

Policy Department C  
Citizens' Rights and Constitutional Affairs



**RECRUITMENT AND EQUAL OPPORTUNITIES SYSTEMS  
IN NATIONAL, EUROPEAN AND INTERNATIONAL CIVIL  
SERVICES**

**WOMEN'S RIGHTS AND GENDER EQUALITY**





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**Directorate-General for Internal Policies  
Policy Department C  
Citizens' Rights and Constitutional Affairs**

## **RECRUITMENT AND EQUAL OPPORTUNITIES SYSTEMS IN NATIONAL, EUROPEAN AND INTERNATIONAL CIVIL SERVICES**

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# **RECRUITMENT AND EQUAL OPPORTUNITIES SYSTEMS IN NATIONAL, EUROPEAN AND INTERNATIONAL CIVIL SERVICES**



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## EXECUTIVE SUMMARY

After defining the civil service, their size and the proportion of women, this study offers an overview of recruitment systems and equal opportunities policies in the public administrations of the Member States of the European Union, the European Institutions, the Secretariat of the General Assembly of the United Nations and the Secretariat of the Council of Europe. In line with the double role of the national public administration as an employer and policymaker, the equal opportunities policies concern both the gender balance in the organisation and in decision-making positions, as well as gender mainstreaming in the policy process.

Since the accession of 12 additional Member States to the EU in 2004 and 2007, the differences regarding the scope of the civil service and the **definition of ‘civil servants’** have further increased. In this study the focus will be on the civil servants in the central and federal public administration of the Member States based on their national definitions. Knowing the differences between the Member States in defining civil servants, it must be taken into account that in some countries public employees working at the central/federal level do not have the status of civil servants. The percentage of civil servants with such a special status varies between the Member States from 15% to 90%.

The **proportion of women** in the civil service in general has increased. Most of the Member States that have acceded to the EU since 2004, but also the Nordic countries, Ireland and the United Kingdom, have a proportion of 50% or more women among civil servants. The Western Continental and some Southern European Member States still have less than 50% women employed in the public administration. The proportion of women in decision-making positions (EU-27: 32.9%) is much lower than that of women in the civil service in general. For many countries it is less than 25%.

The differences between **the employment systems** within the civil services have also increased since the last two EU enlargements. Ongoing reforms in civil service laws and new forms of public employment contracts, as well as decentralisation and privatisation in the public service have made the distinction between civil servants and other public employees less clear. The differences in the histories of the national civil services and a blurring of the boundaries between private and public sectors are causing policy makers and social partners to change their views on the status of civil servants and the necessity for special policies in their recruitment and equal opportunities systems. Any clear distinction between traditional career-based systems and position-based systems is rapidly fading. An increasing number of public administrations are now using elements of both systems. These hybrid systems use, for example, various kinds of recruitment instruments, depending on the group or positions they are dealing with.

Despite the different **recruitment systems**, recruitment procedures try to combine two main principles: the right to equal access of every qualified citizen and the interest of the public administration in recruiting the best available candidates. There is considerable similarity between the conditions of entry to the civil service in the Member States, but they differ for example in nationality requirements.

The general trend is to abolish age limits, but some Member States have yet to repeal them. In general the minimum recruitment age is 18 years, but it is 15 years in Slovenia and Finland.

The selection methods applied in the Member States to recruit civil servants vary considerably. In career-based systems, the recruitment procedures generally consist of an open competition ('concoirs') aimed at assessing the knowledge of the candidates. In position-based systems, the emphasis is on selecting the best suited candidate for the position to be filled. The recruitment procedure is a combination of examination, scrutiny of the CV and interviews. In hybrid systems, elements of both systems are often combined in the recruitment process. Normally, a distinction between external and internal recruitment also appears. The length of the total process differs depending on the selection methods used, the steps in the procedure and the involved bodies or committees.

The EU Institutions, the United Nations Secretariat and the Secretariat of the Council of Europe generally have career-based systems where regular competitions are held. Amongst the EU Institutions, the selection process has become more centralised since the establishment of the European Personnel Selection Office in 2003, which now holds common selection competitions.

With regard to **equal opportunities**, all Member States have a policy in defence of equal opportunities and a specialised public body with the mission of ensuring equality of treatment. Only in some Member States does the equal opportunities policy include specific actions in their recruitment systems to rectify imbalances (such as defining quotas for posts reserved for women). The main focus now is on increasing the proportion of women in higher-level management positions and on facilitating a better work/life balance for women and men. Overall, the policies of the Member States are more focused on actions and programmes related to employment in general, rather than to their own recruitment systems. If there is a policy for equal opportunities focused on their own recruitment system, it often applies to the public service in general (or even to all employees) and not specifically to civil servants. Looking into Member States' actions, it can be seen that their focus is mainly towards the reconciliation policy and reducing the gender pay gap.

Concerning gender equality policies and programmes in the EU Institutions, the UN Secretariat and the Secretariat of the Council of Europe, several activities have been observed. In all three organisations, positive actions are being taken to recruit from under-represented groups in the civil service. In the event of equal professional qualification, preference is given to the candidate of the gender that is under-represented in the institution or particular unit. Greater attention is also being paid to working conditions and the possibilities of work/life balance. However, despite the general attention given to gender equality issues in all three organisations, women are still under-represented in the higher management positions; the main reason for this being that there are not enough women in the internal pool of suitable candidates at middle-management level. In a career-based employment system, where promotion is the main way of moving up the career ladder, it is difficult to recruit more women in top positions when there are already so few at the lower management levels.

The EU Member States are all committed, not only to gender equality, but also to **gender mainstreaming**. All the definitions used by the Member States state that the gender perspective should be incorporated in all policies and at all levels. Mainstreaming the gender aspect into all policies is the current challenge within most of the public administrations of the EU Member States. In this respect, the most emphasised gender equality issues are the capacity of public institutions to formulate policies and deliver programmes that recognise as well as respond to the different situations and needs of women and men, in order to work towards narrowing any inequalities.

In order to attain sustainable gender equality in society as such, Member States strive to obtain a balanced workforce. In most Member States, women are still under-represented at decision-making levels in most public administration fields. Achieving equal participation of women and men in decision-making throughout all government institutions is both a goal and an indicator of gender equality. Efforts to redress the low representation of women at senior decision-making levels are an important aspect of making these institutions more representative of the public to whom they are accountable. This also requires supportive working conditions, not only at the time of entry to the civil service, but throughout the whole working life of civil servants and public employees. In order to achieve a better work/life balance for women and men, allowing them reconcile their professional and private lives, greater flexibility in working arrangements, such as part-time work, teleworking, flexible working hours and different kinds of special leave for women and men is required.

## Summary and comparative table (part 1)

**Summary and comparative table of the basic characteristics of civil service recruitment systems and equal opportunities policies in the civil services in Member States, European Institutions and international organisations**

	BE	BG	CZ	DK	DE	EE	IE	EL	ES	FR	IT	CY	LV	LT	LU
<b>Condition of entry</b>															
Training required	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Training Period	X	N	N	X	X	N	X	X	X	X	X	X	N	X	N
Probationary period	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Age limits	X	N	X	N	X	X	X	*	X	X	X	N	X	X	*
Nationality laid down by law	X	N	N	X	N	X	N	X	X	X	X	X	X	X	X
Statutory language requirements	X	N	N	N	X	X	X	X	X	X	X	X	N	X	N
Other requirements	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Professional experience assessed	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
<b>Recruitment procedures</b>															
Regular entry competition	X	N	N	N	X	N	X	X	X	X	X	X	N	X	X
Central authority/Indep. Commission	X	X	N	N	N	N	X	N	X	X	N	X	N	N	*
Advertising vacancies	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Applicants' rights against procedure	X	N	X	X	X	X	X	X	X	X	X	X	N	N	X
<b>Equal opportunities policies</b>															
Legal recognition	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Equal opportunities bodies	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Special programmes/ Positive actions	X	X	X	X	X	X	X	X	X	X	X	-	X	X	X
Quotas in favour of women	N	N	N	N	N	N	N	*	N	*	X	N	N	N	N
Compensation procedure	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

**X = Yes**

**N = No**

**\* = Assessed on case-by-case basis**

**- = No information**

## Summary and comparative table (part 2)

**Summary and comparative table of the basic characteristics of civil service recruitment systems and equal opportunities policies in the civil services in Member States, European Institutions and international organisations**

	HU	MT	NL	AT	PL	PT	RO	SI	SK	FI	SE	UK	EU	CoE	UN
<b>Condition of entry</b>															
Training required	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Training Period	N	N	X	X	N	X	N	N	N	X	X	X	N	N	N
Probationary period	X	X	X	X	X	X	X	X	X	X	X	X	X	X	-
Age limits	X	X	N	X	X	X	X	X	X	X	N	N	N	*	X
Nationality laid down by law	N	X	X	N	X	X	N	X	X	N	N	N	X	X	X
Statutory language requirements	X	X	X	X	X	X	N	N	N	X	X	X	X	X	X
Other requirements	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Professional experience assessed	*	*	*	*	*	*	*	*	*	*	*	*	X	X	X
<b>Recruitment procedures</b>															
Regular entry competition	N	N	N	X	N	X	N	N	N	N	N	N	X	X	X
Central authority/Indep. commission	N	X	N	N	X	N	X	N	X	N	N	N	N	X	-
Advertising vacancies	X	X	X	X	X	X	X	X	X	X	X	X	*	X	-
Applicants' rights in procedure	X	X	X	N	X	X	X	X	N	X	X	X	-	-	N
<b>Equal opportunities policy</b>															
Legal recognition	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Equal opportunities bodies	X	X	X	X	X	X	X	X	X	X	X	X	N	X	X
Special programmes/ Positive actions	-	-	X	X	X	X	X	-	-	X	X	X	X	X	X
Quotas in favour of women	N	N	*	*	N	N	N	N	N	X	X	N	X	X	X
Compensation procedure	*	*	*	*	*	*	*	*	*	*	*	*	-	-	-

X = Yes

N = No

\* = Assessed on case-by-case basis

- = No information

## Key<sup>1</sup>

BE:	Belgium
BG:	Bulgaria
CZ:	The Czech Republic
DK:	Denmark
DE:	Germany
EE:	Estonia
IE:	Ireland
EL:	Greece
ES:	Spain
FR:	France
IT:	Italy
CY:	Cyprus
LV:	Latvia
LT:	Lithuania
LU:	Luxembourg
HU:	Hungary
MT:	Malta
NL:	The Netherlands
AT:	Austria
PL:	Poland
PT:	Portugal
RO:	Romania
SI:	Slovenia
SK:	Slovakia
FI:	Finland
SE:	Sweden
UK:	The United Kingdom

**EU:** The European Union Institutions

**CoE:** The Secretariat of the Council of Europe

**UN:** The Secretariat of the General Assembly of the United Nations

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<sup>1</sup> This key only refers to the tables above.

## INTRODUCTION

The aim of this study is to provide an updated version of the study entitled ‘Recruitment and Equal Opportunities Systems’ published by the European Parliament in November 2000<sup>2</sup>, adding the information about those Member States whose accession to the European Union occurred in 2004 and 2007. In addition, the study will provide a comparative analysis of the officially adopted definitions of ‘gender mainstreaming’ and practices linked to this concept in the Member States.

The study offers an overview, based on the most recent data and information, of the recruitment and equal opportunities systems in the national, European and international civil services. The study is divided into five chapters.

**Chapter 1.** Having established a definition of ‘civil service’ and given an impression of the proportion of women in the civil service, the study will analyse the recruitment systems and equal opportunities policies in the public administrations of the Member States of the European Union.

**Chapter 2.** The recruitment systems and equal opportunities policies within the European Institutions’ civil services are analysed in this chapter.

**Chapter 3.** This chapter provides an overview of the recruitment systems and equal opportunities measures applied by the Secretariat of the General Assembly of the United Nations.

**Chapter 4.** This chapter provides an overview of the recruitment systems and equal opportunities measures applied by the Secretariat of the Council of Europe.

**Chapter 5.** In this chapter the official definitions of gender mainstreaming adopted by the Member States are presented. Some methods and examples of gender mainstreaming in the Member States illustrate the practices used.

A summary table, providing key information on the themes related to recruitment procedures and equal opportunities policies, is included at the head of this report. The table is divided into three sections: Conditions of Entry, Recruitment Procedures and Equal Opportunities. The current situation of Member States, the European Institutions, the Council of Europe and the United Nations is indicated. The table details the latest information available in mid-2008.

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<sup>2</sup> Gonzalez Garcia, I., *Recruitment and Equal Opportunities Systems*, FEMM 110A EN, European Parliament, Luxembourg, 2000.



## 1. Civil servants in the EU Member States

The first section of this chapter is based essentially on the work carried out at the European Institute of Public Administration (EIPA) in Maastricht over the last five years, which has resulted in several publications<sup>3</sup>. Country-specific information is also based on fact sheets on the respective websites of Sigma/OECD, the United Nations Public Administration Network (UNPAN) and the European Industrial Relations Observatory (EIRO).

### 1.1. *The definition of the civil service*

The role, organisation and services of public organisations are always changing. This ongoing process of reform and the differences that still exist between different Member States' definitions of the public sector, civil service, public employees and civil servants, make it very difficult to establish a single, common, definition.

Nevertheless, it is useful to begin by defining the scope of what constitutes a 'civil service'. The definition is not, in fact, the whole of the public service, which includes the central state administration as well as regional, provincial and municipal administrations and in France, for example, hospitals' administration. In the same way, public servants (also known as civil servants in some countries) in public enterprises, whose status is often similar to that of state officials, are not included either. The term is limited to staff of the public administration. Public administration is defined as: 'the organisations that are directly subordinated to political power and which are at the service of the executive of the policy-making process'<sup>4</sup>. This mostly means the central or federal administrative authority of the EU Member States.

Since the accession of 12 additional Member States to the EU in 2004 and 2007, the differences between the scope of the civil service and the definition of 'civil servants' have further increased<sup>5</sup>. Ongoing reforms in civil service laws and new forms of public employment contracts, as well as decentralisation and privatisation in the public service, have also blurred the distinction between civil servants and other public employees; it depends on the specific nature of their duties, the tasks concerned, the national criteria and very often the requirement of a specific statutory system, civil service act or regulation or public service law.

'Although most Member States apply a distinction between civil servants and other public employees, this distinction as such, is no longer decisive for deciding which tasks are carried out by whom. In many cases, public employees subject to labour law can exercise important state tasks just as well or badly as civil servants. In addition, specific job requirements can be arranged in an ordinary labour contract: qualification

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<sup>3</sup> See EIPA publications: Written by Demmke, C. and others: *Civil Services in the Accession States* (2003), *Are Civil servants different because they are Civil servants?* (2005), *Decentralisation and accountability as a focus of Public Administration Modernisation* (2006) and *What are public services good at?* (2008).

<sup>4</sup> See 'The Definition of Public Administration', p.17 in: Bossaert, D., Demmke, C. and others, *Civil Services in the Europe of Fifteen*, EIPA, 2001.

<sup>5</sup> See 'The organisation of public-sector employment' in: Bossaert, D. and Demmke, C., *Civil Services in the Accession States*, EIPA, 2003.

requirements, powers, ethical requirements, fairness, professionalism and working conditions, etc<sup>6</sup>.

‘Nevertheless, in most of the Member States, civil servants in the central ministries, police staff, judges, diplomats and soldiers have a special status. In many Member States, sub-national government employment is often not part of the civil service or is considered a separate, legally defined civil service<sup>7</sup>.

**In this study, the focus will be on the civil servants in the central and federal public administration of the Member States, based on their national definitions.**

Due to the differences in national definitions of public services and civil servants<sup>8</sup>, it is not easy to give the total numbers of officials for all Member States together. According to a study on industrial relations in the public sector<sup>9</sup>, 6.9 million officials were employed in the central government and 36.6 million in the public sector (based on data from 2004 and 2005). According to a study on the structure of the civil and public services under the Austrian Presidency<sup>10</sup>, the number of public servants at central/federal level was 6.3 million and the total number of officials was 28.6 million (based on data from 2004 and 2005). In both cases, approximately 20% of the public servants were employed at the central/federal level.

Not all public servants are civil servants with a special status. In several countries, 80-90% of all public employees are civil servants (e.g. Greece and France), in others, half of them are (e.g. Germany, Spain and Cyprus) and in some, less than 15% of them are (e.g. Poland, the Czech Republic, Latvia, Sweden, Italy and the UK)<sup>11</sup>.

- **Women in the civil service**

The representation of women in the civil service in general has increased, but there are still big differences between Member States. The Member States that have acceded to the European Union since 2004 generally have a higher participation of women than most of the Member States that joined the EU earlier. However, the Nordic countries, Ireland and the United Kingdom also have 50%, or more, women among civil servants. Due to fundamental differences in sources, definitions and the groups of positions included or excluded (e.g. defence and/or police), any accurate ranking of the Member States, based on the proportion of women in public administration and defence or as civil servants, is difficult to achieve (see Table 1).

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<sup>6</sup> Demmke, C., *Are Civil Servants different because they are Civil Servants*, EIPA, 2005, op. cit. p. 47.

<sup>7</sup> Ibid., p. 31 and 32.

<sup>8</sup> For example, depending on whether the police and armed forces are included.

<sup>9</sup> Bordogna, L., *Industrial relations in the public sector*, table 2, Eurofound, 2007.

<sup>10</sup> Austrian Federal Chancellery, *Structure of the civil and public services*, Vienna, 2006.

<sup>11</sup> Demmke, C., *Are Civil Servants different because they are Civil Servants*, EIPA, 2005, op. cit. p.34 and 35.

Table 1: The proportion of women in the civil service

	Employed in public administration and defence; compulsory social security*	Civil Servants**
> 70%		Latvia, Lithuania
> 60%		Bulgaria, Estonia, Ireland, Portugal, Romania
> 50%	Estonia, Finland, France, Hungary, Ireland, Latvia, Poland, Slovakia, Sweden, United Kingdom	Cyprus, Czech Republic, Denmark, France, Hungary, Spain, Sweden, United Kingdom
> 40%	Austria, Belgium, Bulgaria, Czech Republic, Denmark, Germany, Lithuania, Netherlands, Slovenia	Belgium, Finland, Greece, Netherlands, Slovenia
> 30%	Cyprus, Greece, Italy, Luxembourg, Portugal, Romania, Spain	Austria, Germany, Luxembourg, Malta,
< 30%	Malta	

\* Source: Eurostat, 2007

\*\* Source: Member States (some missing)

The public administration is responsible for the implementation of gender equality legislation. Therefore, the presence of women in decision-making positions (top two levels) in the civil service is very important. This was recognised in the follow-up process to the Fourth World Conference on Women in Beijing (September 1995), and special indicators were adopted by the Council of the European Union in 1999<sup>12</sup>. Since that time, there has been a significant improvement in the gender balance at the top two levels of the civil service. In 1999, on average 16.9% of the highest-ranking positions in the EU-15 were held by women. By 2007, the average proportion of women at the highest levels had increased to 32.9% in the EU-27 and 19.5% within the European Institutions<sup>13</sup>.

