Romania of 24 November 2006, adopted by Written Procedure on 1 December 2006 (SEC(2006)1574/5); Communication of Vice-President Šefčovič concerning the recruitment of Commission officials and temporary agents from Croatia of 12 July 2012, (SEC(2012)436 final).

The methodology for setting guiding rates and indicative recruitment targets in 2003 was deemed to be transitional with the last transition phase ending in 2018 following the enlargement to Croatia. The conditions are therefore now met to define "guiding rates" for Member States based on a single methodology.

1.2. Level of representation of nationalities

1.2.1. Nationality

According to Article 28(a) SR, an official may be appointed only on condition that he is a national of one of the Member States of the Union unless an exception is authorized by the appointing authority.

Each official therefore has to declare at least one nationality at the time of his appointment. This nationality is encoded into the information system as being the "first nationality" and remains constant unless a change is requested by the official.

The "first nationality" is used as a basis for establishing this report.

Officials may[6] declare other nationalities either at the time of their appointment or in the course of their career. Any nationality that comes in addition to the "first nationality" is encoded into the information system as "second nationality" or "third nationality", etc.

On 1.1.2018, 1041 officials and temporary staff had declared more than one nationality. A detailed overview of first and second nationalities is provided in Annex 7d.

1.2.2. Guiding Rates

1.2.2.1. United Kingdom

Following the United Kingdom's notification to the Council, on 29 March 2017, of its intention to withdraw from the Union, no guiding rate is defined for the United Kingdom. Indeed, the analysis carried out in the report will serve as a basis for future action. Therefore, whilst fully acknowledging the fact that the United Kingdom is a Member State at the time of adoption of this report, it does not seem appropriate at this stage to set a guiding rate for the representation of UK nationals in the future.

In order to fully take into account the fact that the UK continues to be a Member State until the day it leaves the Union, and with a view to tackling the issue without prejudging the outcome of the ongoing negotiations, it is proposed to recalculate any relevant figure without including the values for the United Kingdom. The report, gives a detailed overview of the current presence of UK nationals among Commission AD staff (see Annex 7c). UK nationals occupy predominantly grades higher than AD9. Half of them were older than 50,5 years on 1.1.2017.

[6] However, staff members must declare if they are or have been nationals of the State in whose territory the place where they are employed is situated

The Commission has taken note of the fact that a number of UK nationals among its staff have requested or may request a change towards a different first nationality.

These changes are of an exceptional nature and therefore deserve a specific handling.

As a consequence, staff members from the United Kingdom who declare a change of nationality after 29 March 2017 shall still be considered to have kept the UK nationality as first nationality[7] for the purpose of ensuring a balanced representation of staff within the Commission, notably at middle-management and senior management level.

1.2.2.2. Definition of the guiding rates for the remaining 27 Member States

A method to harmonise Member States' weighting should be determined. The indicator adopted in 2003 in order to define indicative recruitment targets relies on objective criteria, balances fairly the need to reflect the composition of the EU population with the need to ensure a minimum representation of smaller Member States and is easy to apply[8].

The Commission services have *de facto* used this indicator since 2003 when carrying out analyses of the situation in terms of geographical balance and it is proposed to keep this same indicator, without the UK, for the purpose of this report. It will be regularly updated to reflect the evolution of its components.

7 Unless they provide evidence that they have irrevocably abandoned the UK nationality.

8 This approach departs from the previous approach of equal weighting of the three largest founding Member States (Germany, France, Italy) and does not offer the guarantee of stability over time. Indeed, out of the three objective criteria, one is volatile (the population, as shown in annex 4) and the second, although still mentioned in the Treaty, is no longer applied since April 2017 (the weighting of votes in Council). Nevertheless, the advantages of this solution largely outweigh the disadvantages.

The resulting guiding rates are currently as follows (calculation in Annex 5):

Member State	Guiding rate
Malta	0,6%
Luxembourg	0,8%
Cyprus	0,8%
Estonia	0,8%
Latvia	1,0%
Slovenia	1,0%
Lithuania	1,5%
Croatia	1,6%
Ireland	1,6%
Slovakia	1,8%
Finland	1,8%
Denmark	1,8%
Bulgaria	2,4%
Austria	2,6%
Sweden	2,7%

Member State	Guiding rate
Hungary	3,0%
Portugal	3,1%
Czech Republic	3,1%
Greece	3,1%
Belgium	3,1%
Netherlands	3,9%
Romania	4,5%
Poland	8,2%
Spain	8,9%
Italy	11,2%
France	11,6%
Germany	13,8%

Total	100,0%

1.2.3. Definition of a "minimum presence" for each nationality

The applicable legal provisions concerning geographical balance reflect two fundamental requirements. First, the selection and recruitment processes are expected to be designed in such a way as to avoid any bias based on nationality. Second, a balanced geographical representation among staff is necessary for the Commission to meet one of its fundamental goals, i.e. to be close to the citizens and to reflect the diversity of Member States.

Consequently, the Commission considers that

- a minimum level of presence (among Commission staff) should be defined and guaranteed for each nationality of the EU,
- limited deviations from the guiding rates shall be tolerated not only because they are not deemed to put geographical balance at risk but in addition, they are necessary to prevent the risk of inefficiencies.

In practice, the Commission considers a significant imbalance is observed if the share of nationals of one or more Member State among staff is lower than 80% of the relevant guiding rate.

1.3. Scope

1.3.1. Function group

With a view to ensuring the proportionality of the measures, this report will focus on the AD function group only. While Article 27 SR applies to all staff irrespective of the function group, a wider margin of tolerance is left for the AST and AST-SC function groups. Indeed, the requirement to reflect the national diversity of the European Union is more stringent for officials in charge of managerial, conceptual, analytical, linguistic and scientific duties (i.e. the ADs) than for those in charge of executive and technical duties (i.e. the ASTs) or clerical and secretarial duties (i.e. the AST-SCs).

Furthermore, executive, technical, clerical and secretarial tasks are typically carried out by staff recruited locally and are often less attractive for expatriates.

For this reason, the analysis, as well as any possible action under Article 27, second paragraph SR, are both limited to the AD function group.

1.3.2. Functions occupied

The report examines only the distribution of staff occupying non-management functions. At the Commission, the distribution of nationalities of management staff is subject to distinct rules and practices as well as specific monitoring[9].

1.3.3. Linguistic services

The objective of a balanced national representation of staff cannot be pursued in the same way in linguistic services and non-linguistic services.

Due to their specific nature and objectives, staffing of linguistic services follows a *sui generis* rationale. First, the required number of staff mastering the target language is pre-determined and independent of the size of the corresponding Member State. Second, while recruitments in linguistic services are not dictated by nationality but by language skills, a strong correlation exists between the two. Third, a certain number of languages are the official languages of several Member States. Therefore, depending on the language at stake, the distribution by nationality of staff in linguistic services follows a pattern that is not comparable to that of non-linguistic services.

Applying the "guiding rates" described in section 1.2 above to linguistic services is neither meaningful nor desirable. The table in Annex 6 gives the distribution of all non-managerial AD staff in Commission linguistic services (namely, DGT and SCIC). The table shows that the majority of larger Member States as well as Member States who "share" their official language(s) with other Member States are under-represented.

[9] For example, with respect to Senior Managers, the Commission defined as "a desirable objective that each nationality should hold at least one function corresponding to the basic post of Director General. Twice a year, the Commissioner for Personnel and Administration will (…) inform the College (…) about the geographical balance of senior officials" (Compilation document on Senior Officials Policy SEC(2004)1352/2 approved on 26.10.2004, PV 1676)

Imbalances are even more evident when looking separately at the AD5-AD8 and AD9-AD12 clusters but, clearly, targeted recruitment on this basis for these nationalities would not meet any operational requirement.

Consequently, given the objective constraints attached to the staffing of linguistic services, the Commission excludes these services from the scope of the assessment of geographical balance.

1.3.4. Grades

Article 27 SR is the first Article in the Chapter on recruitment. In application of Article 31 SR, officials in the AD function group shall be recruited only at grades AD5 to AD8 and, where appropriate, at grades AD9, AD10, AD11 or, on an exceptional basis, at AD12. In line with this distinction, the report examines separately the brackets

- AD9-AD12 (where appointments cannot exceed 20% of all AD appointments in any given year)
- AD5-AD8 (which are the most common grades for appointments).

It should also be noted that not only grades AD13-AD14 are, as a general rule, not recruitment grades (and, hence, excluded from the scope of the analysis) but, in addition, that these grades are reserved to management or advisory functions since the entry into force of the 2014 revision of the Staff Regulations. The population of non-managers in this grade bracket is the heritage of the past and mainly consists of pre-2004 nationals. This population will significantly diminish over time, as their distribution by age suggests that the vast majority of them will retire in the next 10-15 years. Hence, a number of pre-2004 nationalities will be more affected by upcoming retirements.

2. FINDINGS AND ANALYSIS

2.1. Situation on 1.1.2017

2.1.1. AD9-AD12 grade bracket

Annex 7b gives an overview of the state of play on 1.1.2017. The main findings are that, on this date,

- 14 nationalities are significantly underrepresented: all post-2004 Member States plus Luxembourg.
- In absolute terms, the largest deficits concern the Poles (160 persons) and Romanians (155).
- In relative terms, the largest deficits concern Croats (who reach 5% of their guiding rate) Bulgarians (8%) and Romanians (13%).

The under-representation of post-2004 nationals in the AD9-AD12 grade bracket was to a certain extent predictable as no competitions were organised at these grades under the specific derogation measures for the enlargement (except for managerial positions). The objective was to progressively fill all grades, starting from the bottom. For this reason, all nationalities of the post-2004 enlargement are concerned.

The situation is evolving in line with expectations. All nationalities of the 2004 enlargement wave have now reached between 50% and 70% of their target. As concerns nationals from the 2007 and 2013 enlargements, it is still too early[10] to see an appreciable presence in these grades. However, their level of representation in the AD5-AD8 grade bracket (respectively more than 200% and 140% of the target, see annex 7a) gives a reasonable assurance that the process is on track. The Commission will continue to closely monitor the evolution of their level of representation in these grades with a view to checking whether it continues in line with the current trend.

Only the significant underrepresentation of nationals from Luxembourg in this grade bracket does not seem to be justified. However, it should also be mentioned that such under-representation might be linked to the small size of the population at stake: were there just 4 more nationals in the grades concerned, Luxembourg would not be listed among the underrepresented nationalities.

