



EUFASA Declaration
on the
Rights of the Foreign Service Families

Recalling that relevant international legal instruments, as the Universal Declaration of Human Rights, European Convention on Human Rights, UN Declaration of the Rights of the Child, the UN Convention on the Rights of Women and all other UN Special Agencies' and the EU legal framework confirm the importance of the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children,

Acknowledging that Europe has always played a leading role in the protection and promotion of human rights and dignity, by being the motor of the above mentioned important International documents,

Stressing the need of every family to be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Remembering that the families of Foreign Service Transferable Officers form part of the European family and as such should be subjected to the same rights and protection as any other member of the community,

Emphasizing the role of Foreign Service Families, spouses and partners in particular as a model of the society they represent, and in consequence their significance for the positive message of the sending country,

Underlying that the special situation of permanent mobility and sometimes adverse conditions of the Foreign Service, exposes such families, and especially women and children, to dangerous social, economic and psychological vulnerability,

Taking into consideration that such vulnerability, if not addressed timely and effectively, might have long term negative consequences on both the proper functioning of the Foreign Service and on society in general,

Recalling the continuous efforts of the European Union Foreign Affairs Spouses', Partners' and Families' Association ('EUFASA') and its national members to improve the protection of Foreign Service Families in Europe, which is ultimately within the best interests of the European States, EUFASA calls on the Governments of the European Union, the European Economic Area and Switzerland to acknowledge the role and the significance of the families within the Foreign Service by adopting common concrete measures and relevant legal instruments in order to address the specific needs of Foreign Service families and to guarantee their equality in treatment within the wider European family, and wishes to set forth its intention for certain non-exhaustive commitments to be undertaken and respected by the Governments of the European Union, European Economic Area Member States and Switzerland:

Article 1

- A) Capitalized terms used but not defined herein, shall have the respective meanings given to them in the Vienna Convention on Diplomatic relations (1961) (“**VDC**”), the Vienna Convention on Consular Relations (1963) (“**VCC**”), and any other relevant UN adopted terminology.
- B) For purposes of the present Declaration, the following expressions shall have the meanings hereunder assigned to them,
- a) **Foreign Service**: The body of diplomats and foreign policy officers maintained by the government of a country or of the European Union to communicate with other countries, international organisations, institutions and/or entities, whether located in their sending States or on at post, including, but not limited to heads and members of the mission (excluding service staff) as defined in the VDC and heads and members of the consular post as defined in the VCC.
 - b) **Governments** as referred to herein shall be such of the Member States of the European Union, the European Economic Area and Switzerland.
 - c) **MFA**: Ministry of Foreign Affairs of EU Member States, EEA and Switzerland, and the Foreign Services of the European Union, including the European External Action Service (EEAS) and those Directorates-General within the European Commission charged with foreign affairs European Union Foreign Policy related institutions
 - d) **Foreign Service Transferable Officer**: Globally mobile member of the Foreign Service, as defined by *the legislation of the respective sending State*.
 - e) **Foreign Service Family**: Family members of the Foreign Service Transferable Officer, *legally recognized* as such by the respective sending State.
 - f) **Spouse or Partner**: *Such person as recognised by the sending State’s legislation as Spouse or Partner*.
 - g) **MFA Career Officer**: A Civil Servant belonging to the Ministry of Foreign Affairs and expected to transfer abroad during specific time periods on the basis of a global mobility obligation, as *defined by the national legislation* of the respective sending State.

Basic rights

Medical assistance

Article 2

All Foreign Service Family members should be provided, with no exception, with fully comprehensive health care both in their home country and while posted abroad according to the laws and common European standards. Such should include, where appropriate, accident, risk and terrorism insurance.

Article 3

Medical expenses deriving from the post and country changes (vaccination, medical check-ups, etc.) of the Foreign Service Transferable Officer and the Foreign Service Family, should be covered in their totality and unconditionally by the respective sending administration.

Socio-economic conditions

Article 4

Governments should formally acknowledge the impact of the constant mobility on the lives of the MFA Career Officers' families and should adopt relevant policies and legal instruments in order to address their specific needs and concerns.

Rights of the Spouses

Article 5

When accompanying Foreign Service Transferable Officers abroad, their Spouses and Partners should be acknowledged for their support to the representation and promotion of the image and interests of the sending State.

Article 6

Spouses and Partners of Foreign Service Transferable Officers should have the right to receive administrative or financial support in case of separation, divorce, bereavement, disability and/ or retirement age.

Article 7

Governments should make arrangements including, if and when applicable, compensation for Spouses and Partners of Foreign Service Transferable Officers for their loss of social security benefits, including pension rights.

Article 8

When accompanying Foreign Service Transferable Officers on a posting, Spouses and Partners of the Foreign Service Transferable Officers should have the right to financial compensation in case they contribute to the diplomatic mission.