Interestingly, six of the seven most closely gender-balanced countries (in which over 40% of the highest civil service positions are held by women) are Member States of the two most recent rounds of accession to the European Union. At the other end of the scale, the proportion of women holding high positions in the civil service is still very low (under 15%) in Germany, Ireland, Cyprus, Belgium and Luxembourg (see Table 2).

<sup>12</sup> Council of the European Union, 11829/1/99, Brussels, 1999.

<sup>13</sup> European Commission, DG for Employment, Social Affairs and Equal Opportunities, *Women and men in decision-making 2007, Analysis of the situation and trends*, 2008.

Table 2: The proportion of the highest ranking women civil servants\*

	Civil servants at the highest level*	
	Country	Women (%)
> 40%	Bulgaria	51
	Slovenia	48
	Latvia	46
	Hungary	44
	Slovakia	
	Poland	43
	Sweden	
> 30%	Portugal	36
	Finland	
	Romania	35
	Greece	34
	Italy	
	Spain	33
	European Parliament	
> 20%	Estonia	27
	Austria	26
	Lithuania	25
	France	24
	Czech Republic	23
	United Kingdom	22
	Denmark	21
> 10%	Netherlands	18
	European Commission	
	Malta	17
	Council of the European Union	16
	Germany	14
	Ireland	
	Cyprus	13
	Belgium	12
< 10%	Luxembourg	6

\* This includes the civil servants in the two highest-ranking positions (posts of Director-General, Deputy Director-General, Director and Principal Advisor, or equivalent)

Source: European Commission, DG EMPL, Database on decision-making women and men (Data collected between 19/02/2008 - 13/03/2008)

### 1.1.1. The civil service and the European Union: the civil service – a national prerogative

The European Union has no formal competence with regard to the civil services of its Member States. The only clear reference to ‘public administration’ in the treaties is in Article 39 of the European Community Treaty, which lays down the principle of freedom of movement of workers and stipulates, in paragraph 4, that ‘the provisions of the present article shall not apply to employment in the public service’. This basic principle having been established clearly shows that the organisation and operating regulations of the civil service authorities of Member States exclusively fall within their own competence. The principle of subsidiary therefore applies.

With regard to the freedom of movement of public officials, the Court of Justice of the European Communities has clearly established<sup>14</sup> that the exception defined in Article 39(4) cannot nullify the actual objective of the Treaty in this regard, which is to facilitate free movement and not restrict it. This provision must therefore be interpreted within limits. The only public service officials excluded from this basic principle of freedom of movement are the holders of posts involving direct or indirect participation in the exercise of powers conferred by public law and of duties designed to underpin the general interests of the state or of other public authorities.

Through this policy of freedom of movement, as with the policy of equal opportunities for men and women in general, the European Union has effectively worked its way indirectly to the very heart of civil service staff management. This has in turn led to the collapse of a traditionally-held principle in all the states, namely that entry into the civil service is reserved for nationals of that state alone. Today, the principle of openness of civil service posts, except for the few cases described above, is exercised in every Member State of the Union.

As freedom of movement cannot be limited to entry at the beginning of civil servants' careers, but must also allow for mobility across Europe throughout their careers, other elements must be brought into play. In the European Year of Workers' Mobility (2006), a comparative overview of the cross-border mobility of public sector workers was published under the Austrian Presidency. It covers its legal basis and the specific posts reserved for nationals, as well as other aspects such as the recognition of professional experience, seniority and the language requirements of all Member States<sup>15</sup>.

In the absence of a Council of Civil Service Ministers in the European Union, informal cooperation has existed for several years. On this basis, 12 informal meetings of ministers responsible for the civil service have been held since 1988, and 50 six-monthly meetings of civil service Directors-General have been organised. The 50th meeting was held in Brdo (Slovenia) on 28 and 29 May 2008, under the Slovenian Presidency. During these meetings, exchanges of experience take place in the field of public service management, particularly where it concerns administrative reforms, modernisation processes and staff management initiatives, social dialogue, as well as developments in quality policy, decentralisation, 'New Public Management' and Human Resources Management.

### **1.1.2. Statutory and non-statutory civil service**

Some countries make reference to a 'statute' for civil servants or state officials, while others merely refer to conditions of employment or labour law applicable to staff in public organisations. The rules defining the conditions of employment are usually based on public law and frequently differ from the rules applicable to private sector employees.

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<sup>14</sup> For case law on employment in the public service, see directory code B-04.02.02 on: <http://eur-lex.europa.eu>

<sup>15</sup> For more specific information, see: *Cross-border mobility of public sector workers*, the Austrian Federal Chancellery, 2006.

Reference is made to ‘statutory public duty’ when legal standards establish labour law that draws a clear distinction between conditions of civil service employment and conditions governing common labour law. For example, this is the case in France, Belgium, Germany, Spain, Portugal, Poland and Greece.

Reference is not made to a ‘statute’ when civil service law establishes that common labour law is applicable (with a few exceptions) to state officials or civil servants. For example, this is the case in Sweden, Finland, Denmark, the Netherlands, the Czech Republic, Hungary and Italy.

Finally, many states employ both staff with an official ‘status’, for whom the term ‘civil servant’ is often reserved, as well as non-statutory and contractual staff.

### **1.1.3. Civil service organisational systems in the Member States**

The focus of this study is mainly on Human Resources Management in the Member States civil services, of which recruitment and equal opportunities systems are part. In many OECD and EIPA studies, a model has been used that introduce a distinction between two main patterns of public service employment assumed to have a profound effect on the public administration culture in the Member States. Although there is no longer a civil service that could be described solely as a classic ‘career-based model’ or a purely ‘position-based model’ as many countries seem to have developed hybrid systems, it is still useful to group the Member States according to their predominant orientation.

- ❑ **Career-based systems** are characterised by the dominance of life-long public service careers, specific entry criteria, a strong emphasis on career development with a high relevance of seniority and a relatively strong differentiation between private and public sector employment;
- ❑ **Position-based systems** are characterised by a focus on selecting candidates for each position, more open access, and greater mobility between private and public sector employment.

The main facet of the career-based system is the recruitment of civil servants for a specific career, during which they will be promoted and their salaries increased in accordance with statutory regulations. The law provides for basic conditions of access in relation to training. This type of system has a very noticeable hierarchy and is based on various levels of career and career development. The civil servant is granted a permanent job after completing specific training or a period of probation.

The fundamental principle of the position-based system is that civil servants are not recruited for a specific career, but to a specific post or position. Applicants must satisfy the requirements laid down by the department or agency in question. This system makes no provision for the granting of a permanent job, or for promotion within a statutory career development system. The conditions of the work contract are flexible in order to respond to individual interests and to the needs both of the department that is recruiting and of the civil servant, in the context of collective

agreements. Employment in the position-based system is similar in many ways to employment in the private sector.

It has been noted that an increasing number of states are beginning to combine traits of both these systems. These models can be described as mixed or hybrid systems, because the configuration of the civil services of some Member States shows a mix between the two different types of system. Other Member States may also combine such traits in the near future (e.g. Spain is currently introducing some elements of the position-based system).

The two main employment systems and the Member States concerned, as well as the Member States that have a more or less hybrid system, are set out in table 3.

Table 3: The Member States with career-based, position-based and hybrid systems

	Career-based	Hybrid	Position-based
<b>Member States</b>	Austria Belgium Cyprus France Germany Greece Ireland Lithuania Luxembourg Portugal Romania Spain	Bulgaria Hungary Italy Latvia Malta Poland Slovakia Slovenia	Czech Republic Denmark Estonia Finland Netherlands Sweden United Kingdom

#### 1.1.4. Levels of regulation of the public services in the Member States

Almost all the constitutions of the EU Member States contain provisions relating to the civil service, but the nature of the provisions differs. The only exception is Ireland, where the constitution makes no specific mention of the civil service. The same could be said of the United Kingdom, but this is because this country does not have a written constitution.

The other constitutions containing provisions relating to the civil service can be divided into approximately four groups on the basis of common characteristics:

- Luxembourg, Poland, Slovenia and Belgium: Their respective constitutions lay down basic principles for access to civil service jobs, although they do not contain major provisions particular to the civil service itself.
- Denmark, France, the Netherlands, Spain, Sweden, Finland, Germany, Malta, Austria, Slovakia and Italy: These Member States subject their civil service to legal provisions. In addition, the constitutions of these countries contain specific provisions of crucial importance to the civil service.
- Bulgaria, Romania, Hungary, Latvia, Estonia, Lithuania and the Czech Republic: Their respective constitutions contain only a rather brief reference to the public service (mostly on equal rights for citizens to access the public service).

- Greece and Portugal: These countries have lengthy and detailed constitutional provisions on the subject of the civil service.

In most of the EU Member States, the basic provisions are laid down in a ‘public administration law’ or ‘civil service code’. The only exceptions to this rule are Belgium and the United Kingdom. These two countries have hardly any provisions of a legal nature relating to the civil service, but instead make use of secondary legislation, most often in the form of decrees.

In Austria, the basic provisions were established in the Federal Civil Service Law (‘Beamten-Dienstrechtsgesetz’) of 1979, with several subsequent amendments.

In Belgium, the Royal Decree of 2 October 1937, establishing the status of officials of the state, is complemented by numerous implementing provisions.

In Bulgaria, the civil service is regulated by the Civil Service Act of 1999, several times amended or supplemented.

In Cyprus, the Civil Service Act of 1990 (No. 1) regulates the status of civil servants. Other acts concerning the public service, which came into force between 1990 and 2000, were amended in 2001 (Act No.4). This Act was further supplemented in 2003.

In the Czech Republic, the basic law for civil servants in the State Bodies and Administration Offices (Civil Service Act), which was passed on 26 April 2002, has not yet been completely put into force. It governs only specific differences of labour relations, in general regulated by the Labour Code (2006). Implementation of parts of the Civil Service Act began in 2004, but full implementation has been postponed due to financial implications and the lack of genuine support. New amendments, or a replacement of the Act, are foreseen for 2009.

In Denmark, the status of civil servants was established by Law No 201, dated 18 June 1969, relating to civil servants (‘Tjenestemandslø’) and complemented by numerous texts applying from 1990 onwards. Since 1 January 2001, civil service appointments have been narrowed down to special positions in the state sector.

In Estonia, the status of the civil service is, based on Article 30 of the Constitution of 1992, regulated by the Public Service Act of 1995, in force since 1996, and some major amendments which entered into force in 2004.

In Finland, a new Civil Servants Statute was produced in 1994 together with Law No 750/94 concerning State Civil Servants (‘Valtion virkamieslaki’) and completed by a number of amendments and specific regulations.

France has three laws that make up the General Civil Service Statute: Law No 83-634, dated 13 July 1983, laying down the rights and obligations of civil servants (the Le Pors Law); Law No 84-16, dated 11 January 1984, laying down statutory provisions relative to the State Civil Service; and Law No 84-53, dated 26 January 1984, laying down statutory provisions relating to territorial civil servants. Specific laws and a great number of statutes related to specific groups of civil servants complement these

laws. In 2005, Law No. 843 introduced new rules for the general status of civil servants.

In Germany, a framework civil service law exists, the *Beamtenrechtsrahmengesetz*, dated 1 July 1957. General statutes regulate the federal civil service (*Bundesbeamtengesetz*, BBG) and the civil service in each province (*Landesbeamtengesetze*) as well as texts that complement these laws on certain points.

In Greece, general provisions relating to civil servants can be found in numerous texts. However, a compilation of the 1951 General Statute and of all the regulatory and legislative measures can be found in the Civil Servants Code, Law No 2683/1999.

In Hungary, Act XXIII of 1992 on Civil Servants regulates civil servants of central public authorities and local governments. State secretaries and their deputies, as well as political advisors are also considered to be civil servants. The Civil Service Act was passed in 1992 with successive amendments until the major amendment of spring 2001, in which the scope of the civil service was reduced, and with several other important amendments since.

In Italy, the General State Civil Employees Statute dated 10 January 1957 has been complemented by another text that brings together all the regulatory standards for implementing the legislative statute. The legislative decree dated 3 February 1993 and the decree of 1999 concern a rationalisation of the organisation of public administration and a review of discipline in the field of public employment. The last one also introduced the private regulation of civil servants' employment conditions and wages. In 1998, 2001 and 2002 new legislation regulated the extension of collective bargaining for senior civil servants and the appointment of top-level civil servants.

In Ireland, there is no single official legal instrument that combines all the regulations governing the civil service, although there are at least two laws that apply specifically to it: the Civil Service Commissioners Act and the Civil Service Regulation Act of 1956. These laws are not, however, a general codification of the provisions applicable to the civil service; these are instead found, in part, in other laws and mostly in other regulatory measures that are quite widely scattered. Recruitment and appointments are regulated in the Public Service Management Act of 2004.

In Latvia, the State Civil Service Law of 2000 entered into force in 2001. Together with secondary legislation it regulates the status, rights and obligations as well as the working conditions of civil servants.

In Lithuania, the Civil Service Act of July 1999 divided civil servants into four categories (A, B, C and D, according to the educational level required for entry) and 30 grades, depending on the educational level and the rank of the post. The 2002 amendments reduced the categories to two: A (with higher university education) and B (with a higher non-university degree), and reduced the number of grades to 20.

In Luxembourg, the Law of 16 April 1979 establishing the general status of officials of the state is complemented by a large number of Grand-Ducal regulations. The last major modification of the general statute is the Law of 30 May 2008.

In Malta, the Constitution<sup>16</sup>, the Public Service Commission regulations of 1960 and 1999 and the Public Service Management Code of 2002 regulate the civil servants statute. The Public Service Management Code was amended in January 2007.

In the Netherlands, general provisions are contained both in the Law of 12 December 1929, setting out rules concerning the legal status of civil servants ('Ambtenarenwet, AW'), and in the general regulation concerning the civil service in the Kingdom, dated 12 June 1931 ('Algemeen Rijksambtenarenreglement, ARAR'), as well as in a large number of laws and regulations relating to specific matters.

In Poland, the status of civil servants is regulated by Article 153 of the Constitution and the Civil Service Law of 18 December 1998, in force since July 1999.

In Portugal, the State Civil Service Statute consists of several laws and legal decrees based on the constitution that have yet to become the subject of an official compilation. The staff recruitment and selection regime was laid down in a Decree-Law of July 1998 and amended by the Law in 2004 and several supplemental laws. In 2008, a new law established the reform of the civil service career system and the employment relationship in the public sector (Law 12A/2008).

In Romania, the status of, and access to, the civil service is regulated in the Civil Servants Law No.188/1999, which was amended and supplemented several times and republished in May 2007.

In Slovakia, the new Civil Service Act was adopted in July 2001 and the entirety of the act came into force on 1 April 2002. It was amended in 2003 the amendments and entered into force as of 1 January 2008.

In Slovenia, the Civil Servants' Act (June 2002) divides the public service into two main groups: 'officials' and 'professional-technical public servants' (non-officials). Only 'officials' are classified as civil servants. The Civil Servants Act was revised in 2005.

In Spain, the State Civil Servants Law ('Ley de funcionarios civiles del Estado'), dated 7 February 1964, and the Constitution of 1978, revised by various laws, establish the general status of career civil servants working in the central administration. In 1997 a major reform took place and, more recently, a new Basic Statute on the Civil Service was agreed in May 2006 and came into force in 2007 (Act No. 7/2007).

In Sweden, the number of provisions in the law relating to public employment has decreased progressively, giving way to laws governing collective agreements and common labour law.

In the United Kingdom, the Civil Service Management Code is the regulatory code that has governed conditions for entry to and work in the civil service since 1 January 1996. A new Civil Service Code was published on 6 June 2006.

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<sup>16</sup> Sections 86, 92, 109-112, 114,115 and 121 of *the Constitution of Malta regulate the authority and functions of the Public Service Commission to supervise the public service.*

## ***1.2. Member States: an analysis of recruitment systems and equal opportunities policies in the civil service***

This section provides a comparative analysis of the methods of recruiting civil servants in the 27 Member States of the European Union.

As in the previous study of the European Parliament<sup>17</sup>, the following aspects will be analysed:

- The entry conditions;
- The recruitment procedures;
- The equal opportunities policies.

With regard to entry conditions, the subjects analysed are: the training required to be eligible to apply for a central civil service post, the presence or absence of a prior training period, the obligation to complete a probationary period, lower and upper age limits for entry, requirements relating to nationality, language requirements and an assessment of previous civil service or private sector work experience.

Concerning recruitment procedures, the topics analysed are: the competent recruiting authority, advertising of vacancies, applicant selection methods and applicants' rights within the recruitment procedure.

The analysis also covers Member States' specific equal opportunities policies, actions and programmes. The plans mentioned in this study are relevant to the public sector and address equal opportunities issues in general, not only in terms of recruitment policy.

### **1.2.1. Conditions for entering the civil service**

Every citizen has a right to compete for public employment, provided they meet the general requirements established by law as well as the specific requirements set out in the vacancy notice.

- **Training required**

In all the 27 Member States, the civil service is open to graduates and non-graduates alike, depending on the level of the position. As summarised by González García (2000), the general requirements are as follows:

1. Lower career: ordinary educational and/or professional qualification
2. Middle career: upper secondary educational and/or professional qualification
3. Higher middle career: full upper secondary educational qualification, substantiated by a qualification or work experience
4. Higher career: full university qualification (master's degree or equivalent)

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<sup>17</sup> Gonzalez Garcia, I., *Recruitment and Equal Opportunities Systems*, FEMM 110A EN, European Parliament, Luxembourg, 2000.

In Denmark, Finland, Italy, the Netherlands, Sweden, Bulgaria and Romania, the role of clerical officer without specialisation requires no specialised study or degree and has no specific minimum educational requirements other than a good general education. In Austria, Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the United Kingdom, the roles of a more specialised clerical officer, such as a clerical head of department, accountant, personnel officer, purchasing officer, public relations officer, computer programmer, or senior administration officer, require specialised study in the relevant fields.

In Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Luxembourg, the Netherlands, Portugal, Sweden and the United Kingdom, for an administrative officer a professional qualification or an academic background is required. This requirement refers very often to the field of public law (constitutional, administrative, taxation and budgetary legal systems of the country). This requirement could also be supplemented by specific knowledge relevant for the domain of the vacancies to be filled (e.g. labour and social security laws for labour inspectors; customs and international trade regulations for customs inspectors; organisational theory and accounting for administrators).

- **Training period**

In Austria, Belgium, Denmark, Finland, France, Germany, Ireland, Luxembourg, the Netherlands, Portugal, Sweden and the United Kingdom, civil servants follow a period of introduction and training at the initial stage of a new appointment at every level of their career.

In Austria, Cyprus, Denmark, France, Greece, Italy, Luxembourg, Portugal and Spain, access to management or upper level posts is subject to competitive selection and involves a 12-month training course, generally organised by the national school of public administration.

In the other Member States there is no training period, apart from a basic introduction.

- **Probationary period**

In all the Member States, an appointment is not complete (and an appointee does not receive all of the civil service protections) until a probationary period has been served. Probation allows the employer to train the appointee and determine whether he or she will be able to actually perform the duties of the position. The length of the probationary period depends on the country's specific regulations of the corps and on the position to be filled.