2.1.2. AD5-AD8 grade bracket

The AD5-AD8 bracket deserves particular attention in a dynamic perspective. Indeed, in accordance with the Staff Regulation requirements, this is the bracket where at least 80% of the appointments have to take place. The level of representation of nationalities within this grade bracket will determine the level of representation of nationalities in the AD9-AD12 bracket in a decade from now. It is therefore among this population that managers (and more specifically, middle managers) will be chosen in the same timeframe. A balanced representation in the AD5-AD8 bracket today is a pre-requisite for a balanced representation of nationalities among the higher grades in the longer term.

Annex 7a gives an overview of the state of play on 1.1.2017. The main findings are that, on this date,

- 10 nationalities (all from the pre-2004 Member States[11]), are significantly underrepresented: Denmark, Germany, Ireland, France, Luxembourg, the Netherlands, Austria, Portugal, Finland and Sweden.
- In absolute terms, the largest deficits concern nationals from Germany (almost 230 persons) and France (almost 140).
- In relative terms, the largest deficits concern nationals from Luxembourg (there were no Luxembourgers at all), Sweden and Denmark (who only reached around 30% of their guiding rate).

The under-representation of the majority of EU-14 nationalities[12] in the AD5-AD8 grade bracket can be explained, at least in part, by post-2004 recruitment patterns. This is due to the fact that the majority of posts reserved for the recruitment of nationals from the post-2004 Member States were in the AD5-AD8 bracket. The concentration of recruitment of staff from new member States in the base grades has, almost automatically, resulted in an underrepresentation of nationals from the pre-2004 Member States.

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10 Promotion from AD5 (the most common recruitment grade) to AD9 takes in average 12 years while the fastest possible time admissible by the staff regulations is 8 years.

11 i.e. all Member States which became member of the European Union before 2004

12 i.e., all pre-2004 Member States, the UK excluded.

Only 4 EU-14 nationalities are sufficiently represented in the AD5-AD8 bracket: 2 slightly below their guiding rate (Spaniards and Italians) and 2 who reached their guiding rate (Belgians and Greeks).

This situation calls for appropriate targeted measures to increase the level of representation of those nationalities who otherwise risk to be faced with a "generation gap".

It is, however, questionable whether these targeted appropriate measures will be sufficient to secure a balanced representation of all nationality on a long term basis. Two elements can be put forward in this respect.

2.2. Underlying reasons for underrepresentation in the AD5-AD8 grade bracket

2.2.1. Available laureates on EPSO reserve lists

The fact that four EU-14 nationalities are sufficiently represented despite the recruitment patterns of the last 12 years seem to indicate that there are other reasons that explain the deficit of certain nationalities. An element of explanation is given by the distribution of EPSO laureates.

Tables in Annexes 8a and 8b show that the availability of laureates since 2010 was not in line with the guiding rates. The situation is particularly striking in the AD specialist competitions where 23 nationalities out of 27 are insufficiently represented compared to their guiding rate. Only 4 nationalities meet their guiding rate: the Belgians, Greeks, Italians and Spanish[13], i.e. the 4 EU-14 nationalities that are sufficiently represented in the AD5-AD8 bracket as indicated in section 2.1.2. above.

In this context, it is important to note that the shortage of laureates for some nationalities is not due to merit but rather to lower-than-expected participation in competitions. Indeed, data in Annexes 8a and 8b also show that for many of the cases where a significant underrepresentation is observed, nationals of the relevant Member States have a much lower relative participation rate and higher relative success rate (see for example the Netherlands, France, or Germany in the generalist competition).

The issue of the national composition of EPSO lists is also likely to influence future geographical balance if no action is taken. Indeed, if the trends observed during the last 8 years is confirmed in the future, the current imbalances are not likely to be "naturally" absorbed and, in addition, certain nationalities might be underrepresented in the generations to come[14]: Czechs, Danes, Estonians, Irish, Cypriots, Latvians, Lithuanians, Luxembourgers, Poles and Slovenians.

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13 Also generalist AD5 competitions seem to suffer a similar bias, with the addition of the Dutch, the Hungarians and the Romanians among the nationalities who are sufficiently represented.

14 Taking into account the Staff Regulation requirement that lists of laureates should contain at least twice as many names as the number of posts do be filled[14] nationals from any member State should ideally represent at least 50% of the relevant guiding rate.

2.2.2. The issue of attractiveness

A second question concerns the Commission's ability to attract a sufficient number of highly qualified candidates from all Member States. The number of participants per million inhabitants in AD5 competitions over the last 8 years (see Annex 8a) reveals considerable discrepancies from one Member State to another. Nationals from 3 Member States (Germany, France and the Netherlands) have a level of participation less than half of the EU average.

EPSO has already tried to encourage citizens from "deficit" Member States to participate in AD competitions. However, to date, such efforts do not seem to have produced the desired results, as shown by the distribution of applicants to the most recent and ongoing AD competition (See Annex 8c). German and French national continue to participate at less than half of the average rate. Dutch participation has gone up but the participation of Swedes and Poles has substantially decreased.

These findings pose a challenge to fostering the attractiveness of the Commission at a time when the package offered (i.e. the mix of salary, social coverage, pension rights, work-life balance, etc.) may be perceived as having suffered a deterioration in relative terms over time.

3. CONCLUSION

Four lessons can be drawn from the analysis above.

First, the situation of the AD5-AD8 and the AD9-AD12 clusters differ considerably from one another. In both cases significant under-representations are observed but neither the Member States concerned nor the dynamics are the same.

Second, although there is a clear link between these observed imbalances and the recruitment patterns of the last 10-15 years, it also appears that a major source of imbalance has to be found in the composition of the EPSO lists. Such an imbalance would not seem to be justified by objective reasons and in particular not by merit.

Third, imbalances in EPSO lists are likely to generate new imbalances in the future.

Fourth, attempts via communication actions to encourage participation in EPSO competitions in their present format have not lead to sufficient increases in the participation levels of nationals of the relevant Member States.

In parallel, constant attention should be given to the attractiveness of EU institutions as employers.

Given this context, the Commission is working to identify measures that would serve the objective of redressing the trends described above, in full respect of the existing legal framework. It then envisages drafting General Implementing Provisions to give effect to Article 27, second paragraph, SR with a view to adopting them in accordance with Article 110. These provisions should aim at better aligning the distribution by nationality of available laureates on reserve lists in order to ensure that Commission staff adequately reflects the distribution of EU citizens by nationality.

SECTION 3 – OTHER EU INSTITUTIONS WHERE THE STAFF REGULATIONS APPLY

1. INTRODUCTION

Article 27 of the Staff Regulations requires that the Commission report to the European Parliament and to the Council on the implementation of Article 27, second paragraph. To this end, the Commission collected relevant information from the institutions concerned.

The contributions of the various institutions are summarised in the table in Annexes 9 and 12 while the relevant numerical data can be found in Annexes 10, 11, 13 and 14.

The report summarises the contribution of the various institutions, without commenting on them.

2. INSTITUTIONS AND BODIES TREATED AS INSTITUTIONS PURSUANT TO ARTICLE 1B OF THE STAFF REGULATIONS (INSTITUTIONS)

The Commission received contributions from all the institutions concerned.

With the exception of the European External Action Service, none of these institutions has formally adopted a definition of geographical balance, imbalance or significant imbalance. Nevertheless, the majority of them monitor geographical representation of staff and compares it either to the population of the Member State concerned or to the composite indicator developed by the Commission for post-2004 enlargement countries (the average of the share in population, MEP's and pre-Lisbon weighting at the Council).

Such monitoring is designed to reflect the needs and constraints of the institution concerned.

A majority of institutions experience geographical imbalances in the composition of their staff; in some cases, imbalance is considered significant. However, all institutions considered that the observed (significant) imbalances were justified by objective reasons. The most common invoked justifications were the so-called "seat" effect[15], the composition of EPSO lists, the ability to attract staff from specific Member States and the relative size of the linguistic services.

Since all imbalances were considered objectively justified, no institution has taken the initiative to adopt General Implementing Provisions to give effect to Article 27, second paragraph, SR.

Similarly, no institution expects significant imbalance to occur in the future (at least, not in the AD function group) and, accordingly, General Implementing Provisions are not in preparation.

[15] But no institution has given a detailed definition thereof

3. DECENTRALISED AGENCIES

The Commission received contributions from 19 decentralised agencies.

Agencies are, on average, smaller in size than the institutions referred to in the previous chapter. They are often located in other Member States, more precisely in cities which are distant from the main seats of the major EU institutions. Their sphere of activities is specialised. They have significant difference from one another both in terms of size, scope and location. For this reason, neither the Commission nor the agencies themselves found it appropriate to have a common approach on the issue of geographical balance.

The examination of the table in Annex 12 shows that there is no uniform definition of what geographical balance should be. Nevertheless, taking into account the respective constraints, the majority of the agencies considered that they do not observe significant geographical imbalance. They accordingly do not envisage adopting General Implementing Provisions to give effect to Article 27 SR.

Two agencies observed significant imbalances. In both cases, the agencies consider that the imbalance is caused by several factors including the applicable correction coefficient and the difficulty of employment for spouses in the local market.
One agency observed an increasing imbalance towards nationals from the host Member State. This agency is considering drafting a GIP giving effect to Article 27 SR if this imbalance continues to grow.

ANNEX 1: Legal Basis

Article 9 of the Treaty on the European Union:
"in all its activities, the Union shall observe the principle of equality of its citizens".

Article 18 of the Treaty of the Functioning of the European Union (TFEU):
"Within the scope of application of the Treaties, and without prejudice to any special provisions contained therein, any discrimination on grounds of nationality shall be prohibited.
[…]"

Article 21 of the Charter of Fundamental Rights - Non-discrimination:

1. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.
2. Within the scope of application of the Treaties and without prejudice to any of their specific provisions, any discrimination on grounds of nationality shall be prohibited.

The general principles of EU constitutional law on the **institutional autonomy** and **sincere cooperation** is worth mentioning.

