

Decision of the Management Board of Europol of 4 June 2009 establishing
the rules on the selection, extension of the term of office and dismissal
of the Director and Deputy Directors of Europol (2009/1011/JHA)

CHAPTER 2

SELECTION PROCEDURES

Article 2

The selection procedure shall observe the principles enshrined in Article 12(1) of the Conditions of employment.

Article 3

- 1 The post of the Director or of a Deputy Director is deemed vacant:
 - a as from nine months before the end of their respective term of office,
 - b upon receipt by the Council of a letter of resignation,
 - c upon a decision by the Council to dismiss the Director or a Deputy Director or otherwise terminate their service in accordance with Chapter 4 of these Rules,
 - d as from nine months before the date on which the Director or a Deputy Director reaches the age of 65, or
 - e upon the death of the Director or a Deputy Director.
- 2 For each vacant post, a vacancy notice shall be drawn up by the Management Board. For the post of a Deputy Director, the vacancy notice is drawn up by the Management Board after having consulted the Director.

The vacancy notice sets out in clear and detailed terms the following elements:

- a a general description of Europol's tasks and mission as laid down in the Europol Decision,
 - b a description of the main functions and duties of the Director or Deputy Director, as the case may be, with appropriate references to the relevant provisions of the Europol Decision,
 - c the eligibility criteria that have to be fulfilled by every candidate,
 - d the profile for the post including any attributes that are considered relevant to the function and which are subsequently used as selection criteria,
 - e an overview of the selection and appointment procedure,
 - f the terms and conditions of employment including the grade at recruitment, the nature of the contract offered and the duration of the term of office,
 - g the modalities and closing date for submitting applications.
- 3 The selection process shall include an assessment to test specific competencies and skills of candidates.

The Management Board shall specify the characteristics and modalities of the assessment for each vacant post and may decide to have recourse to an external assessment centre.

- 4 The vacancy notice shall further indicate that candidates must submit their applications in writing, accompanied by a detailed curriculum vitae, a letter of motivation and the appropriate

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character references as to their suitability for the performance of the duties pertaining to the vacant post, to the Chairperson of the Management Board within six weeks of the date of publication of the vacancy notice in the *Official Journal of the European Union*.

The vacancy notice shall also provide information on the security screening to be applied to the successful candidate in compliance with the rules adopted pursuant to Article 40 of the Europol Decision.

Article 4

1 The Management Board shall ensure that the vacancy notice referred to in Article 3(2) is published in the *Official Journal of the European Union*, and in other media, including national newspapers and specialised periodicals, to achieve maximum exposure in all the Member States.

2 Europol shall inform the Europol national units of a vacancy for a post of Director or Deputy Director. The national units shall inform the relevant competent authorities of the Member States of the vacancy. The competent authorities shall be responsible for ensuring that the vacancy is brought to the attention of their departments and all the personnel concerned.

3 Europol shall send an acknowledgement of receipt to the applicants.

Article 5

1 The Management Board shall set up a selection committee (hereinafter referred to as the Committee) which shall assess the applications received and draw up a reasoned report to be submitted to the Management Board in accordance with Article 6 of these Rules.

2 For the post of Director, the Committee shall be composed of the member of the Management Board representing the Commission and of six Management Board members representing the Member States who shall be determined by the drawing of lots by the Management Board.

3 For the post of a Deputy Director, the Committee shall be composed of the Director, or a Deputy Director delegated by him, of the member of the Management Board representing the Commission and of five Management Board members representing the Member States who shall be determined by the drawing of lots by the Management Board.

4 If a member of the Management Board designated pursuant to paragraphs 2 and 3 cannot participate in the work of the Committee, he shall be replaced by the alternate member of the Management Board representing the Commission or the Member State in question as the case may be.

5 Where there is reason to believe that a member of the Committee has a personal relationship with one of the candidates or where any other potential conflict of interest could arise, he shall not participate in the work of the Committee and shall be replaced by the alternate member in accordance with paragraph 4.