In career systems, a probationary period usually follows recruitment. During this period, the newly-recruited civil servant is expected to participate in a set of general and specific training activities and at the same time can be tutored at work by a senior civil servant.

In Austria, Belgium, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxemburg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the United Kingdom, the probationary period is three to six months, depending on the duty or career involved. In Finland, Sweden and the United Kingdom, it is possible to fix a longer, compulsory probation period. In Bulgaria, the Czech Republic and Romania, the period is one year.

At the end of the probationary period, the civil servant can either be dismissed from the civil service due to unsatisfactory performance or confirmed as a permanent or lifelong career civil servant.

- **Age limit**

As regards the upper age limit, the general trend is to abolish it to respect the need for age-related employment equality. In the Netherlands, Denmark, Finland, Italy, the United Kingdom, Bulgaria, Cyprus, the Czech Republic, Estonia, Lithuania, Portugal and Sweden, there is no upper age limit. In Belgium, Ireland, Romania, Slovakia, Poland and Germany, the upper age limit is 50; in Luxembourg, Hungary, Slovenia and Austria, it is 40; in Greece, Spain, France, Malta and Latvia, it varies according to the post to be filled.

As regards the lower age limit, in Germany, France, Italy, Portugal, Austria, Slovakia, Malta, Latvia, Lithuania, Poland, Estonia, the Czech Republic and Spain the limit is 18, in Slovenia and Finland it is 15, in Denmark and Hungary it varies from 18 to 20, in Greece it varies from 20 to 21, in Luxembourg it varies from 19 to 25, and in Belgium ministries have the power to fix a lower age limit. In the United Kingdom, Ireland, the Netherlands, Bulgaria, Romania, Cyprus and Sweden there is no limit.

In all Member States except the United Kingdom, Ireland, the Netherlands, Bulgaria, Romania, Cyprus and Sweden, the ministries or departments have the power to change or introduce age limits to meet the requirements of specific duties.

- **Nationality**

According to Article 39 (4) EC, the free movement of workers does not apply to employment in the public sector. However, this derogation has been interpreted in a very restrictive way by the European Court of Justice and therefore Member States are only allowed to restrict public sector posts to their nationals if they involve the exercise of public authority and the responsibility for safeguarding the national interests of the state. These criteria must be evaluated on a case-by-case basis, in view of the nature of the tasks and responsibilities involved in the post in question. Recruitment procedures must therefore be open to other EU citizens, unless the posts accessible via that procedure fulfil the criteria mentioned above.

In the United Kingdom a candidate can apply for any job in the Civil Service as long as he/she is a UK national or has dual nationality with one part of that nationality being a UK national. In addition, about 75% of Civil Service posts are open to Commonwealth citizens and nationals of any of the Member States of the European

Economic Area (EEA). The remainder, which require special allegiance to the state, are reserved for UK nationals. This includes most 'Fast Stream' posts<sup>18</sup>.

Also in France and Austria, nationals of any of the Member States of the European Economic Area (EEA) can apply for nearly any civil service posts.

In Greece, Italy, Hungary, Spain and Portugal, non-nationals may not be appointed to the civil service unless they meet the state-required qualifications for relevant positions.

In Belgium, Cyprus, Denmark, Estonia, Finland, Ireland, Latvia, Lithuania, Luxembourg, Malta, Poland, Slovakia, Slovenia and Spain, there is a general statutory prohibition on the employment of non-nationals in the civil service; however, nationality rules in their recruitment and appointment procedures for specific posts concerning eligibility for employment can be modified and regulated by government departments and other bodies within the home civil service in their recruitment and appointment procedures for specific posts.

In the other countries, no legislation lays down nationality conditions for entry into the civil service.

- **Linguistic requirements**

In all Member States, knowledge of the national language is a basic requirement to enter the civil service. In Austria, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and the United Kingdom this is required by law.

In Belgium, knowledge of French and Flemish is required by law. In Ireland, knowledge of Gaelic is considered an advantage to enter the civil service. In Italy's Trentino region, knowledge of Italian and German is required by law and similarly knowledge of Italian and French in the Valle d'Aosta region.

- **Other requirements**

The requirements vary according to the specific duties and terms of references of the different posts. This means that, in addition to the academic background of candidates and any additional educational or training activities participated in by them, the recruitment procedure is also aimed at assessing the personal experience and different characteristics of the candidates, in order to guarantee an acceptable performance standard in the post from the very beginning.

In all Member States, applicants must enjoy all civil and political rights. A medical examination is required for all original probationary appointments on entrance and may be required for re-employment, promotions and/or transfers. Good moral

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<sup>18</sup> The 'Fast Stream' is the Civil Service's accelerated development programme to enter the civil service in the UK. Those who join the Fast Stream are guaranteed a series of intensive job replacements designed to prepare them for senior managerial positions. Fast streamers regularly move between projects and sections with their departments; they might have the opportunity for a secondment to another department or agency.

character is required of all applicants. Applicants must possess physical fitness and not have been convicted of a crime by a judgement of first instance.

Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom require in addition a clean criminal record<sup>19</sup>.

Austria, Cyprus, Denmark, Finland, Germany and Greece require the fulfilment of military service obligations.

- **Assessment of work experience**

In all Member States, the assessment of work experience depends on the specific duties required for the post.

In Portugal, work experience relevant to the post to be filled is a condition of entry only for higher technical staff.

In Austria, Cyprus, Denmark, Estonia, Finland, Ireland, Latvia, Luxembourg, the Netherlands, Poland, Slovenia, Sweden and the United Kingdom, in addition to requirements in terms of studies, work experience both in the public and private sectors is seen as an important requirement (in general) and in specific cases can act as a substitute for educational requirements. In some cases, work experience in the private sector can be recognised in the seniority system.

In Italy, France, Belgium, Greece and Spain, work experience in the private sector is not generally considered in the assessment of work experience.

## **Concluding Remarks**

A nationality requirement does not always apply in the case of EU citizens, but for certain posts it remains a requirement. A University degree is generally required for access to the highest category of civil servants. The general trend is to abolish age limits, but some Member States have yet to repeal them. In general, the minimum recruitment age limit is 18, but it is 15 in Slovenia and Finland. Mastery of the official language(s) of the Member State is also a legal obligation in some Member States.

### **1.2.2. Civil service recruitment procedures**

The selection methods applied in the Member States to recruit civil servants vary considerably. In career-based systems, the recruitment procedures generally consist of an open competition ('concours') aimed at checking the knowledge of the candidates. In position-based systems, the emphasis is on selecting the best-suited candidate for

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<sup>19</sup> Criminal record includes all crimes, not only the crime convicted by a judgement of first instance.

the position to be filled. The recruitment procedure is a combination of an examination, scrutiny of the CV and interviews.

There is also a distinction to be made between external and internal recruitment. External recruitment is open to everyone meeting the general requirements laid down by law and those stipulated in the vacancy notice. Internal recruitment is usually restricted to civil servants that are already working in the civil service and is mainly used as a method of promotion, particularly in career-based systems

- **Competent recruiting authority**

In Austria, Germany, Denmark, Estonia, Finland, Greece, Italy, Portugal, the Czech Republic, Hungary, Lithuania, Latvia, the Netherlands, Sweden, Slovenia and the United Kingdom, the systems are decentralised, with ministries having their own particular procedures.

In Spain, France, Romania and Bulgaria the system is centralised.

In Ireland, Malta, Poland, Slovakia, Belgium and Cyprus, the recruitment authority is an independent Committee which is appointed at the central level and can be in charge for the recruitment procedures at both central and decentralised level.

In Luxembourg, recruitment is either centralised within the Civil Service Ministry or decentralised within the various administrations, depending on the nature of the post.

- **Advertising of vacancies**

The information on vacancies in the civil service is accessible to all citizens. In all Member States the information on posts vacant within the civil service are published in the states' official gazettes and journals. The official gazettes and journals are all available in hard copy and online. In addition, the vacancies are advertised in the recruitment section of national newspapers and disseminated via the national employment agency. In France, a provisional timetable of competitions planned for the following year is published in December. Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom use official websites to publicise vacancies.

The official Member States' gazettes and journals, in which, among other things, the vacancies for the civil service are published, are listed in Annex No.1.

- **Selection methods for the general civil service**

Open competition is a selection method used by all Member States, although the career-based system does not require recruitment solely by competition. Competitive selection has a number of stages in all Member States. Entry competitions are used either for the recruitment of civil service staff in general or senior civil service level.

Austria, Belgium, France, Germany, Greece, Ireland, Italy, Lithuania, Luxembourg, Portugal, Romania and Spain hold (periodic) open competitions for entry to the lowest

level of the civil service. Written and/or oral tests are conducted, and candidates are ranked according to the scores they obtain in the examinations. The other countries hold competitions in accordance with vacant posts.

Written tests are normally the first stage of selection and vary depending on the level of the post to be filled. Written tests are used to reduce the overall number of candidates and only those candidates who reach the state's requested standard in the written tests proceed to later stages of the competition.

In Austria, Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Malta, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom, a pre-selection system can be required by the authority in charge of the selection procedures based on documents supplied by candidates (curriculum vitae, motivation letter, diplomas, references, etc.) followed by a recruitment interview based on competence, skills and professional experience.

Belgium, Luxembourg, Germany, Ireland and the United Kingdom use computer-aided selection methods and these can include ability, personality, reasoning and aptitude tests and simulation exercises.

The final stage is usually an oral test or interview. The oral test is used to assess suitability to undertake the duties of the post to be filled. In Austria, Belgium, Germany, Luxembourg, Portugal and Slovakia, psychological tests or assessments and/or individual interviews with psychologists are used. The final decision is made by a recruitment commission, or can be entrusted to the head of the convening department.

Belgium, France, Germany, Italy, Portugal, Spain, Denmark, the Netherlands and the United Kingdom have specific regulations which allow for obviating the public competition as a general rule, without needing specific regulations, due to the high degree of flexibility of their generic recruitment legislation.

In the United Kingdom, the Crown can directly nominate individuals as civil servants without any intervention on the part of the civil service Commission. In Germany, Italy, Portugal and Spain there is a possibility to recruit political functionaries (political appointees) directly, without a 'concours'.

- **Selection methods for high-ranking civil service**

Almost all Member States have a recognised group of higher-ranking civil servants or top managers in their civil services. In some countries, their status is more formalised and privileged than in others, through national legislation. These countries are: Bulgaria, Cyprus, Estonia, Italy, Malta, the Netherlands, Poland, Portugal, Romania and the United Kingdom.

In some of the countries there are different recruitment procedures for the senior management group. France selects its top recruits via a competitive examination early in their careers and manages them as a group throughout their careers.

The Netherlands, which introduced a senior civil service in 1995, mirrors the private sector in its top-level recruitment (i.e. without examination, by announcing the vacancy in newspapers, by taking into account candidates' CVs, interviewing by a selecting committee or panel, and so forth). Anybody meeting the requirements can participate, either from inside or from outside the administration.

In Ireland, the recruitment of top managers has changed over the last few years. Although Ireland pursues a career-based employment system for its civil servants, for senior management positions the system is becoming more open and a good proportion of these positions are now open to external recruitment.

In Italy, public managers are selected through two main channels:

1. 2/3 of the vacancies are covered by competitive examination, held by each public administration and followed by initial training at the National School for Public Administration (SSPA).
2. 1/3 of the vacancies are covered through a competitive selection, including a 12-month training course organised by SSPA and followed by a final selection examination, the 'Corso-Concorso'.

In Poland, a State Staffing Pool was created in 2006 for high ranking positions in order to recruit more skilled and qualified managers through a centralised and more efficient procedure. The pool is made up of: civil servants, persons who have passed the national examination, persons with a Ph.D. degree, persons who have succeeded in the competition announced by the Prime Minister and persons appointed by the President of Republic of Poland to be a Polish representative to other countries and international organisations.

In 2004, a special regulation regarding civil service management positions was introduced in Portugal. The Law 2/2004 of 15 January 2004 established differences between managers. The management positions are ranked as top and middle service management, sub-divided respectively into two levels according to the hierarchical level, competencies and assigned accountabilities. Top managers are recruited among holders of a university degree, either with or without work experience in public administration, and the appropriate technical skills, ability, professional experience and training for the post.

In Romania, Article 12 of the Statute of Civil Servants (1999) defines high-ranking civil servants as one of the public positions categories. There is a special law on recruitment, appraisal and mobility of high-ranking civil servants. Senior civil servants are recruited by a special commission appointed by the Prime Minister. Candidates have to meet certain expertise criteria and they are initially appointed as government inspectors (the lowest level of the high-ranking positions). The candidates for senior management positions are selected through a national contest organised once a year.

In Spain, certain positions considered as senior management positions, are occupied by civil servants (certain positions may be open to non-civil servants with the required qualifications and experience) through a selection process based on the public announcement of the vacancy and a discretionary, but justified, decision by the

relevant minister. These appointments are always temporary and the incumbents subsequently return to their former (or similar) civil service positions.

In the United Kingdom, Permanent Secretaries, their deputies, Under Secretaries and so on (grades 1 to 5) are mainly drawn from within the civil service, although in recent times grade 1 to 3 vacancies have been open to external competition, mainly through the Administration Trainee and Higher Executive Officer Schemes. This entails an application assessment and, if the outcome is positive, a fairly demanding qualifying test. Successful candidates go through an additional series of tests, examinations and interviews by the Civil Service Selection Board, which recommends selections to the Final Selection Board, which conducts further interviews. In addition, a so-called 'fast stream' for recruitment refers to a process of recruitment of graduates to the civil service, with opportunities for fast-track training and promotion. Graduates are generalists and are centrally recruited through the Recruitment and Assessment Service Agency with tests, interviews and a panel review by the Civil Service Selection Board. The senior civil service is now mainly nurtured from this pool of generalists.

Although other Member States have a recognised senior management group, specific recruitment conditions do not apply.

- **Rights of applicants within the recruitment procedure**

In all Member States, applicants have the right to a judicial review of the recruitment decision, either carried out by specialised administrative or common labour courts. The European Court of Justice compels EU Member States to have systems for judicial review accessible to all civil service candidates, entitling the latter to be informed of the grounds of an eventual rejection of their candidacy.

A fairly elaborate system of appeal against recruitment decisions exists in Belgium, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Luxembourg, Romania, Malta, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom. As a matter of fact, the outcomes of these challenges constitute a very important part of administrative case law in countries such as France, Spain and Italy.

In Austria, Bulgaria, Latvia, Lithuania, Slovakia and Slovenia there is only the opportunity to appeal against the final decision if a procedural irregularity can be proved by more than one applicant. A procedural irregularity is defined as an occurrence where a procedure has not been followed. An applicant's grievance about the outcome of the selection process, such as not being short-listed or not being appointed, is not a procedural irregularity.

### **Concluding remarks**

The selection methods applied in the Member States to recruit civil servants vary considerably. In career-based systems, the recruitment procedures generally consist of an open competition ('concours') aimed at checking the knowledge of the candidates. In position-based systems, the emphasis is on selecting the best-suited candidate for the position to be filled. The recruitment procedure is a combination of examinations,

scrutiny of the CV and interviews. A distinction between external and internal recruitment also appears. External recruitment is open to every person meeting the general requirements laid down by law and on the basis of the vacancy notice. Internal recruitment is usually restricted to civil servants already in service, and is mainly used as a method of promotion, particularly in career-based systems. Depending on the selection methods used, the steps in the procedure and the bodies or committees involved, the length of the total process differs significantly.

### **1.2.3. Policy of equal opportunities for women and men**

In all the Member States, equal opportunity rights of women and men are established by law. All the Member States have declared a policy of positive action for gender equality in their public administrations and all the Member States' equal opportunities policies are available – with the exception of Cyprus, Hungary, Luxembourg, Malta, Portugal, Slovakia and Slovenia<sup>20</sup>.

These policies, and their respective programmes and actions, are designed to apply both to the public and private sectors. Due to the blurred distinction between the private and public sectors and between public employees and civil servants (see section 1.1), in several Member States the civil service is also regulated under the general labour laws and so do not require specific equal opportunities policies. Other Member States do have special policies, programmes or positive action plans for the civil service. Equal opportunities for women and men generally form a part of wider equal opportunity or diversity policies.

Therefore, this section will analyse the available examples of positive actions and special programmes, as these actions and programmes applied to the Member States' public sectors, and – if it is the case – especially to the civil services' own organisations.

Information available on quotas in favour of women and on unequal opportunities compensation procedures are also provided, as well as a list of the authorities responsible for equal opportunities (see Annex No. 2).

- **Institutions and bodies responsible for equal opportunities**

All Member States have a national public body with the specific mission of dealing with equal opportunities issues. During the 2007 European Year of Equal Opportunities these bodies were designated by the participating countries at national level as a National Implementing Body (NIB) to identify and implement activities. The NIBs have set out national strategies<sup>21</sup> explaining how to redress discrimination on the grounds of gender, race or ethnic origin, religion or belief, disability, age and gender orientation in their respective countries. The 27 specialised national public bodies dealing with gender issues are listed in Annex No. 2.

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<sup>20</sup> The data in this section are provided by Eurostat, Eurobarometer reports, ISFOL, European Commission Directorate-General for Employment, Social Affairs and Equal Opportunities Unit G.1, Europe Direct, EUPAN and Member States - the National Implementing Body of the European Year of Equal Opportunities for All: [http://ec.europa.eu/employment\\_social/eyeq/index.cfm](http://ec.europa.eu/employment_social/eyeq/index.cfm) and the Member States' relevant ministerial websites.

<sup>21</sup> The strategies of the 27 Member States are available at: [http://ec.europa.eu/employment\\_social/eyeq/index.cfm?cat\\_id=HW](http://ec.europa.eu/employment_social/eyeq/index.cfm?cat_id=HW)

- **Special programmes and positive action**

The data for this section have been provided by the National Implementing Bodies<sup>22</sup> and taken from *Gender mainstreaming of employment policies – A comparative review of 30 European countries* (EC 2008).

The most important gender equality issue related to public administration is the capacity of public institutions to formulate policies and deliver programmes that recognise and respond to the differing situations and needs of women and men and which work towards reducing inequality.

The following overview is based on available examples of relevant programmes and actions related to the civil service. Detailed policy information is provided only on those Member States that have published and made available their policy. For Cyprus, Hungary, Malta, Slovakia and Slovenia, no specific policy on equal opportunities or diversity for the civil service is known or available.

In Austria there is a special policy on diversity, both for civil servants in general and for senior civil servants. The policy is aimed at women, the disabled and ethnic minorities.

According to the Federal Equal Treatment Act, advertisements of vacancies in the Federal Public Administration have to include a clause that applications of female candidates are particularly appreciated, when the ratio of female employees in the respective field is below 50%. Furthermore, if a female candidate is as qualified as a male candidate, normally the female candidate should be recruited.

In 2008, an amendment of the Act on the Advertisement of Vacancies ('Ausschreibungsgesetz', 1989) came into force placing special emphasis on increasing the number of female applicants for high-level functions as well as the transparency of the recruiting procedure.