The **Staff Regulations** contain prescriptions and prohibitions to guide the Appointing Authority in taking decisions. As a general rule, the Appointing Authority should base all its decisions on the interest of the service and the merit of the individuals only. Depending on the area concerned, the Staff Regulations also provide a "black list" of criteria that the Appointing Authority cannot use. Reference to nationality is only explicitly prohibited in case of filling individual posts:

Generally (applicable to the whole of the Staff Regulations): Article 1d of the Staff Regulations prohibits "any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, or sexual orientation". [16];

Recruitment: Article 27 requires that officials should be "recruited on the broadest possible geographical basis from among nationals of Member States of the Union". Although nationality is not explicitly mentioned, "broadest geographical basis" is interpreted as equivalent to nationality;

Filling of individual posts: Article 7 provides that "the Appointing Authority shall, acting solely in the interest of the service and without regard to nationality, assign each official by appointment or transfer to a post (…)"; Article 27 provides that "no posts shall be reserved for nationals of any specific Member State".
Case law has confirmed that these provisions prohibit reserving specific posts for

[16] In the 1962 version of the Staff Regulations, prohibition of discrimination was provided for in the Article concerning recruitment (Article 27) and was limited to "race, religion or sex". In the 1998 version, the Staff Regulations provided for a general prohibition of discrimination based on "race, political, philosophical or religious belief, sex or sexual orientation".

specific nationalities but does not prevent the institutions from adopting measures to ensure a global balance (in particular taking into account nationality for filling specific posts "where qualifications of the various applicants are substantially the same"[17]).

At the occasion of the **2014 revision of the Staff Regulations**, a specific reference to nationality as concerns recruitment was introduced. In particular:

Recital 2 of **Regulation N°1023/2013** of the European Parliament and of the Council[18] states that "it is necessary to ensure a framework for attracting, recruiting and maintaining highly qualified and multilingual staff, drawn on the broadest possible geographical basis from among citizens of the Member States". Furthermore, in accordance with recital 5 of the same Regulation, "the value of the European civil service lies (…) in its cultural and linguistic diversity which can only be ensured if appropriate balance is secured regarding officials' nationality".

Article 27 **Staff Regulations** as amended states that "the principle of the equality of Union's citizens shall allow each institution to adopt appropriate measures following the observation of a significant imbalance between nationalities among officials which is not justified by objective criteria."

The underlying assumption of these (amended) provisions is that the "package" offered to potential candidates as well as the selection and recruitment processes are designed in such a way that, in the absence of objective justification, the distribution by nationality of applicants, laureates and recruited staff of the institutions (and, hence, of staff in activity) should roughly reflect the distribution by nationality of the citizens of the Union. In absence of objective justification, any observed significant deviation could therefore be seen as a violation of the principle of equality of citizens, which would justify appropriate corrective measures.

The **Conditions of Employment of Other Servants of the EU**, and in particular Article 12 thereof, contain similar provisions applicable to Temporary Staff.

To implement Article 27 Staff Regulations as amended, each institution should normally:

- interpret what is meant by "balance" between nationalities
- interpret what is meant by a "significant" imbalance
- monitor the factual situation with a view to "observe" the balance between nationalities
- if applicable, identify the "reasons" for such significant imbalance and determine if they provide for an "objective justification" for the imbalance
- where relevant, identify and/or adopt "appropriate corrective measures"

Article 27 SR also stipulates that after a three years period starting 1 January 2014, the Commission shall report to the European Parliament and to the Council on the implementation of the second paragraph of Article 27.

[17] See for example Judgment of 30.6.1983, in Case 85/82 Schloch vs Council, pt 26 or Judgment of 6 July 1999 in joint cases T-112/96 and T-115/96 Séché vs Commission

[18] Regulation (EU, EURATOM) N° 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union

ANNEX 2: Guiding rates for EU-15 Member States[19]

Annex 1

GEOGRAPHICAL BALANCE AT PREVIOUS ENLARGEMENTS

Figures in annex 1a

- **Starting point (1958): geographical balance based on negotiated figures**
  When there were 6 Member States, the guiding principle was equality between major Member States and the aggregate of the smaller ones. The theoretical targets set were 25 % each for France, Germany, Italy and Benelux. Non official reference values were applied in a flexible way and limited to the more senior A grades.

- **First enlargement (1973): geographical balance continues to be based on negotiated figures**
  For the 1973 enlargement process, it was felt that the UK should have a share of the same size as the other three larger Member States (18% after re-adjustment), whilst Denmark, Ireland and Norway together should have a share equal to 10 %. No specific readjustment was made when Norway decided not to join, though it was estimated that the combined share of Denmark and Ireland should be around 7 to 8%.

- **Second enlargement (1981): geographical balance is based on a mixture of negotiated figures and objective criteria (population and GDP figures)**
  On the occasion of the accession of Greece, the principle of equal representation of the largest Member States and over-representation of the smaller ones was maintained. However, even if the "fresco" document (COM(78)190) suggested that Greece should occupy much the same position as Belgium and the Netherlands, the share for Greece was eventually fixed at 4.5%, lower than the figure of 8.1% allocated to Belgium and the Netherlands. Population and GDP figures were given for the first time to illustrate this approach.

- **Third enlargement (1986): geographical balance continues to be based on a mixture of negotiated figures and objective criteria (population and GDP figures)**
  At the time of the accession of the Iberian countries in 1986, the unofficial reference values, which only existed for A1 to A3 grades, were completed. Without explicit reference to criteria, the share for Spain was fixed at the mean value between that of the Netherlands and that of a large country, whilst the share for Portugal was fixed at the same level as that of Greece.

- **Fourth enlargement (1995): geographical balance continues to be based on a mixture of negotiated figures and objective criteria (population and GDP figures)**
  The Commission Communication SEC 94/844 of 17 Mai 1994 set reference values for the three new Member States and outlined the methodology adopted. The geographical balance was adapted on the basis of comparisons of the relative situations of the new Member States with respect to their populations and the economic and social data within the enlarged Union. The characteristics of

[19] Annex 2 of the present report is extracted from Communication C(2003)436 of 28 January 2003. More precisely, it corresponds to Annexes 1, 1a and 1b of that Communication

Finland were comparable to those of Denmark and the objective was set to recruit a similar number of Finnish nationals as that of Danish nationals present in the service. The characteristics concerning Austria and Sweden were one and a half times greater than those of Denmark, and recruitment objectives were set proportionally. Annex 1b illustrates this approach.

- **Summary: the three main principles applied so far:**
  it appears from the above that the Commission's interpretation of geographical balance follows a triple pattern:
  - Geographical balance has been a concern since the early times, in particular for the more senior A grades;
  - Geographical balance has always relied on the double rule of:
    a) equal representation of the four (originally three) largest Member States;
    b) over-representation of the smallest Member State so as to ensure a minimum representation.
  - Enlargement has never led to modification of the relative weight of incumbent Member States. Therefore,
    a) as regards incumbents, all relative weights remained unaffected after any enlargement (e.g. the weight of Belgium remained the same of that of the Netherlands and 45% of that of Germany after the enlargements of 1981, 1986 and 1995);
    b) new Member States received a weight by reference to the most similar incumbent(s) (e.g. Portugal was given the same weight as Greece; Spain, a weight between that of the Netherlands and France, etc…).

Annex 1a

Previous enlargements – guidelines						
		1958	1973	1981	1986	1995
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Benelux	25,0%	18,0%	(17,7%)	(15,1%)	(13,5%)
LU	Luxembourg			1,5%	1,3%	0,9%
IE	Ireland		3,5% - 4%	3,5%	3,0%	2,7%
FI	Finland					2,7%
DK	Denmark		3,5% - 4%	3,5%	3,0%	2,7%
PT	Portugal				3,8%	3,6%
GR	Greece			4,5%	3,8%	3,6%
AT	Austria					4,0%
SE	Sweden					4,0%
BE	Belgium			8,1%	6,9%	6,3%
NL	Netherlands			8,1%	6,9%	6,3%
ES	Spain				11,0%	9,8%
IT	Italy	25,0%	18,0%	17,7%	15,1%	13,4%
UK	UK		18,0%	17,7%	15,1%	13,4%
FR	France	25,0%	18,0%	17,7%	15,1%	13,4%
DE	Germany	25,0%	18,0%	17,7%	15,1%	13,4%
		100,0%	97%-98%	100,0%	100,1%	100,2%

Annex 1b

Comparative approach as used for the 1995 enlargement

		Inhabitants		GDP		Average (inhabitants, GDP)	Guidelines 1995	
(1)	(2)	(3)		(4)		(5)	(6)	(7)
LU	Luxembourg	0.4	0,1%	21	0,2%	0,2%	0,9%	
IE	Ireland	3.8	1,0%	114	1,3%	1,1%	2,7%	
FI	Finland	5.2	1,4%	141	1,6%	1,5%		2,7%
DK	Denmark	5.4	1,4%	181	2,1%	1,7%	2,7%	
PT	Portugal	10.3	2,7%	118	1,3%	2,0%	3,6%	
GR	Greece	10.6	2,8%	128	1,5%	2,1%	3,6%	
AT	Austria	8.1	2,1%	214	2,4%	2,3%		4,0%
SE	Sweden	8.9	2,4%	246	2,8%	2,6%		4,0%
BE	Belgium	10.3	2,7%	256	2,9%	2,8%	6,3%	
NL	Netherlands	16.0	4,2%	430	4,9%	4,6%	6,3%	
ES	Spain	40.3	10,6%	647	7,4%	9.0%	9,8%	
IT	Italy	57.9	15,3%	1.224	13,9%	14,6%	13,4%	
UK	UK	60.0	15,8%	1.511	17,2%	16,5%	13,4%	
FR	France	59.2	15.6%	1.458	16,6%	16,1%	13,4%	
DE	Germany	82.3	21,7%	2.112	24,0%	22,9%	13,4%	
		378.7	100,0%	8.801	100,0%	100,0%	89,5%	10,7%

(1) EUROSTAT: inhabitants 2001
(2) EUROSTAT: GDP at market prices 2001

ANNEX 3: Methodology for the calculation of reference values and recruitment targets of new Member States

Approach

At the occasion of the 2004 Enlargement, the Commission adopted the Communication of 14 February 2003 concerning the recruitment of Commission officials from the new Member States[20] (hereafter referred to as the "2003 Communication"). The Communication found that due to the nature of the 2004 enlargement, applying the criteria that were used in previous enlargements would not lead to a fair and balanced result. This finding was particularly true taking into account the fact that the weight of the new Member States concerned was expected to rise considerably over the following 10 years.

On the basis of this consideration, the Commission developed a method applicable to the new Member States, including for enlargements to come[21]. In adopting this method, the Commission decided that "reference values and indicative recruitment targets would be used as the basis for recruitment measures for new Member States only during the transition period".

The Communication established a three-step approach:

a) first, the determination of the number of posts that should be earmarked for all New Member States taken together

b) second, the calculation for each new Member State of a reference value, i.e. the indicative share of posts earmarked for that Member State expressed as a percentage of the total number of posts earmarked for the New Member State

c) third, the calculation of the recruitment target for each new Member State i.e. a x b

Determination of the number of posts that should be earmarked for all New Member States taken together

This number is determined in three successive phases:

First, the weight of all new Member States taken vs the aggregate of the incumbents is calculated, by reference to three criteria: Population, Members of the European Parliament and Weighting of votes in Council (the mathematical average of the three is retained).
Second, this weight (percentage) is applied to the number of establishment plan posts after enlargement.
Third, the number of posts to be reserved to the New Member States is set at two thirds of the amount above.