Article 9

Governments should provide support towards the employment of Foreign Service Transferable Officers' Spouses and Partners, thus contributing to the improvement of their national labour policies. When on a posting, the Foreign Service Transferable Officers' Spouses and Partner should have access to training and information on job openings in their missions or other relevant entities. Governments should also assist Foreign Service Transferable Officers' Spouses and Partners to a smooth and successful incorporation into the home labour market upon their return.

Ministries of Foreign Affairs should provide MFA Career Officers' Spouses and Partners with home-coming trainings to facilitate access to the local job market and language courses for foreign-born Spouses and Partners.

Article 10

Governments are requested to intensify their efforts towards increasing the number of bilateral employment agreements with countries outside the European Union and the European Economic Area.

Article 11

Governments should grant Foreign Service Transferable Officers' Spouses and Partners who are themselves civil servants, the opportunity to obtain leave of absence in order to accompany the Foreign Service Officers for the duration of their service abroad. Such civil servants should be allowed to pay their pension insurance in the event they are on a leave of absence, if such right is not already granted.

Article 12

Foreign-born Spouses and Partners of Foreign Service Transferable Officers, legally recognised by the sending State should receive the same treatment and have the same rights as any other Spouse or Partner, including, but not limited to: diplomatic passports, identification documents, resident permits, privileges and immunities, pre-post preparations, social and economic support, support of dependent children, annual travel allowances etc.

Article 13

Ministries of Foreign Affairs should provide Foreign Service Transferable Officers' Spouses and Partners with pre-posting trainings including language courses, intercultural seminars and security trainings. MFAs should fully acknowledge the time spent by a Spouse or a Partner with a Foreign Service Transferable Office on posting to be recognised the same way as time spent by a Spouse or a Partner with a Foreign Service Transferable Office in the respective sending State for citizenship law purposes.

Rights of the children

Healthcare coverage

Article 14

All children under the legal guardianship of their parents, Foreign Service Transferable Officer should be provided, with no exception, with fully comprehensive health care both in their home country and while accompanying their parents on a posting. These health insurances should be at the same level and coverage, as they would receive from each European Union and the European Economic Area Member State's social security provider according to health standards of the Foreign Service Transferable Officers' sending State.

Article 15

Governments should pay particular attention to any Foreign Service Transferable Officer's children with disabilities, serious health conditions or chronic diseases. Government administrations should be aware of the exceptional circumstances of Officers' mobility and should provide the necessary and appropriate support when responding to the special needs of the families in question.

Article 16

All medical expenses resulting from the post and country changes (vaccination, medical check-ups, etc.) of Foreign Service Families should be covered in their totality by the respective sending administration.

Education

Article 17

All children of Foreign Service Transferable Officers should receive adequate and cost-free education both at post and at home according to the respective sending State's standards laid down by the national curriculums. This should include the guarantee of facilitating access to University and Higher Education admission services when required.

Article 18

Bearing in mind the impact of specific psychological, educational and health issues on the well-being of children of Foreign Service Transferable Officers resulting from constant school changes, Governments should provide sufficient financial resources to cover continuous international schooling within the same choice of education system at all school levels.

Article 19

In the event of a hardship posting where conditions do not comply with the sending State's health or education standards, or in the case of a non-family post, children remaining separated from the Foreign Service Transferable Officer should continue receiving the same financial support and school allowances as if they were resident with the aforementioned Foreign Service Transferable Officer, or full tuition coverage for a boarding school in any European country that follows their *chosen* school system curriculum.

Article 20

Ministries of Foreign Affairs in cooperation with the other relevant Government administrations and agencies should offer special protocols and policies in order to respond to the strong psychological impact of the constant school and cultural changes of Foreign Service Transferable Officers' children: namely counselling to help with transition and new environments and accessing support networks at post and when returning home.

Foreign Service Transferable Officers on a posting, and when their children are in custody of the other parent, should be assisted in maintaining a consistent relationship with their absent parent.

Annual travel allowances and other family relations

Article 21

1. Governments should formally recognise the right of all Foreign Service Families to keep regular contact with and visit their sending State and implement all necessary measures to guarantee this right to be effective. Therefore, when on a posting, all qualifying members of Foreign Service Families should be entitled to at least one annual return paid travel to their sending State.
2. Qualifying families, or family members, who do not reside at post with the Foreign Service Transferable Office should be entitled to annual return paid travel to the aforementioned post and/or the sending State.
3. Bereavement trips for immediate family should be envisaged as part of the social programs of the Ministry of Foreign Affairs.

Article 22

Foreign Service Transferable Officers with dependent relatives, regardless of their age should be encouraged by the respective sending administration to maintain the family relations during the posting abroad.