Within the framework of personnel development of staff, a special cross-mentoring programme was designed for women interested in promoting their career within the Federal Public Administration. A female or male mentor of one federal ministry provides their 'student' of another ministry with knowledge gained from their working experience, giving them advice on their career progress and facilitating access to relevant networks. In addition, the mentors and 'students' are provided with special training.

In Belgium, a diversity department was established in 2005 with the specific mission to stimulate and enforce the implementation of the action plan and coordinate policies on equal opportunities within the federal administration. There is an action plan called 'Valoriser la diversité 2007-2013' with the objective of introducing the policy on diversity and equal opportunities into all the fields of public administration.

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<sup>22</sup> The National Implementing Bodies (also called National Contact Points) designed by the National Authority in each country and in charge for establishing a national strategy to combat each ground of discrimination.

SELOR, the Federal Selection and Recruitment Agency, has a clearly structured approach to using positive action to increase diversity within the public sector workforce. In October 2007, it organised a Diversity Week in order to identify and propose actions/policies that would eliminate obstacles to recruitment. A network for women active within the federal administration has also been created – FELINK. It gives women the opportunity to meet and exchange contacts and experiences. It is an informal initiative within the framework of the diversity policy.

In Bulgaria no information is available as to any special plan on gender equality specifically related to the public administration. There is a law on Protection against Discrimination (in force since January 2004), which governs protection against all forms of discrimination, including gender, and which aims to transpose a number of EU equality directives.

The Ministry of Labour and Social Policy is responsible for gender issues at governmental level. Since March 2004, a specialised unit on Gender Equality has been functioning within the Labour Market Directorate. The newly established sector is responsible for the development of the new National Plan on Gender Equality, as well as for establishing special measures for encouraging the participation of women in the labour market, both private and public. The special measures are related to:

- The work/life balance
- Low pay
- Improving the quality of employment.
- Flexicurity
- Part-time workers

A new National Plan on Gender Equality should be developed in 2008 in line with Bulgaria's commitments with regard to Chapter 13 'Social Policy and Employment' in the EU accession process.

In Cyprus, the actions on equal opportunities are rather vague and general. New legislation covering part-time employment and flexible working arrangements may benefit women, because they are over-represented in part-time jobs. In addition, the public administration is now encouraged to apply for the ESF-funded programme related to the gender issue. There is no specific diversity or equal opportunity plan for the civil service.

The Czech Republic has no specialised gender equality legislation, but gender equality is one of the priorities in the Czech public administration's human resources management policy. Within each ministry there are specialist officials working on gender equality issues. Each ministry is obliged to work on the programme document entitled 'Priorities and Progress in Promoting Equality of Men and Women' on an annual basis. The most important issues concerning this programme document are as follows:

- Remuneration
- Under-representation of women in decision-making positions
- Evaluation of the extent to which the principles of equal opportunities for women and men are adopted in practice

Denmark has a long tradition of equality promotion in the public employment service. Equality advisers have been employed in all offices. Recently, the departments can have an advisor dealing with the equality issue and a connection to the new centre of equality consultants. The most important policy document of recent years, the Welfare Agreement, deals with welfare policy but does not discuss pay or equal pay as part of the future welfare policy and the Ministry of Equality does not mention equal pay as one of the three main goals in 2007. Within the civil service, a mentor programme (for the period 2003 to 2007) for female managers 'Women at the top' has been established by the State Employer's Authority, which sets out the targets for an increase in female managers at all management levels in the state sector.

In Estonia, the action plan of the Ministry of Social Affairs mentioned different targets to address the equal opportunities issue in the public administration, but no concrete programmes have so far been pursued.

In Finland, the Gender Equality Unit at the Ministry of Social Affairs and Health is entrusted with drafting and developing the government's gender equality policy, applying both to the private and public sectors, concerning the following issues:

- The prevention of gender discrimination
- The promotion of equality between women and men
- The improvement of women's status, especially in working life

The focus of the policy and its related special programmes are on promoting a work/life balance, more flexible use of family leave, the introduction of a one-month paternity leave, changes affecting working life, improvement of women's employment and reducing the wage differential between women and men.

Within the public administration, there is a policy to increase the proportion of women executives. In 2006, a working group was established to gather information and statistics about women in public administration, in order to encourage women in this field. No specific targets have so far been set, but the working group is considering ways and means on how to increase the percentage of women in management assignments. The results of the working group must to be presented at the end of 2008.

Regarding government positions in general, gender equality is the base for all recruitment procedures and throughout the different stages of career tracks. The operational units of the government comply with the Act on Equality between women and men also in the appointment procedures of members of working groups and organs.

In France, the policy of equal opportunities, applied both to the private and public sectors, has a strong focus on promoting a work/life balance. However, current practices seem to be increasing the differences between women, with highly qualified women making use of childcare facilities and lesser-qualified women making use of leave facilities.

At the moment there is no special policy on diversity for civil servants in general and according to their career-based system, civil servants are recruited by open competitions with no specific action on gender equality. In December 2008 a plan will

be published to determine the sphere of priorities for each department. The aim of the plan is to support the implementation of equal opportunities.

In Germany, an Anti-Discrimination Department has been set up following the implementation of the General Law on Equal Treatment ('Allgemeines Gleichbehandlungsgesetz') of August 2006. Its fields of activity include protection against discrimination based on racial, ethnic or gender grounds, as well as on the basis of religion, disability, age or gender-identity<sup>23</sup>. Another core task of this department is to offer help and assistance to individuals.

There is a specific policy on the equality of women and men in the German federal administration as well as in federal courts. Among other things, the law provides that women who are as suitable, qualified and capable as men should be given preferential treatment in areas where they are under-represented. This applies to training, recruitment, employment and promotion. Furthermore, it sets out regulations concerning the work/life balance for women and men. Hereafter, civil servants with family duties are entitled to part-time employment or special leave, as well as there being possibilities for telecommuting and flexible working times. Furthermore, they might be offered the option of taking a sabbatical year. Part-time employees with family duties who wish to work full-time again and employees on leave who wish to return ahead of time need to be considered preferentially when it comes to allocating positions.

In Greece no information is available on a specific policy related to equal opportunities. Work/life balance policies are being set up with the main focus on the creation of public infrastructure for the care of children and the extension of schedules of public nurseries, kindergartens and schools. Legislative regulations applying both to public and private sectors have improved flexible labour arrangements.

In Ireland, a Gender Equality Policy has been established (2001) for all civil servants. The inclusion of strategic objectives and equality goals in each Departmental Strategy Statement is a key element in the achievement of gender equality in the civil service. This policy requires individual departments to set strategic objectives and equality goals for increasing women's representation, particularly at the higher management levels. Departments must include such targets in their Strategy Statements. The government also requires departments to implement a programme of affirmative action to deal with obstacles to career progression identified in their own organisations.

These initiatives will be taken in the main human resource management policy areas of recruitment, placement and mobility, training and staff development, promotion, work and family issues, language and harassment. Under the Strategic Management Initiative, each Head of Department is required to report annually to his or her minister on progress in relation to all the strategic objectives, goals and action plans specified in their department's Strategy Statement. Progress on gender equality in the civil service is monitored annually.

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<sup>23</sup> Gender Identity or (core gender identity) is a person's own sense of identification as male or female. The term is intended to distinguish this psychological association from physiological and sociological aspects of gender.

In general, the working conditions for civil servants allow family-friendly working arrangements, e.g. flexible working times, part-time work, work sharing, unpaid leave during children's holidays and childcare places.

In Italy, the equal opportunities policy and plans are focused on the following issues:

- Local committees on equal opportunities in all public institutions;
- Equal opportunities adviser for the civil service;
- Training the civil service;
- Maternity and parental leave.

In Latvian labour law it is stated that differential treatment based on the gender of an employee is prohibited when establishing employment relationships. Also, a job interview may not include such questions by the employer that do not apply to the performance of the intended work or are not related to the suitability of the employee for such work, as well as questions which are directly or indirectly discriminatory, in particular questions concerning:

1. Pregnancy;
2. Family or marital status;
3. A previous conviction, except in cases where this may be of essential importance with respect to the work to be performed;
4. Religious conviction or belonging to a religious denomination;
5. Affiliation with a political party, employee trade union or other public organisation;
6. National or ethnic origin.

As regards specific actions within the civil service, the training of civil servants is considered to raise awareness of gender equality. Courses have been developed on issues such as the 'Rights and opportunities of women and men in the public sector: what has to be taken into account in the development of industrial policy?' In addition, booklets, postcards and TV advertisements on gender equality in the labour market (both public and private) have been produced.

The Ministry of Welfare has recognised the gender pay gap as a priority. Nevertheless, neither action plans nor studies are available specifically on this issue. In Latvia there is a lot of attention on the work/life balance; this matter has entered the policy debate. One of the results is that paternity leave now is regulated by law.

In Lithuania, the general principle of equal opportunities and equal treatment is enshrined in the Constitution of the Republic of Lithuania (Article 29). This principle is also reiterated in a number of Lithuania's laws: the Law on Elections, Law on Referendum, Law on Public Service, Labour Code, Law on Support for the Unemployed, Law on the Health and Safety of Workers, as well as in many other laws concerning issues of employment and social protection. The new Criminal Code, which entered into force in 2003, explicitly prohibits discrimination.

There is the National Programme on Equal Opportunities for Women and Men 2007–2013, initiated by the Ministry of Social Security and adopted by the Government in 2006. This programme covers the implementation of various concrete measures aimed at improving gender equality in the public administration as well as in the fields of employment, education and science, politics and decision-making,

combating violence against women and the trafficking of women and health protection.

The main positive action of this programme, which is related to the civil service, has been the creation of an Inter-Ministerial Commission on Equal Opportunities of Women and Men. This commission consists of representatives of all ministries and the Statistics Department, and is the main body responsible for the implementation of specific measures related to equal opportunities. The commission is accountable to the Minister of Social Security and Labour and its activities can be monitored by the Equal Opportunities Ombudsman. It coordinates the implementation of gender-related measures at the ministerial level. Within its area of competence the commission can also submit proposals and recommendations concerning gender equality to the government.

The training programme 'Equal Opportunities for Women and Men in Public Administration' was introduced in 2003. The programme is aimed at providing civil servants with basic knowledge on equality between women and men and the necessary skills to deal with gender issues and integration of the gender perspective.

As regards the actions related to the labour market in Lithuania, including the civil service, it may be important to note that since 1997 the Department of Statistics under the government has been compiling, analysing and publishing statistical data on gender equality. The publication 'Women and Men in Lithuania' has been published annually since 1997. Gender-segregated statistical data is provided to all the state institutions and made known to the public, which offers the possibility to identify gender equality problems in different fields and to take the appropriate measures to combat inequalities.

In Luxembourg there is no policy on diversity for civil servants. However, there has to be a female delegate at the heart of each ministerial department who is in charge of overseeing the equal treatment of women and men when it comes to recruitment, training, promotion and working conditions.

In the Netherlands, the equal opportunities medium-term policy is included in a document produced by the Ministry of Social Affairs and Employment called 'From Women's Lib to Inalienable Right – A Contribution to Mid-Term Policy on Emancipation in the Netherlands 2006-2010'. The policy is designed to apply both to public and private sectors. The policy deals with:

- Parental leave;
- Work, Care and Income;
- Power and Decision-making;
- Human Rights and Women;
- The Information Society;
- The Daily Routine.

This central tenet of Dutch policy is known as the 'combination model' (also known as the 'combination scenario'). The basic approach of this model is that women and men share paid and unpaid work as much as possible on an equal footing and are jointly responsible for performing child-raising work. Significantly, this approach requires changes to the status and role of men as well as women. Women and men

will not achieve greater equality simply by having women join men in full-time employment, equality will be achieved only if paid work, unpaid care and income are shared equally between women and men. An important aspect of the combination model is the expansion of childcare and the improvement of leave facilities, while at the same time strengthening the position of part-time workers.

Each government department draws up its own emancipation programme, based on the emancipation policy of the government. To prevent the process of emancipation from coming to a halt, a department's emancipation policy must be completely in line with its other policies. The coordinating minister for emancipation policy (previously this was the Minister for Social Affairs and Employment, but now it is the Ministry of Education, Culture and Science) monitors the progress of emancipation policy and policy mainstreaming, so that the interests both of women and men are carefully taken into consideration in all fields of policy. The Directorate for the Coordination of Emancipation Policy coordinates and prepares a joint work plan in which each department sets out the activities it pursues.

In 2007 an Assessment Committee analysed progress and gave its recommendations to the government. They were taken into account in the new mid-term programme 'More chances for women - Emancipation policy 2008-2011'. For the civil service in particular, focus areas of the policy include: increasing the labour participation of women to 65%, reducing the gender pay gap and increasing the proportion of women in decision-making and top management positions to 25% in the Senior Civil Service. A knowledge web and a diversity index are to be developed in order to support the public administration in the communication and formulation of specific targets.

In Poland, a project entitled 'Equal opportunities in public administration' was set up, funded by ESF resources, to be implemented between October 2007 and September 2009 throughout Poland. The participants in the programme are civil servants at the national and regional levels. The activities encompass 16 two-day training sessions and the publication of the project's brochure. The training was aimed to make participants familiar with the concepts of equal opportunities and gender mainstreaming, gain knowledge of practical ways for implementing gender equality in the activities of labour market institutions and learn how to apply the gender equality rules.

As regards the work/life balance, the issue has entered the policy debate in Poland, but no concrete actions and results can yet be shown.

In Portugal, the constitution and the recruitment and selection laws applying to public administration guarantee equal opportunities of access to the civil service to all citizens. No specific actions in this field in the civil service are known.

Romania has adopted a specific policy on equal opportunities, applicable both to the private and public sectors. This policy is presented in the 'National Plan of Action for equal opportunities between women and men'. The plan is aimed to:

- Eliminate those provisions from the normative and administrative acts that contradict the principle of equal treatment;

- Amend any provisions contrary to the equality principle if they are found in collective labour contracts, individual labour contracts, the internal regulations of the units or the statutes of independent professions.

The National Institute of Statistics in Romania publishes an annual report in which gender-segregated statistics are presented (including the civil services, the labour force, health, the education system, etc.). The information offered by the National Institute of Statistics in Romania is provided through press releases, or published in classified lists and in the Statistical Bulletin CANSTAT. The National Institute of Statistics also offers statistical indicators and a catalogue of publications and statistical services relevant to the gender equality issue in the public administration<sup>24</sup>.

Within the Ministry of Labour and Social Protection, a Consultative Inter-Ministerial Commission on Equality of Treatment for Men and Women (CODES) was established to ensure a permanent exchange of experience and information on measures in the field of gender equality, as well as to draft recommendations for the authorities of the central public administration. The Commission monitors the application of the provisions of the National Plan of Action for equal opportunities between women and men in sector policies, including the progress achieved. CODES is comprised of 22 members, with representatives of the public authorities at least at director level.

CODES has the following functions:

- Disseminating an 'integrated approach' concept within the central public administration, seeking to incorporate the principle of social equality between women and men and to eliminate gender disparities and discrimination in establishing and applying the sector's policies;
- Evaluating the degree to which the legislation in the field is applied and observed;
- Stimulating the adoption of action programmes dedicated to training and enhancing awareness of the problems in equal opportunities between women and men;
- Elaborating recommendations and criteria that support and direct governmental, non-governmental and local public authority structures in applying policies of the integrated approach;
- Promoting information and experience exchanges on actions that have been developed in the field.

In Spain there is the Plan of Equal Opportunities for Women. This plan is applicable both to the public and private sectors. It includes 172 projects, grouped according to the following areas of priority actions:

- The equal application and development of legislation. These actions are aimed at guaranteeing the application and development of existing legislation, and at raising the level of information/awareness regarding rights and duties;
- To encourage the equal participation of women in the processes of preparation and transmission of knowledge;
- To promote equal opportunities for women in the labour market (both private and public) by taking positive actions to reduce female unemployment, improve the

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<sup>24</sup> The web address of National Institute of Statistics in Romania: <http://www.insse.ro>

quality of women's jobs and remove any obstacles preventing women's access to employment;

- To further a fair distribution of household chores. To encourage fair sharing of domestic and family tasks, these activities try to minimise the obstacles involved by promoting social awareness of equal distribution of household chores and its social value;
- To augment women's social and political participation. In order to break down the barriers hindering women's integration into public life, it is necessary to promote both the incorporation of women into responsible positions and women's associations, from which they can work towards these goals;
- To encourage women's access to decision-making jobs;
- The social assimilation of those groups of women affected by discrimination.

For the civil service, quotas are used, assessed case by case, to balance the representation of women and men in public offices and examination boards. Regulations and recruitment procedures are subject to evaluations of gender impact. Gender equality lessons are included in training for competitive exams.

In Sweden, the Equal Opportunities Act has two main sections concerning the workplace (both public and private). First, there is the requirement that all employers must work actively and pursue specific goals to promote equality between women and men. Second, there is a prohibition against discrimination and an obligation to investigate and take measures against harassment. An employer may not treat unfairly any employee or job applicant who is, has been or will be on parental leave.

There are a number of positive actions implemented by different government authorities related both to the public and private sectors whose task it is to ensure that both genders have the same rights, opportunities and obligations. These actions and programmes can be summarised as follows:

- Each minister is responsible for gender equality in his or her area of responsibility.
- The Gender Equality Unit under the Minister for Gender Equality is responsible for coordinating the government's work on, and special projects involving, gender equality, as well as for developing methods for implementing the government's gender equality policy.
- On each county's administrative board, a person is employed as a specialist on gender equality.
- The Equal Opportunities Commission can, under penalty of fine, require employers to take active measures for gender equality.

The target is to increase the number of women in the senior civil service positions where they are under-represented.

In the United Kingdom there is a Government Equality Office Corporate Plan (2007-2013), applicable both to the private and public sectors. This plan has set down the following actions:

- To persuade employers to agree that action is needed to ensure equal pay.
- To secure changes in law relating to pay, if and where strengthening of this is needed.

- To persuade other organisations in charge to accept that benefits and pensions need to be fairer for women and to show how this might be done.
- To use legal powers to investigate organisations or areas of life where gender discrimination is persistent or frequent.
- To support important individual cases on gender discrimination and pay.
- To increase public awareness of discrimination law.
- To reduce barriers to using the employment tribunal system, particularly for people on low incomes.

The government has also introduced many recent measures to promote gender equality in pay and career opportunities in the civil service, such as the ‘gender duty’. The Gender Equality Duty has been in force since April 2007, which makes it a statutory duty for public authorities to promote gender equality in all their functions and to ensure that gender impact assessments are carried out for all new legislation, policies and employment, and see to that they are published.

In 2005, ‘Delivering a Diverse Civil Service: A 10-Point Plan’ was launched in the civil service to drive forward the commitment to diversity over the three years to 2008. In July 2008, the next strategy for the civil service ‘Promoting Equality, Valuing Diversity: *A Strategy for the Civil Service*’ was launched. This strategy is also a framework of commitments that will help the civil service fulfil the new single public equality duty under the government's new vision for equality: ‘Framework for a Fairer Future – the Equality Bill’. The aim of the strategy is to:

- Change behaviour and culture to create an inclusive civil service;
- Promote strong leadership – down to the first line management level – and accountability for delivering diversity;
- Attract, keep and develop talent from all areas of society;
- Become more representative of the society, at all levels.