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[20] Communication of Mr Kinnock concerning the recruitment of Commission officials from the new Member States of 14 February 2003 C(2003)436/5, adopted on 19 February 2003

[21] More specifically, the communication stated: "The proposed approach is applied to 10 new Member States joining the Union as from May 1, 2004. However, it can be applied to any number of new Member States".

The following table summarises the calculations made for the 2004[22], 2007[23] and 2013[24] enlargements.

	2004	2007	2013
Population new Member States (1)	75.0 M	29.5 M	4.4 M
Population incumbents (1)	378.7M	459.3 M	502.5 M
MEP new Member State(s)	162	50	12
MEP incumbents	570	732	754
Votes in Council new Member State(s)	84	24	7
Votes in Council incumbents	237	321	345
Weight new Member State(s)	21.6%	7%	1.5%
Weight incumbents	78.4%	93%	98.5%

(1) figures do not coincide across the columns because for the EU-10 enlargements the Commission used 2001 data, for EU-2 enlargement 2005 data and for Croatia 2011 data

Calculation of the reference value by Member State

The calculation method is the same as for the weight of the aggregate of new Member States, except for the fact that new Member States are not compared with incumbent Member States but only mong themselves.

Application in practice of the methodology

	Indicative reference value	Recruitment target AD	Recruitment target AST
Czech Republic	14,3%	318	184
Estonia	3,4%	76	44
Cyprus	3,2%	71	41
Latvia	4,5%	100	58
Lithuania	7,0%	156	90
Hungary	14,2%	316	182
Malta	2,4%	53	31
Poland	39,0%	867	501
Slovenia	3,9%	87	50
Slovakia	8,1%	180	104
EU-10 (1)	**100,0%**	**2224**	**1284**

Bulgaria	34,0%	225	135
Romania	66,0%	437	261
EU-2 (2)	**100,0%**	**662**	**396**

Croatia (3)	**n.a.**	**149**	**100**

(1): EU-10 all together: 21.6% - EU-15 all together: 78.4%
(2): EU-2 all together: 6.5% - EU-25 all together: 93.5%
(3): Croatia: 1.5% - EU-27 all together: 98.5%

22 C(2003)436/5 of 14 February 2003, Commission meeting 1601
23 C(2006)5778, written procedure of 24 November 2006
24 SEC(2012)436final, Procédure écrite de finalisation of 11 July 2012

ANNEX 4: Evolution of Member States population (excluding the UK)

	2001	2015	2015 vs 2001
Luxembourg	439.500	562.958	28,1%
Cyprus	697.500	847.008	21,4%
Ireland	3.832.783	4.628.949	20,8%
Spain	40.665.542	46.449.565	14,2%
Sweden	8.882.792	9.747.355	9,7%
Malta	391.415	429.344	9,7%
Belgium	10.263.414	11.208.956	9,2%
France	61.357.400	66.415.161	8,2%
Austria	8.032.926	8.576.261	6,8%
Italy	56.960.692	60.795.612	6,7%
Denmark	5.349.212	5.659.715	5,8%
Netherlands	15.987.075	16.900.726	5,7%
Finland	5.181.115	5.471.753	5,6%
Slovenia	1.990.094	2.062.874	3,7%
Czech Republic	10.414.373	10.538.275	1,2%
Portugal	10.256.658	10.374.822	1,2%
Slovakia	5.402.547	5.421.349	0,3%
Poland	38.253.955	38.005.614	-0,6%
Greece	10.934.097	10.858.018	-0,7%
Germany	82.259.540	81.197.537	-1,3%
Hungary	10.200.298	9.855.571	-3,4%
Croatia	4.437.460	4.225.316	-4,8%
Estonia	1.388.000	1.313.271	-5,4%
Bulgaria	7.928.901	7.202.198	-9,2%
Romania	22.132.000	19.870.647	-10,2%
Latvia	2.364.254	1.986.096	-16,0%
Lithuania	3.483.972	2.921.262	-16,2%
Total	429.487.515	443.526.213	3,3%

Source: Eurostat - date of extraction 23 January 2017

ANNEX 5: Proposition for new Guiding rates: Application of the arithmetical method

Member State	Population 2015	Arithmetical Share	Seats in EP	Arithmetical Share	Weighting of Votes in Council	Arithmetical Share	Guiding rate
Malta	429.344	0,1%	6	0,9%	3	0,9%	0,6%
Luxembourg	562.958	0,1%	6	0,9%	4	1,2%	0,8%
Cyprus	847.008	0,2%	6	0,9%	4	1,2%	0,8%
Estonia	1.313.271	0,3%	6	0,9%	4	1,2%	0,8%
Latvia	1.986.096	0,4%	8	1,2%	4	1,2%	1,0%
Slovenia	2.062.874	0,5%	8	1,2%	4	1,2%	1,0%
Lithuania	2.921.262	0,7%	11	1,6%	7	2,2%	1,5%
Croatia	4.225.316	1,0%	11	1,6%	7	2,2%	1,6%
Ireland	4.628.949	1,0%	11	1,6%	7	2,2%	1,6%
Slovakia	5.421.349	1,2%	13	1,9%	7	2,2%	1,8%
Finland	5.471.753	1,2%	13	1,9%	7	2,2%	1,8%
Denmark	5.659.715	1,3%	13	1,9%	7	2,2%	1,8%
Bulgaria	7.202.198	1,6%	17	2,5%	10	3,1%	2,4%
Austria	8.576.261	1,9%	18	2,7%	10	3,1%	2,6%
Sweden	9.747.355	2,2%	20	2,9%	10	3,1%	2,7%
Hungary	9.855.571	2,2%	21	3,1%	12	3,7%	3,0%
Portugal	10.374.822	2,3%	21	3,1%	12	3,7%	3,1%
Czech Republic	10.538.275	2,4%	21	3,1%	12	3,7%	3,1%
Greece	10.858.018	2,4%	21	3,1%	12	3,7%	3,1%
Belgium	11.208.956	2,5%	21	3,1%	12	3,7%	3,1%
Netherlands	16.900.726	3,8%	26	3,8%	13	4,0%	3,9%
Romania	19.870.647	4,5%	32	4,7%	14	4,3%	4,5%
Poland	38.005.614	8,6%	51	7,5%	27	8,4%	8,2%
Spain	46.449.565	10,5%	54	8,0%	27	8,4%	8,9%
Italy	60.795.612	13,7%	73	10,8%	29	9,0%	11,2%
France	66.415.161	15,0%	74	10,9%	29	9,0%	11,6%
Germany	81.197.537	18,3%	96	14,2%	29	9,0%	13,8%
Total	443.526.213	100,0%	678	100,0%	323	100,0%	100,0%

Annex 6: Distribution of non-managerial AD staff assigned in DGT or SCIC on 1.1.2017

Pop 2015 & MEP's & Votes in Council	Guiding rate		Targets in Heads (in 2017)		Actual situation on 1.1.2017		Surplus or Deficit vs target		Observed Significant Imbalance?
AD5-AD14 non management DGT & SCIC	Absolute	Significant imbalance if below	Absolute	Significant imbalance if below	Heads	%ge	Heads (in 2017)	%ge of target	
Belgium	3.1%	2.5%	63	50	147	7.3%	84	233%	
Bulgaria	2.4%	1.9%	49	39	75	3.7%	26	154%	
Czech Republic	3.1%	2.5%	62	50	80	3.9%	18	129%	
Denmark	1.8%	1.4%	36	29	65	3.2%	29	180%	
Germany	13.8%	11.1%	280	224	165	8.1%	-115	59%	YES
Estonia	0.8%	0.6%	16	13	67	3.3%	51	410%	
Ireland	1.6%	1.3%	33	26	40	2.0%	7	123%	
Greece	3.1%	2.5%	63	50	84	4.1%	21	134%	
Spain	8.9%	7.1%	181	145	124	6.1%	-57	69%	YES
France	11.6%	9.3%	235	188	98	4.8%	-137	42%	YES
Croatia	1.6%	1.3%	32	26	59	2.9%	27	184%	
Italy	11.2%	8.9%	226	181	129	6.4%	-97	57%	YES
Cyprus	0.8%	0.6%	16	13	4	0.2%	-12	26%	YES
Latvia	1.0%	0.8%	19	15	70	3.5%	51	362%	
Lithuania	1.5%	1.2%	30	24	71	3.5%	41	236%	
Luxembourg	0.8%	0.6%	15	12	3	0.1%	-12	20%	YES
Hungary	3.0%	2.4%	61	49	74	3.7%	13	121%	
Malta	0.6%	0.5%	13	10	58	2.9%	45	450%	
Netherlands	3.9%	3.1%	79	63	41	2.0%	-38	52%	YES
Austria	2.6%	2.0%	52	42	13	0.6%	-39	25%	YES
Poland	8.2%	6.5%	165	132	86	4.2%	-79	52%	YES
Portugal	3.1%	2.4%	62	49	89	4.4%	27	144%	
Romania	4.5%	3.6%	91	73	80	3.9%	-11	88%	
Slovenia	1.0%	0.8%	19	16	72	3.6%	53	370%	
Slovakia	1.8%	1.4%	36	29	70	3.5%	34	195%	
Finland	1.8%	1.4%	36	29	94	4.6%	58	262%	
Sweden	2.7%	2.2%	56	45	68	3.4%	12	122%	

Annex 7a: Distribution of AD5-AD8 staff assigned to services other than DGT or SCIC on 1.1.2017