6 The secretariat of the Management Board shall provide the secretariat of the Committee.

Article 6

1 At its first meeting, the Committee shall choose a chairman from among its members.

2 The Committee may be assisted by an external human resources consultant for the performance of its tasks if so decided by the Management Board at its own initiative or upon

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request from the Committee. The external human resources consultant shall not have the status of member of the Committee.

- 3 The tasks of the Committee shall include:
- a identifying all candidates who, on the basis of the criteria set out in the vacancy notice, are eligible for the post,
 - b making an initial assessment of the applications of eligible candidates taking into account their professional qualifications, skills, experience and character references in order to decide which ones should be further assessed by the Committee,
 - c organising an assessment of candidates in accordance with Article 3(3) of these Rules,
 - d interviewing candidates with a view to assessing their qualifications and skills against the criteria set out in the vacancy notice, and
 - e drawing up a duly reasoned report on the applications received and the procedure followed by it including:
 - (i) the list of eligible candidates indicating among them those interviewed by the Committee,
 - (ii) a list of candidates, ranked in order of merit, who meet all the eligibility criteria and are considered to match best the selection criteria set out in the vacancy notice.

4 The work of the Committee shall be fully documented notably by using evaluation sheets established in accordance with the criteria set out in the vacancy notice and any additional guidelines received from the Management Board. The evaluation sheets and a summary of the overall conclusions of the Committee on each candidate shall be added to the application files.

5 The results of any work carried out on behalf of the Committee by its secretariat, by one or more of its members or by an external human resources consultant shall be submitted to the full Committee for its review and endorsement.

6 The decision of the Committee establishing the report shall be signed by its chairman and another member of the Committee.

7 The chairman of the Committee shall forward to the Management Board, as soon as possible after the interviews have been held, the report drawn up by the Committee as well as the full application file of interviewed candidates.

Article 7

Candidates not retained by the Committee shall, after each stage of the selection, be informed in writing by the secretariat of the Committee of the outcome of the procedure.

Article 8

1 The proceedings of the Committee shall be held in The Hague unless otherwise decided by the Management Board.

2 Travel and subsistence expenses, including hotel accommodation, shall be reimbursed to the members of the Committee and to candidates invited to the tests and interviews in accordance with the applicable rules.

Article 9

1 The Management Board shall invite the chairman of the Committee to explain the procedure carried out and present the report of the Committee.

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2 The Management Board may decide to interview the candidates on the ranked list of the Committee and any other eligible candidate interviewed by it.

3 On the basis of the report submitted by the Committee and, where applicable, the results of the interviews held in accordance with paragraph 2, the Management Board shall adopt a reasoned opinion:

- a presenting the list of eligible candidates,
- b setting out a shortlist of at least three suitable candidates ranked in order of merit, and
- c confirming that the applicants on the shortlist meet the conditions for engagement provided for in Article 12(2) of the Conditions of employment and all the eligibility criteria set out in the vacancy notice.

4 If a member of the Management Board is also on the list of candidates, or where any other potential conflict of interests could arise, he shall not be present when the opinion of the Management Board is drawn up.

5 The Chairperson of the Management Board shall forward the opinion of the Management Board and the full application file of each of the shortlisted candidates to the Council to enable the latter to take its decision as foreseen in Article 38 of the Europol Decision on the basis of all relevant information.

6 Candidates not retained by the Management Board shall be informed, in writing, by the secretariat of the Management Board of the outcome of the procedure.

Article 10

Once the appointment has been made by the Council, every candidate who applied for the post shall receive a formal notification of the outcome of the procedure from the secretariat of the Management Board. The three-month time limit for lodging a complaint pursuant to Article 90 of the Staff Regulations shall run from the date of notification of this letter.

Article 11

1 The proceedings of the Committee and of the Management Board shall be secret.

2 Members of the Committee as well as members of the Management Board and any Europol staff, personnel of any external assessment centre or external human resources consultant involved in the selection procedure shall maintain the strictest confidentiality with regard to the work carried out.

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