Civil service departments and agencies monitor their workforces to assess what the breakdown is e.g. in terms of gender and working patterns. Departmental actions on gender equality are set out in individual gender equality schemes, which are available on all departmental websites. The Cabinet Office monitors what departments are doing to achieve these objectives. Many departments and agencies also assess their progress on gender equality actions by using a benchmarking tool that *Opportunity Now* offers its members. *Opportunity Now* is an organisation for employers who are committed to creating an inclusive workplace for women.

Within the civil service, the *Diversity Champions Network* (DCN) is responsible for promoting and improving diversity across civil service departments and agencies. The DCN consists of a team of senior civil servants, including board-level members from all main departments in the civil service. The network has three key roles, which are to:

- Maximise the value of lessons learned in individual departments, by sharing good practice;
- Support individuals to provide effective leadership on diversity in their organisation by helping with knowledge transfer and finding support from others in similar roles;

- Help drive behavioural and cultural change and articulate the business case for diversity across the civil service.

In 2008, the targets set for the following five years are that 39% of senior civil service posts and 34% of the top management posts have to be filled by women.

In order to support the management, a 'Good practice guide to diversity in recruitment to the Senior Civil Service' will be made. The civil service also has a specific website 'Diversity – What Works', dedicated to diversity, and several diversity networks that have been set up to address organisational and individual issues relating to diversity.

- **Quotas for women**

Quotas for women in the civil service can be determined in national laws or regulations and in policy documents as well as on a case-by-case basis for the specific positions where under-representation occurs.

On the basis of the information obtained by the national Contact Points in Austria, Belgium, Bulgaria, Cyprus, Denmark, the Czech Republic, Estonia, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and the United Kingdom, there are no quotas for women in the civil service competitions regulated by law.

In Finland, the law requires a minimum quota of 40% of posts reserved for women in the decision-making bodies in the civil service. Gender quotas (40/60) are used for decision-making bodies, such as different councils, official working groups, etc.

In Italy, a minimum quota of 30% of positions in the decision-making bodies is reserved for women by law.

In Sweden, the quota is 50% of positions in decision-making bodies, but it is not required by law. It is based on the policy that 'Quantitative gender equality means equal apportionments (50/50) between women and men in all areas of society' (including the public service)<sup>25</sup>.

In the Netherlands, Greece, Austria and France, the quota reserved for women can only be set by the public employer for a specific competition or vacancy in order to increase the representation of women in the related ministry or department.

- **Unequal opportunities compensation procedures**

As has been explained earlier in this study, in the paragraph related to the right of applicants to appeal against the recruitment procedures, all Member States should have systems for judicial review accessible to all civil service candidates. These systems include compensation procedures for applicants who consider themselves victims of sex discrimination.

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<sup>25</sup> Swedish Institute, *Fact sheet on Gender Equality*. downloaded from the website: [http://www.sweden.se/templates/cs/FactSheet\\_\\_\\_17932.aspx](http://www.sweden.se/templates/cs/FactSheet___17932.aspx)

In Belgium, Bulgaria, the Netherlands, Sweden, Finland, Denmark, the Czech Republic, Lithuania and Romania, there are special independent commissions with the mission of protecting equal opportunities rights both in the public and private sectors. These independent commissions, in addition to carrying out other equal opportunities activities, can assist in compensation procedures involving unequal treatment during a recruitment process in the civil service.

### **Concluding remarks**

Almost all Member States pay considerable attention to two main points in their actions and policy related to equal opportunities:

- Reconciliation policy;
- The gender pay gap.

Reconciliation policies can be defined as policies that directly support the combination of professional, family and private life. As such, they may refer to a wide variety of policies ranging from childcare services, leave facilities and flexible working arrangements to other reconciliation policies such as financial allowances for working partners on parental leave. A gender perspective in the domain of reconciliation has to a certain extent been established in that most European governments recognize the impact of care responsibilities on women's employment. Yet countries differ in their policy responses and in their implicit or explicit focus on gender equality. Some countries encourage the provision of public services; others improve opportunities to work part-time hours. Some still consider reconciliation a woman's affair, whereas others recognize the role of men in care and family responsibilities.

The EU Member States show quite a diverse picture when it comes to tackling the gender pay gap. In quite a number of countries the gender pay gap has little profile, whether in public debate or on the policy agenda. In other countries, however, the persistence of the gender pay gap has initiated several policy initiatives aimed at closing the gap. Some policies refer to improving the effectiveness of equal pay legislation aiming at tackling direct or indirect gender wage discrimination. More effective equal pay policy may require additional legislation, or for example the obligation on employers to justify pay differentials and to apply transparent and understandable systems of remuneration.

## **2. Recruitment procedures and equal opportunities policies in the European Institutions**

This chapter is based on the information collected from the European Personnel Selection Office (EPSO), the European Commission and on EU legislation.

### ***2.1. Conditions of entry and recruitment procedures***

Article 7 of the Treaty establishing the European Community<sup>26</sup> defines the institutions that fulfil tasks entrusted to the Community – the European Parliament, the Council of the European Union, the European Commission, the Court of Justice and the Court of Auditors. These institutions are assisted in advisory capacity by the Economic and Social Committee, the Committee of the Regions and the European Investment Bank. Throughout their existence, the institutions have demonstrated their commitment to the principles of equal access, as defined in the Staff Regulations 2004: ‘Recruitment shall be directed to securing for the Institution the services of officials of the highest standard of ability, efficiency and integrity, recruited on the broadest possible geographical basis from among nationals of Member States of the Communities. No posts shall be reserved for nationals of any specific Member State’<sup>27</sup>. These principles have enabled the EU Institutions to select qualified staff and have guaranteed equal access to this European civil service for persons wishing to become officials.

#### **2.1.1. European Personnel Selection Office (EPSO)**

European civil servants working in the EU Institutions and agencies are recruited through centralised competitions. The EU pursues a career-based employment system for its civil servants. At the same time there are also non-permanent posts, such as contractual agents, temporary staff and special advisors, for the recruitment of whom a more simplified procedure applies.

Prior to 2002, each Institution was responsible for its own selection competitions. Candidates were required to enter a separate selection competition for each Institution and they could be recruited only by the Institution in whose competition they had taken part. In July 2002 the European Personnel Selection Office (EPSO) was established with the aim of harmonising and rationalising the selection process. EPSO took over the responsibility of selecting officials from the Institutions, while the mandate for recruitment still rests with each individual Institution. The establishment of EPSO ensures common selection standards and principles across all Institutions. EPSO became operational in January 2003.

EPSO’s mission is to organise open competitions to select highly qualified permanent staff for recruitment to the EU Institutions, namely the European Parliament, the Council, the Commission, the Court of Justice and the Court of Auditors, as well as to

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<sup>26</sup> *Consolidated version of the Treaty establishing the European Community* (C 325/33), published in the Official Journal of the European Communities, 24.12.2002.

<sup>27</sup> European Commission, *Staff Regulations 2004*, Title III, Career of officials, chapter I, Recruitment, article 27 (77) (96).

EU bodies, namely the European Economic and Social Committee, the Committee of the Regions, the European Ombudsman and the Data Protection Supervisor. If so requested by the EU Institutions or EU bodies, EPSO has to provide assistance with a view to the selection of temporary and contract staff, 'in particular by defining the contents of the tests and organising the selection procedures'<sup>28</sup>. EPSO should also ensure the transparency of selection procedures for temporary staff and ensure the application of the same standards as for the selection of officials.

EPSO is not in itself a recruiting body. By request, EPSO can provide EU Institutions and agencies with assistance in organising their own selection procedures. 'EPSO is not responsible for the selection of local and agency staff, i.e. personnel recruited under national labour law and not under the 'Staff Regulations of Officials of the European Communities' or the regime applicable to other agents'<sup>29</sup>.

### **2.1.2. Recruitment of officials of EU Institutions**

- **General admission criteria of competitions**

All applicants must have citizenship of an EU Member State, have full rights as a citizen, have the appropriate character references as to their suitability for the performance of their duties and have fulfilled any military service obligations. The applicants also have to be physically fit to perform their duties and have to produce 'evidence of a thorough knowledge of one of the languages of the Communities and of a satisfactory knowledge of another language of the Communities to the extent necessary for the performance of their duties'<sup>30</sup>.

The practical organisation of the competition is completely done by EPSO. In general the first stage of a selection process is the preliminary selection test for admission to the competition.

The second stage is a comprehensive written test in the specific skill areas specified as necessary to perform the duties of the post. The final selection stage consists of an oral examination, which completes the assessment of the candidate's suitability to carry out the duties set out in the notice of competition.

At each selection stage only the highest scoring candidates proceed to the next round. Candidates who have succeeded in the tests and examinations are eligible for inclusion on the reserve list, which is subject to the maximum number of candidates laid down in the notice of competition.

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<sup>28</sup> 'Conditions of employment of other servants of the European Communities', Article 12; Article 82 in: *The Staff Regulations*, 01.05.2004.

<sup>29</sup> EPSO brochure *Career at the EU institutions*; downloaded from the EPSO website on 6 August 2008: [http://europa.eu/epso/career\\_en.htm](http://europa.eu/epso/career_en.htm)

<sup>30</sup> 'Staff Regulations of Officials of the European Communities, Chapter 1, Article 28 in: *The Staff Regulations*, 01.05.2004.

- **Selection Board**

A Selection Board is appointed by EPSO for each competition, while the members are designated by the administrations of the European Institutions. For each competition, a coordinator and a secretariat is designated by EPSO to assist the Selection Board. Correspondence with candidates is only electronic and is handled by EPSO on behalf of the Selection Board at every stage of the competition.

- **Profile of candidates**

To take part in the competition, a candidate must fulfil several conditions. The selection board decides whether to admit the candidate to the competition on the basis of the candidate profile and general conditions.

The candidate profile includes: educational qualifications, which are adapted to all the education systems in the Member States<sup>31</sup>; professional experience and knowledge of languages (with reference to the competition notice).

The minimum educational qualifications required correspond to the categories of competitions. For example, for categories AD5 and AD6 competitions ‘a level of education corresponds to completed university studies of at least three years attested by a diploma’<sup>32</sup>. In the case of categories AD7 to AD16 competitions ‘a level of education which corresponds to completed university studies attested by a diploma when the normal period of university education is four years or more, or; a level of education which corresponds to completed university studies attested by a diploma and appropriate professional experience of at least one year when the normal period of university is at least three years’<sup>33</sup> is required. For some competitions more than these minimum qualifications may be required.

AD categories refer to the Administrators’ function group and AST categories refer to the Assistants’ function group within the EU Institutions. For example administrators, research administrators and linguistic administrators are recruited in the categories AD5 – AD8; directors and directors-general are recruited in the highest categories, AD15 – AD16. Secretaries and office clerks are recruited in categories AST1 – AST7, while assistants and research assistants are recruited in categories AST3 – AST11. For positions in these categories ‘a level of post secondary education attested by a diploma or a level of secondary education attested by a diploma giving access to post-secondary education, and appropriate professional experience of at least three years’<sup>34</sup>, is required.

For some competitions a minimum amount of professional experience is required. The relevant professional experience is counted from the first position a candidate held after obtaining the diploma or certificate required for admission to a competition.

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<sup>31</sup> See Annex 3.

<sup>32</sup> EPSO, (EPSO/AD/131-136/08), *EPSO Guide for Applicants*, 10.07.2007; downloaded from the EPSO website on 6 August 2008: [http://europa.eu/epso/on-line-applications/guide\\_en.htm](http://europa.eu/epso/on-line-applications/guide_en.htm)

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

- **Probationary period**

Successful candidates are initially recruited for a probationary period of nine months. After the completion of a probationary period, the candidate is appointed for a permanent term.

### **2.1.3. Recruitment of Community agencies' staff**

An agency of the European Communities is defined as 'a body governed by European public law; it is distinct from the Community institutions (Council, Parliament, Commission, etc.) and has its own legal personality'<sup>35</sup>. Agencies are set up on the basis of secondary legislation 'in order to accomplish a very specific technical, scientific or managerial task, in the framework of the European Union's 'first pillar''<sup>36</sup>.

Staff Regulations of officials of the European Communities also apply to the agencies' staff as determined in Article 1 of the Regulations, which says that the definition of 'official of the Communities also applies to persons appointed by Community bodies to whom these Staff Regulations apply under the Community acts establishing them (hereinafter 'agencies'). Any references to institutions in the Staff Regulations shall apply to agencies, save as otherwise provided in the Staff Regulations'<sup>37</sup>.

### **2.1.4. Recruitment of contractual staff**

The conditions of employment and working conditions of contractual personnel are determined in the 'Conditions of employment of other Servants of the European Communities'<sup>38</sup>. Contractual staff include: temporary staff, auxiliary staff, contract staff, local staff and special advisers.

The term 'temporary staff' refers to: staff recruited to fill a post classified by the budgetary authorities as temporary; staff recruited to temporarily fill a permanent post; staff recruited to assist a person holding an office provided for in the Treaties establishing the Communities, such as the elected president of one of the institutions or organs of the Communities, one of the political groups in the European Parliament or the Committee of the Regions, or a group in the European Economic and Social Committee<sup>39</sup>.

The term 'contract staff for auxiliary tasks' denotes staff recruited to perform full-time or part-time duties without being assigned to a post, normally to replace certain persons who are unable for the time being to perform their duties, namely officials or temporary staff in the function group AST. Exceptionally, this type of staff can also

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<sup>35</sup> Agencies of the European Union, *Community Agencies*, downloaded from the EU website on 6 August 2008: [http://europa.eu/agencies/community\\_agencies/index\\_en.htm](http://europa.eu/agencies/community_agencies/index_en.htm)

<sup>36</sup> Ibid.

<sup>37</sup> 'Staff Regulations of Officials of the European Communities' in: *The Staff Regulations*, 01.05.2004.

<sup>38</sup> 'Conditions of employment of other servants of the European Communities', in: *The Staff Regulations*, 01.05.2004.

<sup>39</sup> 'Conditions of employment of other servants of the European Communities', Article 2c in: *The Staff Regulations*, 01.05.2004.

replace officials or temporary staff in the function group AD occupying a highly specialised post, except Heads of Unit, Directors, Directors-General and equivalent functions<sup>40</sup>.

General admission criteria for contractual staff are the same as for officials of EU Institutions. However, each institution shall adopt general provisions on the procedures for recruitment of temporary staff.

- **Probationary period**

A member of the temporary staff may be required to serve a probationary period not exceeding six months. A member of the contract staff whose contract is concluded for a duration of at least one year is required to serve a probationary period for the first six months of his/her period of employment if he/she is in the function group of manual and administrative support service tasks, and the first nine months if he/she is in any other function group.

## ***2.2. Policy of equal opportunities for women and men***

All EU Institutions are committed to a policy of equal opportunities for women and men. This policy has to be implemented not only in the Member States, but also in relation to the EU Institutions' staff. The foundations of this policy were laid down by the succeeding treaties and secondary legislation. These provisions make it possible for an equal opportunities policy to be implemented in the European civil service. The Staff Regulations of Officials of the European Communities, which came into force in May 2004, explicitly prohibits discrimination based on gender, 'while also making provision for measures and actions promoting equal opportunities to be taken into account in the areas covered by the Staff Regulations'<sup>41</sup>.

Article 1d of the Staff Regulations determines that the institutions shall define 'measures and actions to promote equal opportunities for men and women, in the areas covered by the Staff Regulations, and shall adopt the appropriate provisions notably to redress such de facto inequalities as hamper opportunities for women in these areas'<sup>42</sup>. The Staff Regulations also indicate that 'the principle of equal treatment shall not prevent the Institutions of the European Communities from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented gender to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers'<sup>43</sup>.

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<sup>40</sup> 'Conditions of employment of other servants of the European Communities', Article 3b in: *The Staff Regulations*, 01.05.2004.

<sup>41</sup> Research voor Beleid, *Comparative Study on the Career Development of Male and Female AD Officials - Final Report*; Leiden, 31.07.2007; p.21.

<sup>42</sup> 'Staff Regulations of Officials of the European Communities'. in: *The Staff Regulations*, 01.05.2004.

<sup>43</sup> Ibid.

### **2.2.1. Working conditions**

Equal career opportunities require working conditions that make it possible to reconcile family and working life. 'For an international organisation like the EU this calls for particular employer responsibility, because it is often difficult for employees to fall back on childcare facilities or on family ties in the country of employment, in the same way as they can in their country of origin'<sup>44</sup>. The EU Institutions should therefore provide a special social infrastructure for its employees. In the framework of the implementation of the new Staff Regulation, in place as of 1 of May 2004, the EU Institutions have adopted a series of measures to reconcile the family and working life of its civil servants, comprising flexible working conditions, parental leave, and a solid infrastructure of childcare and schooling.

For example, maternity leave was extended from 16 to 20 weeks. In the case of adoption, the father or mother has 20 weeks' leave. Paternity leave is extended from 2 to 10 days. Special leave of up to 5 days is introduced for officials looking after a seriously ill child up to the age of 12. The social infrastructure has also been improved (kindergarten, schools).

For temporary and contract staff, parental or family leave, working hours, overtime, shift work, standby duty at the place of work or at home and public holidays shall apply by analogy as determined for officials. Special leave and parental and family leave shall not extend beyond the term of the contract.

### **2.2.2. Women's representation in the European Commission**

Due to the fact that the European Commission is the biggest EU institution, employing the most civil servants of EU Institutions, its actions and personnel policies on equal opportunities for women and men will be further discussed here.

In April 2004, the Fourth Action Programme for equal opportunities for women and men was introduced. The programme envisaged various measures directly or indirectly concerned with the career development of female officials and the improvement of the balance between male and female employees. On 1 May the same year, the reform of the Staff Regulations took effect, strengthening the general commitment to principles of equal opportunities and non-discrimination by expanding the range of possibilities for reconciling professional and private life and reversing the burden of proof where there are indications of possible discrimination.

In September 2006, further binding measures were adopted, mainly concerning the recruitment and appointment of women to middle-management posts. These measures introduced stricter monitoring of the selection results; other measures aimed to raise awareness of the issue among management and Human Resource officers.

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<sup>44</sup> European Commission, *Reforming the Commission*; downloaded from the European Commission website on 4 August 2008: [http://ec.europa.eu/reform/2002/sheet2\\_en.htm](http://ec.europa.eu/reform/2002/sheet2_en.htm)

- **Women in senior management positions**

The Senior Officials policy<sup>45</sup> determines that any human resources management policy must include an element of equal opportunity, which entails not only the creation of an environment that is favourable to the career development of staff in all categories, but also action specifically aimed at increasing their access to senior management positions. In a similar way, any considerations relating to geographical balance must be reconciled with the policy of equal opportunities for women and men. In making appointments to senior management posts, the Appointing Authority should give priority to women where it finds after conducting an assessment that candidates are of equal merit. However, this option will not be exercised automatically and will depend on the Appointing Authority's decision.