Pop 2015 & MEP's & Votes in Council	Guiding rate		Targets in Heads (in 2017)		Actual situation on 1.1.2017		Surplus or Deficit vs target		Observed Significant Imbalance?
AD5-AD8 outside DGT & SCIC	Absolute	Significant imbalance if below	Absolute	Significant imbalance if below	Heads	%ge	Heads (in 2017)	%ge of target	
Belgium	3.1%	2.5%	131	105	300	7.1%	169	229%	
Bulgaria	2.4%	1.9%	102	81	259	6.1%	157	255%	
Czech Republic	3.1%	2.5%	129	103	135	3.2%	6	105%	
Denmark	1.8%	1.4%	75	60	25	0.6%	-50	33%	YES
Germany	13.8%	11.1%	582	466	354	8.4%	-228	61%	YES
Estonia	0.8%	0.6%	34	27	39	0.9%	5	115%	
Ireland	1.6%	1.3%	68	54	28	0.7%	-40	41%	YES
Greece	3.1%	2.5%	130	104	145	3.4%	15	111%	
Spain	8.9%	7.1%	377	301	318	7.5%	-59	84%	
France	11.6%	9.3%	490	392	353	8.4%	-137	72%	YES
Croatia	1.6%	1.3%	67	53	93	2.2%	26	140%	
Italy	11.2%	8.9%	470	376	441	10.5%	-29	94%	
Cyprus	0.8%	0.6%	33	26	34	0.8%	1	105%	
Latvia	1.0%	0.8%	40	32	48	1.1%	8	119%	
Lithuania	1.5%	1.2%	63	50	77	1.8%	14	123%	
Luxembourg	0.8%	0.6%	32	25	0	0.0%	-32	0%	YES
Hungary	3.0%	2.4%	127	102	218	5.2%	91	172%	
Malta	0.6%	0.5%	27	21	30	0.7%	3	112%	
Netherlands	3.9%	3.1%	164	131	82	1.9%	-82	50%	YES
Austria	2.6%	2.0%	108	86	65	1.5%	-43	60%	YES
Poland	8.2%	6.5%	344	275	462	11.0%	118	134%	
Portugal	3.1%	2.4%	129	103	61	1.4%	-68	47%	YES
Romania	4.5%	3.6%	190	152	453	10.7%	263	238%	
Slovenia	1.0%	0.8%	41	32	50	1.2%	9	123%	
Slovakia	1.8%	1.4%	75	60	80	1.9%	5	107%	
Finland	1.8%	1.4%	75	60	30	0.7%	-45	40%	YES
Sweden	2.7%	2.2%	116	93	36	0.9%	-80	31%	YES

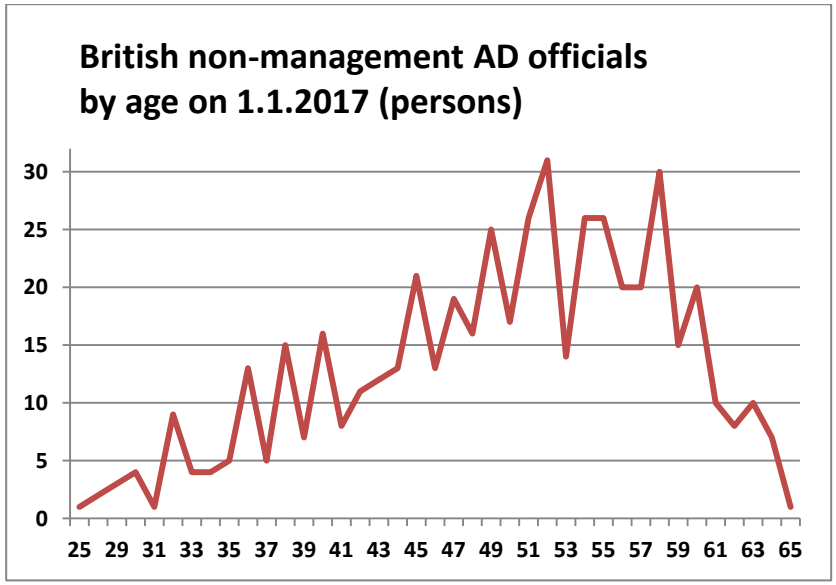
Annex 7b: Distribution of non-management AD9-AD12 staff assigned to services other than DGT or SCIC on 1.1.2017

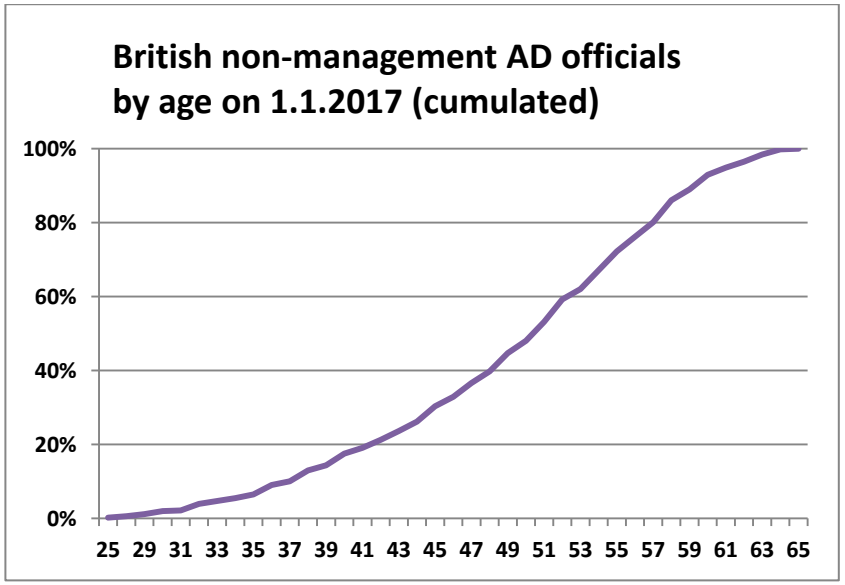
Pop 2015 & MEP's & Votes in Council	Guiding rate		Targets in Heads (in 2017)		Actual situation on 1.1.2017		Surplus or Deficit vs target		Observed Significant Imbalance?
Non-managers AD9-AD12 outside DGT & SCIC	Absolute	Significant imbalance if below	Absolute	Significant imbalance if below	Heads	%ge	Heads (in 2017)	%ge of target	
Belgium	3.1%	2.5%	123	98	571	14.4%	448	464%	
Bulgaria	2.4%	1.9%	95	76	8	0.2%	-87	8%	YES
Czech Republic	3.1%	2.5%	121	97	68	1.7%	-53	56%	YES
Denmark	1.8%	1.4%	71	56	71	1.8%	0	101%	
Germany	13.8%	11.1%	546	437	503	12.7%	-43	92%	
Estonia	0.8%	0.6%	32	25	22	0.6%	-10	69%	YES
Ireland	1.6%	1.3%	64	51	74	1.9%	10	116%	
Greece	3.1%	2.5%	122	98	164	4.1%	42	134%	
Spain	8.9%	7.1%	353	282	376	9.5%	23	107%	
France	11.6%	9.3%	459	367	505	12.8%	46	110%	
Croatia	1.6%	1.3%	62	50	3	0.1%	-59	5%	YES
Italy	11.2%	8.9%	441	353	481	12.2%	40	109%	
Cyprus	0.8%	0.6%	30	24	21	0.5%	-9	69%	YES
Latvia	1.0%	0.8%	38	30	21	0.5%	-17	56%	YES
Lithuania	1.5%	1.2%	59	47	41	1.0%	-18	70%	YES
Luxembourg	0.8%	0.6%	30	24	20	0.5%	-10	67%	YES
Hungary	3.0%	2.4%	119	95	82	2.1%	-37	69%	YES
Malta	0.6%	0.5%	25	20	17	0.4%	-8	68%	YES
Netherlands	3.9%	3.1%	154	123	160	4.0%	6	104%	
Austria	2.6%	2.0%	101	81	121	3.1%	20	120%	
Poland	8.2%	6.5%	322	258	162	4.1%	-160	50%	YES
Portugal	3.1%	2.4%	121	96	107	2.7%	-14	89%	
Romania	4.5%	3.6%	178	143	23	0.6%	-155	13%	YES
Slovenia	1.0%	0.8%	38	30	29	0.7%	-9	76%	YES
Slovakia	1.8%	1.4%	70	56	36	0.9%	-34	51%	YES
Finland	1.8%	1.4%	70	56	129	3.3%	59	184%	
Sweden	2.7%	2.2%	109	87	137	3.5%	28	126%	

Annex 7c: British non-management AD staff on 1.1.2017
Distribution by grade

British nationals assigned to non-management tasks…	AD5-AD8	AD9-AD12	AD13-AD14	Total
…outside DGT & SCIC	81	170	110	361
…in DGT or SCIC	50	56	41	147
Total	131	226	151	508

Distribution by age





Annex 7d: Double nationalities on 1.1.2018 among Officials and Temporary Staff at the Commission

1st Nationality \ 2nd Nationality	AUT	BEL	BGR	CYP	CZE	DEU	DNK	ESP	EST	FIN	FRA	GBR	GRC	HRV	HUN	IRL	ITA	LTU	LUX	LVA	MLT	NLD	POL	PRT	ROU	SVK	SVN	SWE	Total
AUT		1				3					2						1												**7**
BEL	2		2		2	4		7	1		26	15	12	2	2	3	13		5			2	6	3	4	1	1	1	**114**
BGR	1	17				6		1			14	3			1		1											2	**46**
CYP		3				1					4	6	9											1					**24**
CZE		1				3		1			3						5					1				1			**15**
DEU	2	7			1			4			12	12	4	1	2	1	2		1			2	3	1	1	2		1	**59**
DNK		3									4						1					1							**9**
ESP		7				3					16	5				1	1						1						**34**
EST																												1	**1**
FIN												1																	**1**
FRA	2	28	1		1	14		8		2		31	2				14	2				7	7	3	5			1	**128**
GBR		12		3		4	1				25		4	1	1	27	7		15	1		4		2				4	**111**
GRC	2	20		3		3					11	4					2		1			1						1	**48**
HRV		2				2					3				1		4					1						1	**14**
HUN	1	5				7					13	1					2		1						4				**34**
IRL		4				1					2	57	1		1		1						1						**68**
ITA	1	13			1	10				1	13	17	1	3		1			1			1	2				2		**67**
LTU		1				1	1				1	1																	**5**
LUX		1									2	2													1				**6**
LVA											1																		**1**
MLT		1										1																	**2**
NLD		2						1				5		1			1												**10**
POL		22				9	1	2			22	4			1		4		1			2		1				2	**71**
PRT		8				1		1			2	1					2					1	1						**17**
ROU		56				6					20	2	1		8		6		3			2		2		1		1	**108**
SVK		5			4	3					4	2			2														**20**
SVN		1	1										1	1			3		1										**8**
SWE						2					3	3	1	1			2		1										**13**
Total	**11**	**220**	**4**	**6**	**9**	**83**	**3**	**25**	**1**	**3**	**203**	**173**	**36**	**10**	**19**	**33**	**72**	**2**	**30**	**1**	**0**	**25**	**21**	**13**	**15**	**5**	**3**	**15**	**1041**

Annex 8a: Statistics of EPSO AD5 competitions (excluding linguists) over the period 2010-mid 2017

EPSO AD5 competitions 2010- mid 2017	Cumulated Applications	Cumulated Laureates	Population (Millions)	Guiding rates	Distributionof laureates	Surplus or Deficit vs Guiding rate	Laureates as %ge of Guiding rate	Significant imbalance in EPSO lists*?	Participants /Mn hab	Success rate
Belgium	19795	171	11.2	3.1%	11.1%	8.0%	357%		1766	0.9%
Bulgaria	11275	38	7.2	2.4%	2.5%	0.1%	103%		1565	0.3%
Czech Republic	3452	15	10.5	3.1%	1.0%	-2.1%	32%	YES	328	0.4%
Denmark	1966	10	5.7	1.8%	0.7%	-1.1%	36%	YES	347	0.5%
Germany	17583	205	81.2	13.8%	13.3%	-0.5%	97%		217	1.2%
Estonia	1789	2	1.3	0.8%	0.1%	-0.7%	16%	YES	1362	0.1%
Ireland	2028	11	4.6	1.6%	0.7%	-0.9%	44%	YES	438	0.5%
Greece	18787	49	10.9	3.1%	3.2%	0.1%	103%		1730	0.3%
Spain	27569	177	46.4	8.9%	11.5%	2.6%	129%		594	0.6%
France	19208	163	66.4	11.6%	10.6%	-1.0%	91%		289	0.8%
Croatia	4239	26	4.2	1.6%	1.7%	0.1%	109%		1003	0.6%
Italy	49325	261	60.8	11.2%	17.0%	5.8%	152%		811	0.5%
Cyprus	1077	0	0.8	0.8%	0.0%	-0.8%	0%	YES	1272	0.0%
Latvia	2172	7	2.0	1.0%	0.5%	-0.5%	48%	YES	1094	0.3%
Lithuania	4339	9	2.9	1.5%	0.6%	-0.9%	39%	YES	1485	0.2%
Luxembourg	526	0	0.6	0.8%	0.0%	-0.8%	0%	YES	934	0.0%
Hungary	6435	56	9.9	3.0%	3.6%	0.6%	121%		653	0.9%
Malta	930	5	0.4	0.6%	0.3%	-0.3%	51%		2166	0.5%
Netherlands	4532	71	16.9	3.9%	4.6%	0.7%	119%		268	1.6%
Austria	3779	38	8.6	2.6%	2.5%	-0.1%	96%		441	1.0%
Poland	11452	30	38.0	8.2%	2.0%	-6.2%	24%	YES	301	0.3%
Portugal	10322	32	10.4	3.1%	2.1%	-1.0%	68%		995	0.3%
Romania	25933	91	19.9	4.5%	5.9%	1.4%	131%		1305	0.4%
Slovenia	2475	6	2.1	1.0%	0.4%	-0.6%	41%	YES	1200	0.2%
Slovakia	4144	17	5.4	1.8%	1.1%	-0.7%	63%		764	0.4%
Finland	3208	23	5.5	1.8%	1.5%	-0.3%	84%		586	0.7%
Sweden	3132	24	9.7	2.7%	1.6%	-1.2%	57%		321	0.8%
EU27	**261472**	**1537**	**443.5**	**100.0%**	**100.0%**	**0.0%**	**100%**		**590**	**0.6%**

NB: Croatia figures are corrected to take into account the "enlargement" competitions organised during the period
***: Share among laureates is less than 50% of Guiding rate**

Annex 8b: Statistics of EPSO AD Specialist competitions (excluding linguists) over the period 2010-2016

EPSO AD Specialist competitions 2010-16	Cumulated Applications	Cumulated Laureates	Population (Millions)	Guiding rates	Distributionof laureates	Surplus or Deficit vs Guiding rate	Laureates as %ge of Guiding rate	Significant imbalance in EPSO lists*?	Participants /Mn hab	Success rate
Belgium	4862	122	11.2	3.1%	10.0%	6.9%	322%		434	2.5%
Bulgaria	2172	21	7.2	2.4%	1.7%	-0.7%	72%		302	1.0%
Czech Republic	451	8	10.5	3.1%	0.7%	-2.4%	21%	YES	43	1.8%
Denmark	219	10	5.7	1.8%	0.8%	-1.0%	46%	YES	39	4.6%
Germany	2886	132	81.2	13.8%	10.9%	-3.0%	79%		36	4.6%
Estonia	313	6	1.3	0.8%	0.5%	-0.3%	61%		238	1.9%
Ireland	571	11	4.6	1.6%	0.9%	-0.7%	56%		123	1.9%
Greece	3955	78	10.9	3.1%	6.4%	3.3%	208%		364	2.0%
Spain	7493	157	46.4	8.9%	12.9%	4.0%	145%		161	2.1%
France	5324	106	66.4	11.6%	8.7%	-2.9%	75%		80	2.0%
Croatia	875	19	4.2	1.6%	1.6%	0.0%	100%		207	2.2%
Italy	10420	245	60.8	11.2%	20.2%	9.0%	181%		171	2.4%
Cyprus	238	3	0.8	0.8%	0.2%	-0.5%	32%	YES	281	1.3%
Latvia	327	6	2.0	1.0%	0.5%	-0.5%	52%		165	1.8%
Lithuania	767	13	2.9	1.5%	1.1%	-0.4%	72%		263	1.7%
Luxembourg	117	3	0.6	0.8%	0.2%	-0.5%	33%	YES	208	2.6%
Hungary	1019	32	9.9	3.0%	2.6%	-0.4%	87%		103	3.1%
Malta	147	2	0.4	0.6%	0.2%	-0.5%	26%	YES	342	1.4%
Netherlands	954	35	16.9	3.9%	2.9%	-1.0%	74%		56	3.7%
Austria	636	27	8.6	2.6%	2.2%	-0.3%	87%		74	4.2%
Poland	2093	44	38.0	8.2%	3.6%	-4.5%	44%	YES	55	2.1%
Portugal	2515	34	10.4	3.1%	2.8%	-0.3%	92%		242	1.4%
Romania	424	47	19.9	4.5%	3.9%	-0.6%	86%		21	11.1%
Slovenia	526	11	2.1	1.0%	0.9%	-0.1%	94%		255	2.1%
Slovakia	744	16	5.4	1.8%	1.3%	-0.5%	74%		137	2.2%
Finland	501	12	5.5	1.8%	1.0%	-0.8%	56%		92	2.4%
Sweden	476	15	9.7	2.7%	1.2%	-1.5%	45%	YES	49	3.2%
EU27	**51025**	**1215**	**443.5**	**100.0%**	**100.0%**	**0.0%**	**100%**		**115**	**2.4%**

NB: Croatia figures are corrected to take into account the "enlargement" competitions organised during the period
***: Share among laureates is less than 50% of Guiding rate**

Annex 8c: Validated applications in the latest (ongoing) AD competition

EPSO AD/338/17	Applications	Population (Millions)	Participants /Mn hab*	As %ge of EU average
Belgium	2073	11.2	185	274%
Bulgaria	913	7.2	127	188%
Czech Republic	264	10.5	25	37%
Denmark	197	5.7	35	52%
Germany	1867	81.2	23	34%
Estonia	152	1.3	116	171%
Ireland	245	4.6	53	78%
Greece	3306	10.9	304	451%
Spain	3731	46.4	80	119%
France	2184	66.4	33	49%
Croatia	525	4.2	124	184%
Italy	6341	60.8	104	155%
Cyprus	163	0.8	192	285%
Latvia	156	2.0	79	116%
Lithuania	370	2.9	127	188%
Luxembourg	71	0.6	126	187%
Hungary	533	9.9	54	80%
Malta	103	0.4	240	355%
Netherlands	1072	16.9	63	94%
Austria	507	8.6	59	88%
Poland	1025	38.0	27	40%
Portugal	1028	10.4	99	147%
Romania	1875	19.9	94	140%
Slovenia	248	2.1	120	178%
Slovakia	297	5.4	55	81%
Finland	399	5.5	73	108%
Sweden	288	9.7	30	44%
EU	29933	443.5	67	100%

***: Not comparable with the 2010-17 table which covers several competitions**

Annex 9 : Summary of the Contributions made by other institutions

NB: All Statements and wording reflect the relevant institution's declarations

Institution	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
European Parliament	The European Parliament has not yet held a debate or discussion on the issue. Columns to the right are therefore built under the assumptions that: • Geographical balance could be assessed at aggregate level (all function groups together). • The share of each national cohort within the EP Secretariat could be compared to the respective Member States' share of the total EU population.		Underrepresented: UK and to a lesser extent DE Over represented: BE, EE, FI, HR, LT, LU, LV, MT, SL et SK	All imbalances are objectively justified by • UK, DE : limited attractiveness of the EU institutions and/or an EU career; numbers of laureates on EPSO reserve lists • BE, LU : places of work effect + cross-border commuting effect • EE, FI, HR, LT, LV, MT, SL and SK: linguistic services (translation, interpretation, lawyer linguists) provided in all official languages; the minimum critical mass of linguistic staff needed has a greater impact for smaller Member States.	NO	NO/NO
GS Council	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: the average between the relevant Member State share in – EU population – MEP's – Council votes before Lisbon Rules	Imbalance is observed when the actual share of nationals deviates from the benchmark by more than +/-20% Significant imbalance is observed when a share of a given nationality is below 40% or above 400% of that benchmark.	Significantly under-represented: CY, DE and UK Significantly over-represented: BE	All imbalances are objectively justified by… CY, DE, UK: low number of laureates on EPSO reserve lists BE: seat effect Balance is also influenced by the high relative weight of the linguistic services	Very difficult to predict due to a high level of uncertainty	NO/NO

Institution	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
Court of Justice	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: the share of the relevant Member State population in the EU population	Imbalance is observed in case of blatant under or overrepresentation. Significant imbalance is not defined	Underrepresented: UK Overrepresented: FR, BE	All imbalances are objectively justified by… • FR, BE: the Court works in French (mitigated by extensive language courses programme). • UK: Difficulty to recruit UK nationals	NO	NO/NO (also in view of Brexit)
Court of Auditors	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: the share of the relevant Member State population in the EU population	Imbalance is observed when the actual share of nationals deviates from the benchmark by more than +/-20% Significant imbalance is observed when such deviation exceeds +/-50%	Underrepresented: UK Overrepresented: BE, PT	All imbalances are objectively justified by… the peculiarities of Luxembourg in terms of size, attractiveness, large number of cross-border workers and large number of PT residents.	NO except possibly in the AST-SC function group	NO/NO
European External Action Service	Geographical balance is assessed at function groups level, with a focus on ADs). Benchmark: the share of the relevant Member State population in the EU population	Significant imbalance is observed when nationals of a Member State are not present at all (or significantly underrepresented).	No observed imbalance	n/a	NO	NO/NO