- **Women's representation**

Today women are still under-represented at every Administrator function group level in the Commission despite the active equality policies of the European Commission. On 31 December 2006 the grades with the highest ratio of female staff are AD5 and AD7, while women are least numerous in grades AD16, AD15 and AD14<sup>46</sup>. This leads to the conclusion that the higher the grade, the fewer women there are working in it. It has to be acknowledged that the smaller the pool of suitable applicants, the more difficult it becomes to achieve the target of having more women in higher positions.

The targets of 25% set for 2007 regarding women's representation in senior management were reached. In 2007 35.1% of appointments in senior management positions were of women<sup>47</sup>. This percentage is much higher than that of 2006 (23.2%) and is the highest since 2005, the first year in which the target was set as a percentage rather than as a number.

In 2007, women accounted for 13 out of 37 appointments in senior management positions. From the 13 appointments of women in senior management positions, 10 of them were from the EU 15 and 3 from the EU 12. Out of the 9 appointments to Director-General and Deputy Director-General positions, 4 are female appointments, which include the only appointment to a Director-General position.

'The overall percentage of women candidates appointed to senior management posts remained very low (15.2%) and was even lower than in 2006 (17.6%). The percentage of EU 12 candidates (22%) remained higher than that of EU 15 (13.6%)'<sup>48</sup>. The internal pool of suitable candidates remains very low in terms of numbers. If women in grades AD13-AD14 carrying out middle management functions up to 31 December

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<sup>45</sup> EC(2004) 1352/2, *Compilation Document on Senior Officials Policy*, 25.10.2004.

<sup>46</sup> Research voor Beleid, p.29.

<sup>47</sup> European Commission, (SEC(2008) 1864/3), *Memorandum to the Commission on the Targets for the Recruitment and Appointment of Women to Management and Other AD Posts at the Commission for 2008*; Brussels, 14.05.2008, p.5.

<sup>48</sup> Ibid, p.4

2006 are considered to be eligible, they represent only 15.3% of the staff in those grades<sup>49</sup>.

In 2007, 31.5% of appointments to middle management positions were of women, compared with a target of 30%. This percentage is significantly higher than that of 2006 (22.4%). The percentage of appointed women is significantly higher in the first management grades (35.9% in AD 9-12 compared with 26.7% in AD13-14).

At non-management level, the objective of recruiting 50% of women to posts of officials and temporary staff in AD non-management posts has been exceeded (54.2%). This result was higher than that in 2006 (45.6%)<sup>50</sup>. However, the objective was achieved largely due to the high number of linguistic recruitments, of recruitments of temporary agents and to EU 12 appointments. Therefore the problem has not been solved in structural terms.

### **Concluding remarks**

In the framework of reforming the Commission, the EU Institutions have not only centralised the selection process and made it more transparent by establishing EPSO, but have also adopted a series of measures to reconcile the family and working life of its civil servants, such as flexible working conditions, parental leaves etc. Special attention is being paid to achieving a greater number of women civil servants at management levels. For example, in making appointments to senior management posts, the Appointing Authority should give priority to a female candidate if she has the same qualities as a male candidate.

Despite all the policies, women are still under-represented in the European Commission, especially at the higher grades. The main reason for this is that there are not enough women in the internal pool of suitable candidates for promotion to middle-management positions. As the EU Institutions have a career-based employment system, where promotion is the main way of moving up the career ladder, it is difficult to recruit more women in top positions if they are already so few at the lower management levels.

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<sup>49</sup> European Commission, (SEC(2008) 1864/3), *Memorandum to the Commission on the Targets for the Recruitment and Appointment of Women to Management and Other AD Posts at the Commission for 2008*; Brussels, 14.05.2008, p.4

<sup>50</sup> *Ibid*, p.7.

### **3. International Organisations: the United Nations**

This chapter is based on the information collected from the United Nations Secretariat.

#### ***3.1. Conditions of entry and recruitment procedures***

The United Nations Secretariat is based in New York, but there are also permanent UN Secretariat offices in Geneva and Vienna. Their staffs are expected to rotate through the different offices and spend a significant amount of their career in the field.

In the United Nations staff members are recruited through national competitions for administrative posts and by language examinations for language-related posts.

In the UN Secretariat there are five professional levels, from P-1 to P-5, through which one, with an advanced university degree, progresses through merit and seniority. A recent graduate without any work experience, for example, will be recruited to a P-1 position. As the amount of experience increases, so does the professional level:

- P-5 – 13 to 17 years of experience are required;
- P-4 – 8 to 12 years of experience are required;
- P-3 – Entry through examination or, if external recruitment, 4 to 8 years of experience are required;
- P-2 – Entry through examination or, if external recruitment, 2 to 3 years of experience are required;
- P-1 – Recent graduates or United Nations General Service employees who have passed internal qualification examinations<sup>51</sup>.

The General Service sector is made up of various function groups, all occupied by clerical, secretarial and administrative staff. There are 7 levels, indicated as G-1 to G-7. From these, it is possible to continue to the professional category via internal examinations.

With the exception of certain cases, the hierarchical subdivision described above also applies to the autonomous agencies and organisations affiliated to the United Nations.

#### **3.1.1. National Competitive Recruitment Examinations**

The National Competitive Recruitment Examinations (NCRE) are annually held in countries selected on the basis of their representation in the Secretariat. Every year the nationals of UN Member States that are not adequately represented in the Secretariat are targeted for recruitment through competitive examinations. The purpose of these examinations is to establish lists of candidates to fill positions at the P-1/P-2 (Junior Professional) level.

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<sup>51</sup> United Nations, Department of Economic and Social Affairs, *A guide to a Career with the United Nations*, New York, p.34.

The examinations are administered in a number of occupational groups, namely administration, economics, electronic data processing, finance, legal affairs, library, political affairs, public information, social development and statistics.

- **Eligibility**

In order to qualify for P-1/P-2 positions (junior professional level), a candidate must possess a first level university degree and must not be older than 32. For P3 positions (professional level), a candidate must possess an advanced university degree, four years of professional experience, and must not be older than 39. Fluency in either English or French is required both for P-1/P-2 and P-3 level positions.

In cases when a large number of applications are received by the Board of Examiners (more than 40 per discipline from a given country), the examiners have a right to admit to the examination only the most qualified candidates, based on a review of the qualifications that are over and above the minimum entrance criteria, for example, advanced university degrees, diplomas or certificates, knowledge of additional official UN languages (Arabic, Chinese, Russian and Spanish), a broader spectrum of work experience and any works published.

- **Procedure**

The examination consists of a written part and an interview.

The written part consists of two papers:

- A general paper, which tests drafting skills (45 minutes);
- A specialised paper (3 hours 45 minutes), which tests the substantive knowledge of the particular occupation for which the candidate is applying<sup>52</sup>.

In cases where the number of candidates for the written part of the examination is high, the decision will be taken on the basis of the essay section of the specialised paper. The written questions are given in the two working languages of the Secretariat (English and French). Candidates must write their answers for the general paper in English or French. However, they may write their answers for the specialised paper in English, French or any of the other 4 official languages of the Secretariat.

Based on their performance in the written part of the examination, the Board of Examiners invites selected candidates to an interview. The interview is conducted in English or French.

Following the completion of the interviews, the Board of Examiners recommends the most suitable candidates to the Assistant Secretary-General for Human Resources Management of the UN. Successful candidates are placed on a reserve list of qualified candidates.

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<sup>52</sup> United Nations, *Procedure of the NCRE P-2 Examination*; downloaded from the UN website on 7 August 2008: <http://www.un.org/Depts/OHRM/examin/ncrepage.htm>

‘The decisions of the Board of Examiners regarding the results are final and are not subject to appeal’<sup>53</sup>. Successful candidates may be called upon to serve at the UN Headquarters in New York or at other duty stations in Africa, Asia, Europe or Latin America.

### **3.1.2. Examinations for Language Positions**

The UN Secretariat holds competitive examinations for language positions (translators, editors, verbatim reporters, interpreters, proofreaders, etc.) on a regular basis. Examinations are only required for full-time career positions.

Examinations are held to establish a list of qualified candidates from which to fill language positions. The frequency of the examinations varies according to the needs of the UN Secretariat. Candidates for translator positions are required to translate from at least two of the six official languages. Candidates for interpreter positions are required to interpret simultaneously into one of the six official languages and must have full auditory comprehension of at least two other official languages.

### **3.2. Policy of equal opportunities for women and men**

Article 8 of the Charter of the United Nations declares that ‘the United Nations shall place no restrictions on the eligibility of women and men to participate in any capacity and under conditions of equality in its principal and subsidiary organs’<sup>54</sup>.

The General Assembly has repeatedly called (Platform for Action<sup>55</sup>, Resolution 59/164<sup>56</sup>) for the United Nations to achieve the goal of 50/50 gender distribution. This goal was mandated in the Fourth World Conference on Women in September 1995 in Beijing to be achieved by the year 2000. However, overall representation of women in the Secretariat is approximately 37% and varies widely in the different entities of the UN system. To be specific, in the 38 individual departments/offices of the Secretariat, data of 31.12.2004<sup>57</sup> reveals that out of those with 20 or more P-grade staff, 6 have more than 50% women, 7 have 40% P-grade female staff, 14 departments/offices have 30-40% P-grade female staff, and 4 have less than 30% P-grade staff.

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<sup>53</sup> United Nations, *Procedure of the NCRE P-2 Examination*; downloaded from the UN website on 7 August 2008: <http://www.un.org/Depts/OHRM/examin/ncrpage.htm>

<sup>54</sup> United Nations, *Charter of the United Nations*, downloaded from the UN website on 6 August 2008: <http://www.un.org/aboutun/charter/index.html>

<sup>55</sup> *Report on the Fourth World Conference on Women, Beijing, 4-15 September 1995*; downloaded from the UN website on 8 October 2008: <http://www.un.org/esa/gopher-data/conf/fwcw/off/a--20.en>

<sup>56</sup> UN General Assembly, (Resolution 59/164), *On Improvement of the Status of Women in the United Nations System*, 20.12.2004.

<sup>57</sup> Mayanja, R., *Improvement of the status of women in the United Nations system: A verbal report in response to General Assembly resolution 59/164 of 20 December 2004*; Commission on the status of women, 49<sup>th</sup> session, 28 February-11 March 2005.

### 3.2.1. UN Office of the Focal Point for Women

By way of Resolution 43/224 of 21 December 1988, a Focal Point for Women at the Principal Officer level was established on a full-time basis. 'The Focal Point, through the Special Adviser on Gender Issues and the Advancement of Women, is mandated to monitor and report on the status of women in the United Nations' System, and assist the Secretary-General in achieving the General Assembly's mandated goal of a 50:50 gender balance at all levels in the UN System'<sup>58</sup>.

Under the guidance of the Special Adviser, the Focal Point aims to improve the status of women. This includes work on policy formulation and implementation, advocacy for a work/life balance and grievance redress related to formal and informal employment conditions for women, etc.

### 3.2.2. Policies governing gender issues

- **Staff selection system**

The UN Staff Selection System Administrative Instruction<sup>59</sup> includes some special elements related to women: consideration as an internal candidate for promotions and appointments, measures to reach gender targets and increased time on the (candidate) list.

Regarding promotion and appointment, the Instruction states that female staff members who hold a appointment of any type at the P-3 level may be considered for vacancies at the P-4 level; female staff members holding a current appointment of any type at the P-4 level may be considered for vacancies at the P-5 level, 'provided in each case that they have been in the service of the Organization for a cumulative period of at least one year prior to application'<sup>60</sup>. The same rule also applies to women serving with the other entities of the United Nations common system.

Regarding gender targets, the Instruction determines that 'if the head of a department/office who has not met the gender targets set out in the departmental action plan proposes to select a male candidate where an equally qualified female candidate exists, the proposed selection decision must be justified to, and approved by, the Office of Human Rights Management'<sup>61</sup>.

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<sup>58</sup> UN Office of the Special Adviser on *Gender Issues and Advancement of Women, Background*, Downloaded from the UN OSAGI website on 5 August 2008:

<http://www.un.org/womenwatch/osagi/fp.htm>

<sup>59</sup> UN Staff Selection System 2006 - [ST/AI/2006/3 Para 5.5\(b\) \(ii\)](#)

<sup>60</sup> UN Office of the Special Adviser on Gender Issues and Advancement of Women, *Gender Related and Secretariat Policies*; Downloaded from the UN OSAGI website on 7 August 2008:

<http://www.un.org/womenwatch/osagi/fpgenderpolicies.htm>

<sup>61</sup> UN Office of the Special Adviser on Gender Issues and Advancement of Women, *Gender Related and Secretariat Policies*; Downloaded from the UN OSAGI website on 7 August 2008:

<http://www.un.org/womenwatch/osagi/fpgenderpolicies.htm>

In order to facilitate the achievement of gender parity goals set in the UN, female candidates should remain on the candidate list for three years, instead of one year in the case of male candidates, after the first day of the month following the selection decision.

- **Departmental focal points**

Each department, office or regional office of the UN should have a departmental focal point that ‘supports the head of department, office or regional commission to achieve gender equality in the department or office by contributing to the development of the human resources action plan and by promoting awareness of gender issues and the means to achieve gender equality’<sup>62</sup>.

Another function of the focal points is to counsel female staff within their department or office on matters affecting their career development or conditions of service.

- **Work/life policies**

The UN Secretariat introduced flexible working arrangements in February 2003, following a six-month pilot project. Work/life issues were identified as central, with a need to pay particular attention to better reconciling work and family responsibilities, as well as to addressing issues associated with the recruitment and retention of women, especially with a view to the expected future workforce. ‘An analysis of the causes of slow advancement of women in the UN system revealed a managerial culture that views the adoption of work/life policies as a barrier to productivity and efficiency, and as incompatible both with career advancement and performance’<sup>63</sup>.

Four options are currently available to staff:

- Staggered working hours;
- Compressed work schedules;
- Scheduled breaks for external learning activities;
- Working away from the office.

Part-time work is also possible, as are different family-related leaves to create a better work/life balance for the employees.

### **3.2.3. Women’s representation in the UN Secretariat**

This section is based on data from the UN Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI)<sup>64</sup>. The latest available data is for the situation on 31 December 2005. The tendency regarding women’s representation in the UN was examined by comparing data with the previous year (2004).

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<sup>62</sup> UN Office of the Special Adviser on Gender Issues and Advancement of Women, *Gender Related and Secretariat Policies*; Downloaded from the UN OSAGI website on 7 August 2008:

<http://www.un.org/womenwatch/osagi/fpgenderpolicies.htm>

<sup>63</sup> Ibid.

<sup>64</sup> UN Office of the Special Adviser on Gender Issues and Advancement of Women, *Gender Balance Statistics*, Downloaded from the UN OSAGI website on 5 August 2008:

<http://www.un.org/womenwatch/osagi/fpgenderbalancestats.htm>

Overall, women represented 37.2% of all staff in the professional and higher categories with appointments of 1 year or more. This percentage has not changed since 31 December 2004.

Women employed as a professional or as a director-general in posts which are subject to geographical distribution represented 42.9% of all staff. This percentage has only slightly increased since 31 December 2004.

Since 31 December 2004, the proportion of women at the senior policy-making levels decreased from 17.5% to 15%. At the Assistant Secretary-General level, the proportion of women decreased from 22.2% to 20.4%.

### **Concluding remarks**

The UN has had an objective to reach 50/50 gender balance among its employees since 1995, but so far the objective has not been reached; women represent 37% of the employees. The UN has introduced several policy elements that could help reach this goal, such as special selection and promotion rules for women. For example, women can remain on the candidate reserve list for 3 years instead of 1, the latter applying to male candidates. Since 2003 the UN has also introduced certain flexible working arrangements that hopefully will change the organisational culture of managers who think that a work/life balance diminishes efficiency and productivity.

## **4. International Organisations: the Council of Europe**

This chapter is based on the information collected from the Council of Europe.

### ***4.1. Conditions of entry and recruitment procedures***

The Council of Europe's Secretariat has a permanent staff of about 1,300 drawn from its 47 Member States. Staff is divided into 4 categories (A, B, C, and L). One third of the staff belongs to category A (Administrative Officers from beginning of career grades A1/A2 to grade A7 Director-General); they are assisted by some 250 staff of upper B grades (B4 to B6) who have executive and supervisory duties, and by other B grade staff (B1 to B3) who carry out secretarial and clerical tasks. Category C comprises about 180 staff members, who carry out technical, manual or other service duties. There are about 70 staff members in category L. They ensure translation and interpretation services.

Recruitment of permanent staff in all categories is always done through competitive examination; recruitment for the fixed-term positions is done by a similar procedure and these posts are regularly advertised.

#### **4.1.1. Recruitment procedure**

In the recruitment process of the Council of Europe, two types of competition are possible: general and specific competitions. 'Administrative Officers are usually recruited from beginning of career posts (grades A1 to A2) by general competitions open to Member States not yet adequately represented'<sup>65</sup>. Furthermore, general competitions at regular levels are organised for secretarial assistants with English or French at native-speaker level.

Specific competitions are organised to fill specialised posts. Specialised competitions usually take place when such vacancies arise and they may be open to nationals of all Member States or only to one or several, under-represented countries. Specific competitions for secretarial assistants with a native-speaker level of other European languages may also be organised.

- **Official vacancy notice**

The official vacancy notice includes a job description and lists the requirements for candidates, which must be met to participate in the competition.

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<sup>65</sup> Council of Europe, Directorate of Human Resources, *General Information*; downloaded from the Council of Europe website on 8 August 2008:  
[http://www.coe.int/t/e/human\\_resources/jobs/01\\_General\\_Information/](http://www.coe.int/t/e/human_resources/jobs/01_General_Information/)

- **Short listing**

The candidates are short listed by the Appointments Board on the basis of their qualifications and professional experience. Candidates who meet all the requirements are invited for a written examination.

- **Written examination**

The written examination includes different papers that must be drafted in English or French. This examination aims at testing the candidates' knowledge, their understanding of the topic and their capacity to analyse and draft documents.

- **Interview**

The candidates who obtain the best results in the written papers are invited for an interview with the Appointments Board and, for some competitions, additional tests. The interview lasts 30 minutes and is conducted in both English and French. 'The Appointments Board assesses the candidates' merits on the basis of their results in the written papers, their competencies and professional experience and their interview performance'<sup>66</sup>. Afterwards, the Appointments Board recommends the candidates considered suitable for the vacant post(s) to the Secretary-General.

- **Employment**

After considering the recommendations made by the Appointments' Board, the Secretary-General makes a decision as to which candidates should be offered a fixed-term contract or a contract of indefinite duration after a probationary period. 'Candidates not offered immediate employment may be placed on a reserve list, valid for 2 years. Reserve lists are taken into consideration whenever a vacant post is to be filled by an external candidate'<sup>67</sup>. However, it must be noted that being placed on a reserve list does not create any entitlement to an offer of employment.

- **Probationary period**

Successful candidates are subject to a probationary period of 2 years, during which they are appointed on the basis of fixed-term contracts. 'During the first year, either side may terminate the contract at 2 months' notice; after the first year, 3 months' notice must be given'<sup>68</sup>. If the work of a staff member is considered satisfactory, after the probationary period they will be offered a contract of indefinite duration or a fixed-term contract. A fixed-term contract may be offered for a duration of not less

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<sup>66</sup> Council of Europe, Directorate of Human Resources, *General Information*; downloaded from the Council of Europe website on 8 August 2008:

[http://www.coe.int/t/e/human\\_resources/jobs/01\\_General\\_Information/](http://www.coe.int/t/e/human_resources/jobs/01_General_Information/)

<sup>67</sup> Council of Europe, Directorate of Human Resources, *General Information*; downloaded from the Council of Europe website on 8 August 2008:

[http://www.coe.int/t/e/human\\_resources/jobs/01\\_General\\_Information/](http://www.coe.int/t/e/human_resources/jobs/01_General_Information/)

<sup>68</sup> Council of Europe, Directorate of Human Resources, *Summary of Conditions of Employment – Grades A1 to A5*; Downloaded from the Council of Europe website on August 8 2008:

[https://wcd.coe.int/ViewDoc.jsp?Ref=ADMIN/RH\(2008\)28&Language=lanEnglish&Ver=original&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864](https://wcd.coe.int/ViewDoc.jsp?Ref=ADMIN/RH(2008)28&Language=lanEnglish&Ver=original&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864)

than 6 months. Such contracts may be extended or renewed several times, however the total length of employment of staff under fixed-term contracts may not exceed 5 years.

- **Age limits**

The staff regulations do not prevent the Secretary-General from defining specific age or nationality criteria for certain positions. However, such decisions should have justified reasons.

#### **4.1.2. General admission requirements**

A candidate has to be a national of a Member State of the Council of Europe, possess a relevant degree, diploma or training and have the relevant professional experience. The candidate also has to be fluent in one of the official languages (English and French) and for many posts a good knowledge of the second official language is also required. Candidates with English or French as a mother tongue are expected to have a very good knowledge of the other official language. Knowledge of other European languages is also considered an advantage (especially German, Italian, Spanish or Russian).

Other skills a candidate should have are: drafting skills, adaptability, ability to work in a team and ability to work with modern computer technologies.

#### **4.1.3. Specific admission requirements**

There are specific admission requirements, according to the category to which a candidate wants to apply. For example, for the Administrative Officers category (grades A1 to A2) candidates must hold a university degree of at least a standard sufficient for entry to the senior category of their national civil service and normally possess the relevant professional experience. Appointments are usually made in grade A1 or A2, depending on age and experience.

### ***4.2. Policy of equal opportunities for women and men***

In March 2004, the Secretary-General adopted the first official policy on equal opportunities and gender mainstreaming in the Council of Europe Secretariat. This policy defines the fundamental concepts of equal opportunities, gender mainstreaming, direct and indirect discrimination and measures to promote full and effective equal opportunities<sup>69</sup>.

At the same time the Equal Opportunities Board was set up. Its role is to advise on and monitor equal opportunities policy within the Secretariat, to prepare annual work

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<sup>69</sup> Council of Europe, Equal Opportunities Board, *Equal opportunities and gender mainstreaming in the Council of Europe Annual report 2007*; February 2008, p.8.

plans for the implementation of the Equal Opportunities Policy and to publish an annual report on equal opportunities in the Secretariat.

For several years the Secretariat of the Council of Europe has been applying a policy of positive measures to promote gender equality in accordance with Article 22 of Appendix II to the Staff Regulations. The Staff Regulations determine that ‘in the event of equal merit between a woman and a man, both of whom are candidates in an external recruitment or internal competition procedure, preference shall be given to the candidate of the gender which is under-represented in the grade and category to which the vacancy belongs’<sup>70</sup>. A gender is under-represented ‘when the proportion of staff of that gender in the grade and category to which the vacancy belongs is below 40%’<sup>71</sup>.

#### **4.2.1. Network of senior women managers**

An informal Network of Senior Women Managers was set up in 2001 on the initiative of the previous Equal Opportunities Adviser; however it was not very active. The Network was reactivated in June 2005 by the Deputy Secretary-General. Since then its members have met several times and the Network has been enlarged to include women ambassadors and women judges at the European Court of Human Rights, the Chair of the Staff Committee and the Mediator.

The Network provides a unique opportunity for women managers to share experiences and explore the ways and means of promoting equal opportunities in the Secretariat. The Network is also an example in itself for all female staff members motivated to break through the ‘glass ceiling’. One of the results from the latest Network’s discussions is the launch of a pilot project for a mentoring system of senior women managers in 2008.

#### **4.2.2. Work/life balance**

In the last few years, the Council of Europe has adopted several legal provisions related to gender equality and the work/life balance in the organisation. Some of these legal provisions are mentioned below.

- **Parental leave**

Parental leave of up to 12 months has been introduced, and financial allowances for dependent children are assured for a period of up to 6 months maximum.

- **Working hours**

Core time and flexible bands have been introduced. The core time is from 9 am to 12 am and from 2.30 to 4.30 pm.

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<sup>70</sup> Council of Europe, Equal Opportunities Board, *Equal opportunities and gender mainstreaming in the Council of Europe Annual report 2007*; February 2008, p.30.

<sup>71</sup> Ibid.

- **Part-time work**

Several positive elements have been introduced regarding part-time work. For example, the introduction of an arrangement for working full time and securing extra days of leave in compensation (21 days for 90%, 42 days for 80%), and the introduction of an arrangement for combining a weekly fixed, regular absence with shorter working days.

#### **4.2.3. Women's representation in the Secretariat of the Council of Europe**

Based on the figures for 2007<sup>72</sup>, it can be seen that there has been a continuous move towards a gender balance, and especially in relation to women being appointed to managerial posts in the organisation. 'The proportion of women in A4 grade rose in relation to 2006, since the 40% threshold (referred to in Article 22 of the Staff Regulations), which was exceeded for the first time in 2006, increased further, with women now accounting for 41.61% of all staff in grade A4'<sup>73</sup>.

In 2007, a second woman was appointed as head of a major administrative entity, thereby doubling the percentage of A7 women. At the same time, the proportion of women in A6 and A5 grades decreased due to the fact that 7 men (and no women) were promoted to grade A5 following a job classification exercise.

Overall, the Council of Europe employs more women than men (64.9 % women and 35.1 % men), but about three-quarters of the female staff are employed in the B category (assistants and administrative assistants). Men still represent the majority in the C category, thereby continuing the trend noted in previous years: women mainly hold lower C-grade (C1 and C2) posts, while men regularly progress to the middle and higher grades (C3 to C6). In the L category, almost half of the staff employed is represented by women (45.79% women and 54,22% men). The majority is concentrated in grade L2. There has been a decrease in the percentage of women in upper grades L3 and L4. In grade L5 the situation has changed in comparison with 2005 and 2006, as a woman was appointed to this grade in 2007.<sup>74</sup>

#### **Concluding remarks**

In the last few years, the Council of Europe has introduced several policy elements to balance the professional and private life of the employees of the Secretariat, such as extended parental leave, the possibility to work part-time and flexible working hours. One of the main reasons for such a policy is the willingness to achieve equal gender distribution in the Secretariat. Currently more women than men are employed in the Secretariat of the Council of Europe; however women are still under-represented in managerial positions. Slowly a continuous increase in the number of women managers can be seen. The introduction of new and more flexible working conditions may be helpful in reaching their goal.

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<sup>72</sup> Council of Europe, Equal Opportunities Board, *Equal opportunities and Gender Mainstreaming in the Council of Europe Annual report 2007*; February 2008, p. 31.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid



## 5. Gender mainstreaming in the Member States

### 5.1. Definition of gender mainstreaming

All Member States use a definition of gender mainstreaming; in this paragraph the definitions used by the Member States are presented. The description of gender mainstreaming, including how and where it has been incorporated by the Member States, is presented in paragraph 5.3.

Austria, Germany, Denmark, Estonia, Finland, Greece, Italy, Portugal, the Czech Republic, Hungary, Lithuania, Latvia, the Netherlands, Sweden, Slovenia and the United Kingdom use the European Commission's definition of gender mainstreaming:

'Gender mainstreaming is the integration of the gender perspective into every stage of policy processes – design, implementation, monitoring and evaluation – with a view to promoting equality between women and men. It means assessing how policies impact on the life and position of both women and men – and taking responsibility to re-address them if necessary. This is the way to make gender equality a concrete reality in the lives of women and men, creating space for everyone within the organisations as well as in communities to contribute to the process of articulating a shared vision of sustainable human development and translating it into reality'<sup>75</sup>.

Belgium, France, Ireland, Luxembourg, Poland, Romania and Spain use the United Nations' definition of gender mainstreaming:

'... the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated'<sup>76</sup>.

Bulgaria, Cyprus, Malta and Slovakia use the Council of Europe's definition of gender mainstreaming:

'Gender mainstreaming is the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies, at all levels and at all stages, by the actors normally involved in policy-making'<sup>77</sup>.

Another definition of gender mainstreaming<sup>78</sup> is given in the European Commission's 'Manual for Gender Mainstreaming of Employment Policies':

'...Mainstreaming is to distinguish between three types of gender equality strategies: tinkering, tailoring and transforming. Tinkering refers to measures aimed at establishing formal equality between men and women, such as equal treatment

<sup>75</sup> See: [http://ec.europa.eu/employment\\_social/gender\\_equality/gender](http://ec.europa.eu/employment_social/gender_equality/gender)

<sup>76</sup> United Nations, *The Report of the Economic and Social Council for 1997*.

<sup>77</sup> EG-S-MS (1998)2, Council of Europe, 1998.

<sup>78</sup> No Member States seem to have adopted this definition.

legislation and mechanisms to ensure legal enforcement. Examples at the EU level are the directives regarding equal pay and equal treatment in access to employment, training, promotion and working conditions. Tinkering is in fact one of the oldest strategies for promoting equal opportunities. The second strategy is tailoring. As equal treatment does not automatically lead to equal outcomes, specific measures and facilities for women may be necessary. Examples are positive action programmes for women and the provision of childcare. Under this tailoring approach women are expected to assimilate into the status quo, which in itself is not under discussion. The third strategy 'transforming' goes a step further by questioning the status quo (the mainstream) and assuming that a transformation of institutions and/or organisations may be necessary to establish gender equality. Thus, gender mainstreaming would result in adding this potential for transformation to the established gender equality policies of formal equality and positive action<sup>79</sup>.

When implementing gender mainstreaming, attention must be paid to certain prerequisites: political will; a specific gender-equality policy; sex-disaggregated statistics; knowledge of gender relations and the administration, funds and human resources.

Political will refers to the state's visible commitment to implementing gender mainstreaming, and whether gender equality is defined as one of its main objectives.

Financial means are crucial for gender mainstreaming, since without them it is not possible to adapt existing policy techniques and tools, set up new channels of cooperation or provide training for policy makers. However, mainstreaming implies a reallocation of existing funds, not a contribution of new funds.

## **5.2. *Methods of gender mainstreaming***

Several methods or tools can be used for implementing gender mainstreaming – Gender Impact Assessment, Gender Analysis and Gender Budgeting. As a prerequisite for all of them, sex-disaggregated statistics are necessary.

Referring to Sterner and Biller,<sup>80</sup> Gender Impact Assessment and Gender Analysis refer to techniques for analysing decision-making materials from a gender perspective. Gender Impact Assessment is defined as 'scrutinising proposed political actions to decide whether they affect women and men in different ways, and if this is the case, a consequent adjustment of the proposals in order to neutralise the discriminatory consequences and promote gender equality'<sup>81</sup>.

Gender Analysis is defined as 'studies of differences between women and men in their allocated gender roles, for example, concerning conditions, needs, participation, assessment of resources and development, control over assets and decision-making'<sup>82</sup>.

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<sup>79</sup> European Commission, *Manual for Gender Mainstreaming of employment policies, 2007*, p. 4.

<sup>80</sup> Sterner, G., Biller, H., *Gender Mainstreaming in the EU Member States*, Ministry of Integration and Gender Equality, Sweden, 2007.

<sup>81</sup> EU publication '100 words of Gender Equality, a Dictionary of Equality terms' (1998); Found in Sterner, G., Biller, H., p.16.

<sup>82</sup> Ibid.

Gender Budgeting is defined as a special application of gender mainstreaming in the budgetary process. ‘It means a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality’<sup>83</sup>.

### **5.3. Gender mainstreaming practices**

Almost all Member States have some legislation providing formal political support for the implementation of gender mainstreaming. The obligation to conduct gender mainstreaming can be adopted either legally (in the constitution, in a gender equality act or as a separate law) or as a governmental instruction. In some countries, gender mainstreaming is formulated through the adoption of a plan or programme.

Several states (Austria, the Czech Republic, Denmark, Estonia, France, Germany, Ireland, Latvia, Lithuania and Slovenia) have incorporated the international obligations relating to gender equality and gender mainstreaming into national laws. These laws determine that governments shall promote gender equality, stop all discrimination and use gender mainstreaming as a strategy to achieve gender equality. There are twelve states with a more detailed and systematic description of gender mainstreaming in their laws – Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, Ireland, Latvia, Slovenia, Spain, Sweden and the United Kingdom. Such legislation provides for a mandatory obligation for the state to undertake a gender impact analysis before introducing legislation, bills or legal acts.

Regarding sex-disaggregated national statistics, they are, at least to some extent, collected in all Member States. Several states’ ministries are under instruction to use sex-disaggregated statistics (e.g. Austria, Denmark and Belgium). Other states issue publications on the status of women and men in society (e.g. the Czech Republic, France and others) or arrange training on the subject (Estonia). In the United Kingdom, the forthcoming Gender Equality Duty has an underlying obligation for public authorities to collect sex-disaggregated statistics.

Regarding gender mainstreaming methods, 15 states use Gender Impact Assessments (Austria, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Ireland, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Portugal and Spain) and 3 Member States (Denmark, Estonia, Italy) use Gender Analysis in their work on implementing gender mainstreaming. In the United Kingdom, all public authorities have been required to conduct and publish gender impact assessments since April 2007, when the Statutory Gender Duty came into force.

Gender Budgeting is a less popular gender mainstreaming method among the EU Member States; nevertheless; 10 Member States have tried this method: Austria, Belgium, the Czech Republic, Denmark, Finland, Germany, Malta, the Netherlands, Sweden and the United Kingdom.

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<sup>83</sup> EU publication ‘100 words of Gender Equality, a Dictionary of Equality terms’ (1998); Found in Sterner, G., Biller, H., p.17.

Furthermore, the Member States present few best practices for gender mainstreaming. The focus differs in each country, reflecting their varied concerns.

In Denmark, the Department of Gender Equality initiated a project in 2007, during which a new e-learning tool has been created to make gender mainstreaming a well-known and practical method of creating equality between women and men. The aim of the initiative was to increase the number of civil servants familiar with gender mainstreaming tools.

In Finland, the Ministry of Social Affairs and Health 2003 guidelines on gender impact assessment constitute an important tool for further improving gender equality; they approach this issue in a concrete and practical way by means of questions that may highlight gender equality problems. These guidelines have been a great help as background information in preparing legislation and programmes<sup>84</sup>.

The integration of a gender perspective into the budget procedure (i.e. gender budgeting) has been developed since 2004 in a pilot project at the Ministry of Social Affairs and Health. In the first phase the focus has been on formulating the Ministry's own budget proposal with an aim to develop methods to assess the gender impact of the entire budget at the same time. The information compiled in the context of the pilot project has been used in developing the gender budgeting for the entire public administration<sup>85</sup>.

In 2007, a new project on gender mainstreaming was introduced, entitled 'Introducing gender glasses'; its aims are to enhance awareness of the importance of gender mainstreaming and to provide government officials with the knowledge of the concepts, objectives and methods of gender mainstreaming. During the project, separate training for management and other staff will be organised in each ministry and an online compilation of the basic tools for the effective implementation of gender mainstreaming will be published.

In Greece, a project was introduced in 2007 for the implementation of gender mainstreaming in public administration. It is aimed at improving the knowledge and the expertise of the decision makers and administrators with regards to gender equality and gender mainstreaming. During the project, pilot Gender Action Plans are to be implemented in 3 Greek regions. The target group includes top public managers, gender advisors and the staff implementing gender equality policies in public administration.

In Italy, a project is underway that aims to enhance the gender culture in Central Public Administration. During the project, 12 national ministries will be provided with workshops and specific training courses with a view to integrating the gender perspective into different sectors and policies at all levels.

In Latvia, all ministries are asked to include gender mainstreaming as a horizontal aspect of their policies. Since 2002, the Government has accepted amendments to the Directive, which provides for the documentation that needs to be prepared for almost

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<sup>84</sup> Sterner, G., Biller, H., p. 27.

<sup>85</sup> Sterner, G., Biller, H., Appendix 1: In-depth study of Finland, p. 30.

all legal acts, in the form of an ex-ante impact assessment on the gender equality situation<sup>86</sup>. Also, since 2002, when the Latvian government was accepted as a participant in the Framework Programme of the European Community on strategies for gender equality, several projects have been introduced in Latvia on the development and implementation of gender mainstreaming. As a result there is an increasing public awareness of gender-equality principles. Gender mainstreaming in active labour market policy measures is basically formulated as the training and retraining of women after childcare leave and promoting general awareness among civil servants about gender equality.

In Lithuania, the project 'Gender Mainstreaming in Lithuanian Policies' was held in 2002-2004. It aimed at supporting the mainstreaming of a gender perspective into government legislation, policies and programmes. During the project, gender training was provided for civil servants of the ministries and municipalities and discussions were organised with lawyers of the ministries on the sufficiency of the legal environment for the integration of the gender perspective and its application in practice. The project 'Gender mainstreaming: from concept to action' was introduced in 2007; it aims to increase awareness of gender mainstreaming as a tool for sustainable economic and social development. One of the project's priorities is to change the attitudes of the main public stakeholders towards gender issues. Methods such as gender budgeting and gender analysis as well as training and manuals are to be used in this project.

In Malta, a project has been developed on the actual implementation of gender mainstreaming in all spheres of the public service. This project can be considered as a follow up to the training and tools that have already been created. The objectives of the project are, among others, to set up a structure for implementation and monitoring, to create debate and raise awareness, and to build knowledge through research on Gender Responsive Budgets.

In Portugal, a gender mainstreaming initiative has been introduced in the field of environment and territory politics. The aims of the project are to improve the knowledge of key concepts, and the general understanding, of gender mainstreaming in national policies and programmes in the domain of 'Environment and Territory', as well as to raise awareness of the importance of gender mainstreaming as a fundamental instrument for the effective implementation of a policy of equality between women and men.

In Slovakia, a project within the PHARE programme has been implemented in 2005 entitled 'Strengthening of the Administration Capacities in the field of Gender Mainstreaming in the Slovak Republic'. As a part of this project, civil servants have been trained at a national, regional and local level on gender mainstreaming and gender equality. As a result of the project, a system of focal points has been set up for gender mainstreaming within all ministries of the Slovak Republic.