Institution	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
Eur. Economic and Social Committee	Due to lack of formal definition, the EESC does not assess Geographical balance using a specific methodology	Lack of nationals from one or more member States could be a sign of imbalance	Underrepresented: CY *NB: however, the EESC was able to recruit a national after the cut off date* High number of BE, IT, EE, LV, SL etc.	All imbalances are objectively justified by… the small number of CY nationals on EPSO lists; the small number of vacancies due to downsizing; the seat effect and other historical reasons (IT) The relative weight of the language services also influences the balance	NO except possibly in the AST-SC function group	NO/NO
Committee of the Regions	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: the average between the relevant Member State share in – EU population – MEP's – Council votes before Lisbon Rules	Imbalance is observed when the actual share of nationals deviates is lower than 50% or higher than 200% of the benchmark. Significant imbalance is observed when the share significantly deviates from this bracket	Significantly under-represented: LU and UK Significantly over-represented: BE	All imbalances are objectively justified by… The size of the institution Headquarter effect Limited attractiveness of EU institutions for nationals of some member States Small size of certain member States Given the small size of the Cor, precaution in the interpretation of figures is necessary	NO. However, BREXIT or deterioration of conditions might have an influence	NO/NO
The European Ombudsman	Given the size of the institution, it has never defined geographical (im)balance. Presence of nationals from all Member States weighted with population size could be an indicator	Imbalance is observed in case of under or over representation without objective justification	Significant over-representation: FR, in the AST function group	All imbalances are objectively justified by… • The seat effect in France, • the difficulties to recruit in Strasburg • historical reasons (large number of temporary posts)	NO	NO/NO

Institution	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
European Data Protection Supervisor	The EDPS is a small institution dealing with a very specific subject. Recruitments are therefore made on the basis of specific profiles and EPSO reserve lists in data protection as well as on the small pool of applicants. The question of balanced representation has not been considered so far given to the specificity of profiles and difficulty to recruit.	n/a	NO	n/a.	NO.	NO/NO

Annex 10: Distribution of AD staff by nationality in EU Institutions (Headcount)

AD Officials and AT's, situation on 1.1.2017
Source: Contribution from Institutions

AD's officials & Temporary Staff	EP	SG Council	CoJ	CoA	EEAS	EESC	CoR	EO	EDPS	Total
Belgium	182	116	108	42	72	30	16	0	6	572
Bulgaria	75	41	33	22	9	8	12	0	0	200
Czech Republic	69	44	34	21	19	8	12	2	1	210
Denmark	60	44	35	8	32	14	3	2	1	199
Germany	218	91	69	46	87	26	26	5	3	571
Estonia	55	41	30	10	22	8	5	0	0	171
Ireland	27	28	14	9	26	3	5	6	0	118
Greece	100	50	47	29	37	17	10	3	0	293
Spain	175	86	70	44	77	20	12	2	4	490
France	217	92	185	52	100	18	19	5	4	692
Croatia	68	31	29	7	9	6	7	0	0	157
Italy	201	77	78	40	105	30	24	0	4	559
Cyprus	6	2	2	2	3	0	0	0	1	16
Latvia	55	35	32	10	7	5	11	0	0	155
Lithuania	56	38	33	12	19	9	9	0	0	176
Luxembourg	13	6	9	3	4	1	0	0	0	36
Hungary	89	42	39	23	16	10	8	1	1	229
Malta	45	32	24	8	10	5	4	1	0	129
Netherlands	63	32	22	14	32	10	6	1	1	181
Austria	32	18	13	10	24	9	2	2	0	110
Poland	111	61	43	43	39	11	20	2	2	332
Portugal	84	62	38	32	31	10	7	1	0	265
Romania	97	57	37	33	24	15	14	1	1	279
Slovenia	58	40	32	9	13	4	10	0	1	167
Slovakia	64	37	32	11	5	7	12	0	0	168
Finland	91	58	31	18	19	11	10	1	0	239
Sweden	70	40	36	11	34	8	8	1	1	209
UK	118	50	50	27	72	15	10	1	0	343
Total	**2,499**	**1,351**	**1,205**	**596**	**947**	**318**	**282**	**37**	**31**	**7,266**

Annex 11: Distribution of AD staff by nationality in EU Institutions (percentage of AD staff)

AD Officials and AT's, situation on 1.1.2017 - Distribution
Source: Contribution from Institutions

AD's officials & Temporary Staff	EP	SG Council	CoJ	CoA	EEAS	EESC	CoR	EO	EDPS	Total
Belgium	7%	9%	9%	7%	8%	9%	6%	0%	19%	8%
Bulgaria	3%	3%	3%	4%	1%	3%	4%	0%	0%	3%
Czech Republic	3%	3%	3%	4%	2%	3%	4%	5%	3%	3%
Denmark	2%	3%	3%	1%	3%	4%	1%	5%	3%	3%
Germany	9%	7%	6%	8%	9%	8%	9%	14%	10%	8%
Estonia	2%	3%	2%	2%	2%	3%	2%	0%	0%	2%
Ireland	1%	2%	1%	2%	3%	1%	2%	16%	0%	2%
Greece	4%	4%	4%	5%	4%	5%	4%	8%	0%	4%
Spain	7%	6%	6%	7%	8%	6%	4%	5%	13%	7%
France	9%	7%	15%	9%	11%	6%	7%	14%	13%	10%
Croatia	3%	2%	2%	1%	1%	2%	2%	0%	0%	2%
Italy	8%	6%	6%	7%	11%	9%	9%	0%	13%	8%
Cyprus	0%	0%	0%	0%	0%	0%	0%	0%	3%	0%
Latvia	2%	3%	3%	2%	1%	2%	4%	0%	0%	2%
Lithuania	2%	3%	3%	2%	2%	3%	3%	0%	0%	2%
Luxembourg	1%	0%	1%	1%	0%	0%	0%	0%	0%	0%
Hungary	4%	3%	3%	4%	2%	3%	3%	3%	3%	3%
Malta	2%	2%	2%	1%	1%	2%	1%	3%	0%	2%
Netherlands	3%	2%	2%	2%	3%	3%	2%	3%	3%	2%
Austria	1%	1%	1%	2%	3%	3%	1%	5%	0%	2%
Poland	4%	5%	4%	7%	4%	3%	7%	5%	6%	5%
Portugal	3%	5%	3%	5%	3%	3%	2%	3%	0%	4%
Romania	4%	4%	3%	6%	3%	5%	5%	3%	3%	4%
Slovenia	2%	3%	3%	2%	1%	1%	4%	0%	3%	2%
Slovakia	3%	3%	3%	2%	1%	2%	4%	0%	0%	2%
Finland	4%	4%	3%	3%	2%	3%	4%	3%	0%	3%
Sweden	3%	3%	3%	2%	4%	3%	3%	3%	3%	3%
UK	5%	4%	4%	5%	8%	5%	4%	3%	0%	5%
Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

Annex 12 : Summary of the Contributions made by Agencies

NB: All Statements and wording reflect the relevant agency's declarations

AGENCY	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
ACER	Geographical balance is assessed by reference to the representation of each nationality among staff	Imbalance is observed if less than 50% of the Member States are represented among staff or if staff from one nationality represent more than 50% of total staff	No	N/A	No but correction coefficient is a problem	NO/NO
CEDEF	Geographical balance is assessed by reference to the representation of each nationality among staff	Significant imbalance is observed when one nationality exceeds 40% of the establishment plan	No	N/A	No	NO/NO
CEPOL	CEPOL does not have a definition in place of what constitutes a "balanced representation" of each nationality among its staff. The geographical balance is included in monthly internal reporting as well as in the annual account.	CEPOL would consider that a "significant imbalance" is in place where one nationality comprises more than 50% of all staff (TA, CA & SNEs).	In the period 2014 – 2016, following the relocation of the agency from the UK to Hungary, an increase in the number of Hungarian nationals was observed. However, significant imbalance is not reached yet.	N/A	Yes (based on current trends)	No/under consideration

AGENCY	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
CPVO	No methodology has been set General administrative staff out of the scope	Imbalance is observed if in more than 2 managers or more than 40% of AD staff have the same nationality	No	N/A	No	NO/NO
EASA	Geographical balance is monitored and compared to population of Member States	N/A	No, taking into account the specificity of the agency (see justification)	Staff distribution is consistent with the Agency's understanding of the distribution of aviation experts among MS	No	NO/NO
ECDC	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: all MS should be represented A second assessment is done by reference to population and seats at the European Parliament	Significant imbalance if large number of MS are either not represented or significantly under/over represented	Sweden is over represented	Seat effect	No	NO/NO
EIOP	Number of nationalities represented	Significant imbalance would occur if the agency was unable to attract staff from variety of nationalities	No	EIOPA inherited staff from CEIOPS Seat effect	No	NO/NO
EEA	Larger and older member States are expected to have a larger representation	Imbalance is observed when the share of larger/older MS nationalities decreases	No	N/A	No	NO/NO

AGENCY	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
EFSA	No methodology or criteria are established. A methodology (if adopted), should take into account elements like the seat effect of the consequences of a decentralised location	N/A	One nationality represents 40% of staff	N/A	No	NO/NO (social measures envisaged)
EMA	Geographical balance is assessed at aggregate level (all function groups together, Temporary and Contract staff). Benchmark: the share of the relevant Member State population in the EU/EEA population	Imbalance is observed when the actual share of nationals deviates from the benchmark by more than + 100% or – 50%	Under-represented: NL, DE, LU (and Norway) Over-represented: EE, GR, IE, LV, LT, PT and SK	Grading of jobs at EMA (lower than other agencies) render the agency less attractive for some nationalities. Follow-up of job mapping exercise may improve the situation.	Awaits relocation	NO/NO
EMCDD	All member States should be represented	Significant imbalance is observed if staff from one nationality represent more than 30% of staff	No	N/A	No	NO/NO
EMSA	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: the share of the relevant Member State population in the EU population	Significant imbalance is observed when the actual share of nationals deviates from the benchmark by more than + 100% or – 50%	Significantly under-represented: FR, IT, UK Significantly over-represented: PT, GR, BE	Steadily decreasing correction coefficient Difficulty of employment for spouses	Yes	NO/YES: social measure)