In Slovenia, the project 'Making Gender Mainstreaming Work' is underway. The aim of the project is to establish sustainable and systematic implementation of gender mainstreaming at a national level. Methods such as the analysis of policy-making

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<sup>86</sup> Sterner, G., Biller, H., p.12.

processes and the development of a gender mainstreaming manual and training modules are to be used.

In Sweden, many actions have been taken regarding gender mainstreaming. For example, every ministry has a contact person at the Gender Equality Division for gender mainstreaming work. In January 2005, a committee was established to support work on gender mainstreaming in the government's administration. This committee provides information and training, develops methods for gender mainstreaming and is creating a forum for the exchange of experiences between public agencies. The government offices have invested major resources in training on gender mainstreaming, because they see it as an important prerequisite for promoting gender equality. In 2007, a project was introduced developing training for gender mainstreaming and gender budgeting in the Swedish government's offices. Commencing with two pilot training programmes directed at middle management positions, the training has been continuously adapted to the participants' needs during the regular budgetary and legislative processes. Subsequently these training models have been adapted to the staff of other government offices and state agencies.

### **Concluding remarks**

All the definitions of gender mainstreaming incorporate the element that a gender equality perspective is taken into account at all levels in all policy fields. Gender equality has to become a part of every policy the state issues. However, it must be emphasised that gender mainstreaming has its starting point in already existing policies in any policy field. When taking a gender mainstreaming perspective, a given policy is reorganised in such way that the gender equality perspective can be integrated into it. This perspective 'takes into account the specific needs of women and men and elaborates policies on issues that are not covered by other policy areas'.

## Conclusion

With the accession of 12 Member States to the European Union since 2004, the variety of employment systems within the civil services has increased. The differences in the histories of the national civil services and a blurring of the boundaries between private and public sectors are changing opinions of policy makers and social partners about the status of civil servants and the necessity for special policies for their recruitment and equal opportunities systems. Any clear distinction between traditional, career-based systems and position-based systems is rapidly fading. An increasing number of public administrations are now using elements of both systems. These hybrid systems use various kinds of recruitment instruments, depending on the group or positions they deal with, for example, senior civil servants.

All the civil service recruitment schemes in the EU Member States assume that:

- The recruitment system is aimed at selecting the best-suited candidate available;
- The state's legal framework acknowledges the right to equal, merit-based access to its civil service or public employment, regardless of race, ethnic group, gender, family background, religious beliefs or political attitudes.

With the above conditions in place, civil service recruitment systems are constituted by a set of rules and conditions regulated by law. The most commonly practiced standards of the EU Member States are as follows:

- The recruitment procedures are based on regular entry competitions or on a competition for a specific vacancy among those candidates meeting a set of general requirements;
- All competitions and vacancies must be published in the state official gazettes and journals;
- A probationary period is required in all the Member States.

All other conditions and requirements differ from country to country.

In those Member States that acceded to the EU in 2004 and 2007, the overall participation of women in the national civil service is much higher than in those of earlier accession; in many of the former Member States too, a 50/50 balance of women and men has more or less been achieved. The main challenge EU Member States now face, and are presently working on, is to increase the participation of women in the higher levels and decision-making positions. Therefore, positive actions and/or quotas are used – in some instances – on a case-by-case basis for very specific, under-represented groups. In the past, equal opportunities policies were strongly focused on women. In most of the Member States the emphasis is now on a policy of diversity.

Regarding recruitment in the 3 international organisations – the EU Institutions, the Council of Europe and the United Nations – in general all three have a more career-based employment system, with a formal and centralised manner of recruiting their officials. They stipulate similar requirements for entering the competitions, such as nationality defined by law and statutory language requirements, and they assess the professional experience of the candidates. The United Nations is the only organisation that still has age limits for all posts, but the Council of Europe sometimes specifies age limits in specific cases.

In the EU Institutions, the selection process has become more centralised since the establishment of the European Personnel Selection Office. A common selection competition is now held for all EU Institutions. In addition to the career-based employment system for its officials, the EU Institutions also has a smaller category of non-permanent staff, recruited according to vacancies. In the Secretariat of the Council of Europe, both general and specific recruitment competitions take place. In the United Nations Secretariat, general competitions take place on an annual basis.

Concerning gender equality policies and programmes in these organisations, several activities may be observed. The European Commission recently adopted a special measure for the selection of women for middle-management positions. In all three organisations, positive actions are taken to recruit from under-represented groups in the civil service. In the event of equal professional qualification, preference is given to the candidate of the gender that is under-represented in the organisation or particular unit. Also, greater attention is being paid towards working conditions and the possibilities of a work/life balance. However, despite the attention given to gender equality issues in all 3 organisations, women are still under-represented in the EU Institutions and the United Nations, especially in the management positions. In the Secretariat of the Council of Europe women are under-represented only in the management positions.

The EU Member States are all committed to gender equality and gender mainstreaming. In order to attain sustainable gender equality in society, having a balanced workforce is often considered as a pre-condition for the public administration in its role as employer. Mainstreaming the gender aspect into all policies is the current challenge in most of the public administrations of the EU Member States. In this respect, the gender equality issues at the forefront are the capacity of public institutions to formulate policies and deliver programmes that recognise and respond to the different situations and needs of women and men, as well as the work to be undertaken in reducing any inequalities.

Specific policies and actions used when identifying national strategies should include:

- Skills and experience in the assessment of policy options and a programme's gender impact;
- Data and information systems to support the decision-making process on gender equality;
- Consultation mechanisms, in particular the development of processes for consultation with the public, including with women's organisations, deliberately seeking to ensure that the views of women as well as men are expressed in policy priorities and choices;
- Research, or more specifically, the capacity to undertake or commission empirical and policy research on gender equality issues, as relevant to the institution's mandate;
- Strengthening networks within and among public institutions (at working and decision-making levels) and with civil society that support the formulation of gender-equitable policies.

In human resource management, attention in the field of equal opportunities should be paid to:

- Assessing gender balance in employment in various categories of work and at various levels of income;
- The development of equitable human resource management strategies, including a minimum quota in the competitions and targets for the representation of women at senior decision-making levels;
- Gender pay gap and gender budgeting;
- Strategies to facilitate and monitor women's access to training opportunities;
- Reconciliation policy to achieve a better work/life balance for women and men.

The action (or inaction) of government institutions often has gender-differentiated impacts because of the differences in the responsibilities women and men traditionally carry in the household, the type of work they do and their different needs. The ability to meet the needs of women as well as men is a critical measure of the effectiveness of public institutions. Experiences in the Member States demonstrate that this is not achieved automatically; it requires commitment, analytical skills and the appropriate data.

In most countries, women are under-represented at decision-making levels in most areas of public administration. To reach equal participation of women and men in decision-making in all government institutions is both a goal and an indicator of gender equality. Efforts to redress the low representation of women at senior decision-making levels are an important aspect of making these institutions more representative of the public to whom they are accountable.

This also requires supportive working conditions, not only at the time of entry to the civil service, but throughout the whole working life of civil servants and public employees. In order to achieve a better work/life balance for women and men, allowing them to reconcile their professional and private lives, greater flexibility in working arrangements, such as part-time work, teleworking, flexible working hours and different kinds of special leave, is required.



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## Annex 1

### Official Member States' Gazettes and Journals in which vacancies for the civil service are published

<b>Austria:</b>	<i>Amtsblatt zur Wiener Zeitung</i>
<b>Belgium:</b>	<i>Belgisch Staatsblad/Moniteur belge</i>
<b>Bulgaria:</b>	<i>Darzhaven vestnik: ofitsialno pechatno izdanie na Republika Bulgaria ofitsialen razdel</i> (the Official Journal of the Republic of Bulgaria); <i>arzhaven vestnik: ofitsialno pechatno izdanie na Republika Bulgaria - neofitsialen razdel</i> (The official Gazette of the Republic of Bulgaria)
<b>Cyprus:</b>	<i>Epissimi Efimerida tis Dimokratias tis Kyprou</i>
<b>The Czech Republic:</b>	<i>Sbírka zákonů - Sb</i> (Collection of Acts); <i>Sbírka mezinárodních smluv - Sb.m.s.</i> (Collection of International Treaties)
<b>Denmark:</b>	<i>Lovtidende</i>
<b>Estonia:</b>	<i>Riigi Teataja, RT</i>
<b>Finland:</b>	<i>Suomen Saadoskokoelma/Finlands forfattningssamling</i>
<b>France:</b>	<i>Journal officiel de la Republique Française</i>
<b>Germany:</b>	<i>Bundesgesetzblatt</i> (German Federal Legal Gazette); <i>Bundesanzeiger</i> (Federal Gazette)
<b>Greece:</b>	<i>Efimeris tis Kiverniseos tis Ellinikis Dimokratias</i>
<b>Hungary:</b>	<i>Magyar Kozlony MK</i>
<b>Republic of Ireland:</b>	<i>Iris Oifiguil</i>
<b>Italy:</b>	<i>Gazzetta Ufficiale della Repubblica Italiana</i>
<b>Latvia:</b>	<i>Latvijas Vestnesis</i>
<b>Lithuania:</b>	<i>Valstybes zinios</i>
<b>Luxembourg:</b>	<i>Memorial A/B</i>
<b>Malta:</b>	<i>Il Gazzetta tal-Gvern ta' Malta</i>
<b>The Netherlands:</b>	<i>Nederlandse Staatscourant</i>
<b>Poland:</b>	<i>Dziennik Ustaw Rzeczypospolitej Polskiej (Dz.U.)</i> (Journal of Laws of the Republic of Poland); <i>Dziennik Urzędowy Rzeczypospolitej Polskiej 'Monitor Polski'</i> (MP) (Official Journal of the Republic of Poland 'Monitor Polski'); <i>Dziennik Urzędowy Rzeczypospolitej Polskiej 'Monitor Polski B'</i> (MP-B) (Official Journal of the Republic of Poland 'Monitor Polski B')
<b>Portugal:</b>	<i>Diario da Republica (I/II) serie</i>
<b>Romania:</b>	<i>Monitorul Oficial al Romaniei</i>
<b>Slovakia:</b>	<i>Zbierka zákonov Slovenskej republiky</i>
<b>Slovenia:</b>	<i>Uradni list Republike Slovenije</i>
<b>Spain:</b>	<i>Boletin Oficial del Estado</i>
<b>Sweden:</b>	<i>Svensk författningssamling</i> (Swedish code of Statutes); <i>Post-och Inrikes Tidningar</i> (Swedish National Official Journal, under the responsibility of the Swedish Companies Registration Office)
<b>The United Kingdom:</b>	<i>Acts of Parliament and Statutory Instruments; The London Gazette, the Belfast Gazette and the Edinburgh Gazette</i>

Source: European Forum of Official Gazette, found in: <http://circa.europa.eu>

## Annex 2

### Institutions and bodies responsible for equal opportunities

<b>Austria:</b>	Federal Ministry of Economic and Labour
<b>Belgium:</b>	Centre for Equal Opportunities and for Combating Racism
<b>Bulgaria:</b>	Ministry of Labour and Social Policy
<b>Cyprus:</b>	Ministry of Justice and Public Order
<b>The Czech Republic:</b>	The Office of the Government of Czech Republic, Human Rights
<b>Denmark:</b>	Department of Gender Equality
<b>Estonia:</b>	Ministry of Social Affairs of Estonia
<b>Finland:</b>	Ministry of Interior
<b>France:</b>	High Authority for Combating Discrimination and for Equality
<b>Germany:</b>	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth – Anti-Discrimination Department
<b>Greece:</b>	Ministry of Employment and Social Protection
<b>Hungary:</b>	Ministry of Social Affairs and Labour – Department of Equal Opportunities
<b>Republic of Ireland:</b>	The Equality Authority
<b>Italy:</b>	Ministry for Rights and Equal Opportunities
<b>Latvia:</b>	Ministry of Society Integration
<b>Lithuania:</b>	Office of Equal Opportunities
<b>Luxembourg:</b>	Government Commission for Equal Opportunities
<b>Malta:</b>	Ministry for the Family and Social Solidarity - Department of Social Security
<b>The Netherlands:</b>	Ministry of Labour – Department of Equal Opportunities
<b>Poland:</b>	Ministry of Labour and Social Policy – Department for Women, Family and Combating Discrimination
<b>Portugal:</b>	Commission for Citizenship and Gender Equality
<b>Romania:</b>	Ministry of Labour and Social Solidarity and Family
<b>Slovakia:</b>	Government Office – Department of Human Rights and Minorities
<b>Slovenia:</b>	Ministry of Labour, Family and Social Affairs
<b>Spain:</b>	Department of Equal Opportunities
<b>Sweden:</b>	Delegation of Equal Opportunities
<b>The United Kingdom:</b>	Government Equality Office.

Source: European Commission, DG Employment, Social Affairs and Equal Opportunities

## Annex 3

## Examples of diplomas corresponding, in principal, to those required in the notices of open recruitment competitions for the European Civil Service

	AST1 to AST7	AST3 to AST11	AD5 to AD16	AD5 to AD16
<b>Country</b>	<i>Secondary education (giving access to post-secondary education)*</i>	<i>Post-secondary education</i>	<i>University level education – At least 3 years in length**</i>	<i>University level education – At least 4 years in length</i>
<b>BE</b>	Certificat de l'enseignement secondaire supérieur - Diploma secundair onderwijs	Candidature - Kandidaat / Graduat - Gegradueerde		Licence – Licentiaat
<b>BG</b>	Diploma za Zavarcheno Sredno Obrazovanie (Диплома за Завършено Средно Образование)	Specialist po. (Специалист по.)		Diplom za Visse Obrazovanie (Диплома за Висше Образование) Bakalavur (Бакалавър) Magister (Магистър)
<b>CZ</b>	Vysvědčení o maturitní zkoušce	Vysvědčení o absolutoriu / diplomovaný specialista (DiS.)	Diplom o ukončení Bakalářského studia	Diplom o ukončení vysokoškolského studia / Magistr
<b>DK</b>	Studentereksamen	Videregående uddannelser	Bachelorgrad	Kandidatgrad
<b>DE</b>	Abitur/Allgemeine Hochschulreife	Berufsakademieabschluss	Fachhochschulabschluss (6-7 Semester) / Bachelor	Hochschulabschluss / Fachhochschulabschluss (8 Semester)/Master
<b>EE</b>	Gümnaasiumi Lõputunnistus + riigieksamitunnistus		Bakalaureusekraad (min 120 ainepunkti)	Bakalaureusekraad(160 ainepunkti)/ Magistrikraad
<b>IE</b>	Leaving certificate	National Certificate	Bachelor's degree	University degree (4 years)
<b>EL</b>	Απολυτήριο ενιαίου λύκειου	Δίπλωμα επαγγελματικής κατάρτισης (I.E.K.)		Πτυχίο Α.Ε.Ι. (πανεπιστημίου, πολυτεχνείου, Τ.Ε.Ι. υποχρεωτικής τετραετούς φοίτησης)
<b>ES</b>	Bachillerato	F.P. grado superior (Técnico Superior)	Diplomado/ Ingeniero técnico	Licenciatura
<b>FR</b>	Baccalauréat	DEUG/BTS/DUT	Licence	Maîtrise/Master
<b>IT</b>	Diploma di maturità / Diploma di superamento dell'esame di Stato conclusivo dei corsi di studio di istruzione secondaria superiore		Laurea -L(breve)	Laurea specialistica-LS/ Laurea
<b>CY</b>	Απολυτήριο ενιαίου λύκειου	Programmes offered by Public/Private Schools of Higher Education (for the later accreditation is compulsory)		Πανεπιστημιακό Πτυχίο
<b>LV</b>	Atestats par visparejo videjo izglitību		Bakalaura diploms (min 120 kredīti)	Bakalaura diploms (160 kredīti)/ Maģistra diploms
<b>LT</b>	Brandos atestatas		Bakalauras (min 120 kreditų)	Bakalauras (160 kreditų) /Magistras
<b>LU</b>	Diplôme de fin d'études secondaires	BTS		
<b>HU</b>	Gimnáziumi érettségi bizonyítvány	Felsőfokú szakképesítést igazoló bizonyítvány	Főiskola Oklevél	Egyetemi Oklevél
<b>MT</b>	Matriculation certificate (2 subjects at advanced Level and 4 at Intermediate Level including systems of knowledge)		Bachelor's degree	University degree (4 years)
<b>NL</b>	Diploma VWO	Kandidaatsexamen	Bachelor	Doctoraal examen/Master

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	<b>AST1 to AST7</b>	<b>AST3 to AST11</b>	<b>AD5 to AD16</b>	<b>AD5 to AD16</b>
<b>AT</b>	Österreich Matura/ Reifeprüfung	Kollegdiplom/ Akademiediplom	Fachhochschuldiplom (6-7 Semester) / Bakkalaureus(rea)	Universitätsdiplom / Fachhochschuldiplom (8 Semester)/Magister (tra)
<b>PL</b>	Świadectwo Dojrzałości		Licencjat /Inżynier	Magister / Magister Inżynier
<b>PT</b>	Diploma de Estudos Secundários		Bacharelato	Licenciatura
<b>RO</b>	Bacalaureat	Diplomă de absolvire (Colegiu universitar)		Diplomă de Licența
<b>SI</b>	Maturitetno spričevalo	Diploma višje strokovne sole		Univerzitetna diploma
<b>SK</b>	Vysvedčenie o maturitnej skúške	Absolventský diplom	Diplom o ukončení Bakalárskeho štúdia	Diplom o ukončení vysokoškolského štúdia / Magister
<b>FI</b>	Ylioppilastutkinto tai peruskoulu + kolmen vuoden ammattillinen koulutus – Student- eksamen eller grundskola + treårig yrkesinriktad utbildning	Ammatillinen opistoasteen tutkinto - Yrkesexamen på institutnivå	Kandidaatintutkinto - Kandidatexamen / Ammattikorkeakoulututkin to -Yrkeshögskoleexamen (min 120 opintoviikkoa - studieveckor)	Maisterin tutkinto - Magisterexamen / Ammattikorkeakoulututkin to -Yrkeshögskoleexamen (min 160 opintoviikkoa - studieveckor)
<b>SE</b>	Slutbetyg från gymnasieskolan (3-årig gymnasial utbildning)	Högskoleexamen (80 poäng)/Eftergymnasi al yrkesinriktad utbildning	Kandidatexamen (Akademisk examen omfattande minst 120 poäng varav 60 poäng fördjupade studier i ett ämne + uppsats motsvarande 10 poäng)	Magisterexamen (Akademisk examen omfattande minst 160 poäng varav 80 fördjupade studier i ett ämne + uppsats motsvarande 20 poäng eller två uppsatser motsvarande 10 poäng vardera)
<b>UK</b>	General Certificate of Education A level – 2 passes or equivalent (grades A -> E)	Higher National Diploma/Certificate (BTEC)/ Diploma of Higher Education (DipHE)	Bachelor's degree	University degree (4 years)

\* - Access to this category is also dependent upon having gained appropriate professional experience of at least 3 years.

\*\* - Access to grades 7 to 16 is also dependent upon having gained appropriate professional experience of at least one year.

Source: (EPSO/AST/68/08) European Personnel Selection Office, *Guide for Applicants*, 10.07.2007