AGENCY	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
ENISA	Geographical balance is monitored and compared to population of Member States.	Imbalance is observed if Staff from a specific nationality represents more than 50% of the total staff.	NO	N/A but Greece economic crisis and drop/low correction coefficient leads to majority of applicants with origin from the MS	No	NO/NO
ETF	Count the number of nationalities represented	Imbalance is observed if less than 60% of nationalities are represented Significant imbalance if one nationality represents more than 40% of all staff	No	N/A	No	NO/NO
EUIPO	Geographical balance is assessed at aggregate level (all function groups together). All member States should be represented	Imbalance is observed if a member State is overrepresented compared to others, taking however into account its size	Spain is overrepresented	Seat effect	No	NO/NO
EU-Lisa	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: the share of the relevant Member State population in the EU population	Not defined in the answer	Underrepresented: DE, UK, SWE, DK, MT, SL No significant underrepresentation	Seat effect: a presence of up to 30% of staff with nationality of the seat of assignment is tolerable Distant location of the Headquarters Low correction coefficient Difficulty of employment for spouses		
Eurofound	Number of MS represented	Not defined	No	N/A	No	NO/NO

AGENCY	Methodology and criteria for assessing geographical balance	Indicator(s) of (significant) imbalance	Observed (significant) imbalance by Member State	Objective justification of the imbalance	Expected future Imbalance	Appropriate measure under Art.27 taken/envisaged
Eurojus	N/A	N/A	No imbalance observed but NL group is the largest	Seat effect	No	NO/NO
Frontex	Geographical balance is assessed at aggregate level (all function groups together). Benchmark: a mix of "equal distribution" (all Member States with an equal weight) and the share of the relevant Member State population in the EU population	Significant imbalance is observed when – a nationality is not represented among staff – the actual share of nationals deviates from the population share by more than +/- 50%	Yes (both under representation and over representation	No objective justification. However, the low correction coefficient applicable to Poland renders the agency less attractive	Yes (linked to correction coefficient)	NO/NO (awaits Commission initiative)

Annex 13 : Distribution of AD staff by nationality in EU Decentralised agencies (Headcount)

Officials and AT's, situation on 1.1.2017 (EU nationals only)
Source: Agencies contribution

AD's officials & Temporary Staff	ACER	CEDEFOP	CEPOL	CPVO	ECDC	EASA	EEA	EIOPA	EFSA	EMA	EMCDDA	EMSA (**)	ENISA	ETF	EU-IPO	EU-Lisa	Eurofound	Eurojust (*)	Frontex	Total
Belgium	3	7	1	0	6	18	4	4	23	15	4	5	1	4	13	4	3	5	4	**124**
Bulgaria	2	1	0	0	5	6	0	4	0	5	3	3	0	2	1	3	0	2	5	**42**
Czech Republic	1	2	0	0	1	5	0	2	1	2	0	1	1	0	6	1	0	0	2	**25**
Denmark	0	2	1	0	1	5	7	2	1	5	0	1	0	1	2	0	0	0	1	**29**
Germany	2	10	2	2	14	95	10	10	15	28	4	7	2	5	36	4	4	3	9	**262**
Estonia	0	0	1	0	0	1	1	0	0	0	0	2	0	0	0	4	0	1	0	**10**
Ireland	1	0	0	1	0	5	3	2	2	13	3	3	2	2	6	1	6	1	1	**52**
Greece	4	28	2	0	3	10	1	3	8	20	0	10	8	2	4	5	2	6	10	**126**
Spain	3	3	0	2	2	51	3	9	18	40	4	15	1	4	48	3	6	8	8	**228**
France	4	11	0	2	15	125	6	2	17	56	5	11	2	3	26	17	3	3	6	**314**
Croatia	0	0	0	0	0	1	0	0	0	2	0		0	0	0	1	0	0	1	**5**
Italy	6	7	1	1	10	74	0	4	78	43	5	10	1	7	20	8	3	7	10	**295**
Cyprus	2	0	0	0	0	2	0	0	0	0	0	1	0	1	0	0	0	0	0	**6**
Latvia	0	2	1	0	2	3	0	1	1	2	1	1	0	1	0	0	0	2	1	**18**
Lithuania	0	0	0	0	0	3	0	0	0	1	0	0	0	0	4	2	1	1	5	**17**
Luxembourg	0	1	0	0	0	0	0	0	3	0	1	0	0	0	0	0	1	0	1	**7**
Hungary	4	0	3	0	3	5	1	2	6	4	0	1	0	0	5	4	2	1	8	**49**
Malta	0	1	0	0	2	0	0	0	0	1	0	3	0	0	0	0	0	0	0	**7**
Netherlands	2	2	2	0	2	26	3	7	6	1	1	4	0	4	8	0	4	8	4	**84**
Austria	1	2	1	0	1	8	1	4	9	7	0	1	0	2	6	0	4	2	3	**52**
Poland	0	1	0	1	1	5	1	2	0	8	1	10	1	0	11	4	1	2	23	**72**
Portugal	1	1	0	2	4	11	4	8	8	20	6	28	2	2	13	1	1	2	7	**121**
Romania	1	3	1	0	3	20	2	0	1	8	1	3	4	2	2	8	0	4	13	**76**
Slovenia	10	1	0	0	1	4	1	2	0	0	0	0	0	0	1	0	0	2	2	**24**
Slovakia	1	1	1	0	1	7	1	0	1	3	0	0	0	0	2	2	0	1	2	**23**
Finland	0	1	0	0	7	7	1	1	1	4	0	2	0	2	3	0	1	0	4	**34**
Sweden	0	0	0	1	15	4	3	0	0	6	0	1	0	1	1	0	2	4	0	**38**
UK	0	3	0	0	7	43	6	5	13	36	8	9	1	7	12	0	3	6	5	**164**
Total	**48**	**90**	**17**	**12**	**106**	**544**	**59**	**74**	**212**	**330**	**47**	**132**	**26**	**52**	**230**	**72**	**47**	**71**	**135**	**2,304**

***: 0.5 FTE converted to 1 **: TA only**

Annex 14 : Distribution of AD staff by nationality in EU Decentralised agencies (percentage of AD staff)

Officials and AT's, situation on 1.1.2017 - Distribution (EU nationals only)
Source: Agencies contribution

AD's officials & Temporary Staff	ACER	CEDEFOP	CEPOL	CPVO	ECDC	EASA	EEA	EIOPA	EFSA	EMA	EMCDDA	EMSA (*)	ENISA	ETF	EU-IPO	EU-Lisa	Eurofound	Eurojust	Frontex	Total
Belgium	6%	8%	6%	0%	6%	3%	7%	5%	11%	5%	9%	4%	4%	8%	6%	6%	6%	7%	3%	5%
Bulgaria	4%	1%	0%	0%	5%	1%	0%	5%	0%	2%	6%	2%	0%	4%	0%	4%	0%	3%	4%	2%
Czech Republic	2%	2%	0%	0%	1%	1%	0%	3%	0%	1%	0%	1%	4%	0%	3%	1%	0%	0%	1%	1%
Denmark	0%	2%	6%	0%	1%	1%	12%	3%	0%	2%	0%	1%	0%	2%	1%	0%	0%	0%	1%	1%
Germany	4%	11%	12%	17%	13%	17%	17%	14%	7%	8%	9%	5%	8%	10%	16%	6%	9%	4%	7%	11%
Estonia	0%	0%	6%	0%	0%	0%	2%	0%	0%	0%	0%	2%	0%	0%	0%	6%	0%	1%	0%	0%
Ireland	2%	0%	0%	8%	0%	1%	5%	3%	1%	4%	6%	2%	8%	4%	3%	1%	13%	1%	1%	2%
Greece	8%	31%	12%	0%	3%	2%	2%	4%	4%	6%	0%	8%	31%	4%	2%	7%	4%	8%	7%	5%
Spain	6%	3%	0%	17%	2%	9%	5%	12%	8%	12%	9%	11%	4%	8%	21%	4%	13%	11%	6%	10%
France	8%	12%	0%	17%	14%	23%	10%	3%	8%	17%	11%	8%	8%	6%	11%	24%	6%	4%	4%	14%
Croatia	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%	0%	0%	0%	0%	1%	0%	0%	1%	0%
Italy	13%	8%	6%	8%	9%	14%	0%	5%	37%	13%	11%	8%	4%	13%	9%	11%	6%	10%	7%	13%
Cyprus	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1%	0%	2%	0%	0%	0%	0%	0%	0%
Latvia	0%	2%	6%	0%	2%	1%	0%	1%	0%	1%	2%	1%	0%	2%	0%	0%	0%	3%	1%	1%
Lithuania	0%	0%	0%	0%	0%	1%	0%	0%	0%	0%	0%	0%	0%	0%	2%	3%	2%	1%	4%	1%
Luxembourg	0%	1%	0%	0%	0%	0%	0%	0%	1%	0%	2%	0%	0%	0%	0%	0%	2%	0%	1%	0%
Hungary	8%	0%	18%	0%	3%	1%	2%	3%	3%	1%	0%	1%	0%	0%	2%	6%	4%	1%	6%	2%
Malta	0%	1%	0%	0%	2%	0%	0%	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%	0%	0%
Netherlands	4%	2%	12%	0%	2%	5%	5%	9%	3%	0%	2%	3%	0%	8%	3%	0%	9%	11%	3%	4%
Austria	2%	2%	6%	0%	1%	1%	2%	5%	4%	2%	0%	1%	0%	4%	3%	0%	9%	3%	2%	2%
Poland	0%	1%	0%	8%	1%	1%	2%	3%	0%	2%	2%	8%	4%	0%	5%	6%	2%	3%	17%	3%
Portugal	2%	1%	0%	17%	4%	2%	7%	11%	4%	6%	13%	21%	8%	4%	6%	1%	2%	3%	5%	5%
Romania	2%	3%	6%	0%	3%	4%	3%	0%	0%	2%	2%	2%	15%	4%	1%	11%	0%	6%	10%	3%
Slovenia	21%	1%	0%	0%	1%	1%	2%	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%	3%	1%	1%
Slovakia	2%	1%	6%	0%	1%	1%	2%	0%	0%	1%	0%	0%	0%	0%	1%	3%	0%	1%	1%	1%
Finland	0%	1%	0%	0%	7%	1%	2%	1%	0%	1%	0%	2%	0%	4%	1%	0%	2%	0%	3%	1%
Sweden	0%	0%	0%	8%	14%	1%	5%	0%	0%	2%	0%	1%	0%	2%	0%	0%	4%	6%	0%	2%
UK	0%	3%	0%	0%	7%	8%	10%	7%	6%	11%	17%	7%	4%	13%	5%	0%	6%	8%	4%	7%
Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

***: TA only**