



## SIGMA

### Support for Improvement in Governance and Management

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## Classifications and Career Development in the German Foreign Service

### I. Framework

The German Federal Government has exclusive legislative authority in foreign affairs (Art. 73 no. 1 of the German Basic Law). The Foreign Service consists of the Foreign Office (headquarters) and the foreign missions, which together constitute one unitary, federal supreme authority (*oberste Bundesbehörde*). The tasks and organisation, as well as the legal status of members of the Foreign Service, are set down in the Foreign Service Act (FSA) of 30 August 1990 [Federal Law Gazette I 2002, p.1842], as amended by the First Act Amending the Foreign Service Act of 20 June 2002 [Federal Law Gazette I 2002, p. 2001 (attached)].

The Foreign Office headquarters steers the work of the foreign missions, assesses their reports and analyses, and on this basis draws up foreign policy blueprints for government policy. Headquarters also co-ordinates the foreign policy activities of other ministries and the federal states (*Bundesländer*) to ensure a uniform approach to German foreign policy and security policy.

The Foreign Office consists of 11 departments and four regional political directorates, which in turn comprise divisions focusing on specific policy areas or geographical regions. Their analyses serve to prepare decisions at management level. The directorates-general and political directorates are:

- *Central Services*: personnel and administration, information technology, health service/travel medicine
- *Organisational Consultancy*: inspectors, management control and resource planning
- *Political Directorate-General*: North America, East-West relations, Europe (non-EU Member States), European Neighbourhood Policy, NATO, WEU, OSCE
- *Federal Government Commissioner for Disarmament and Arms Control*
- *European Directorate-General*: European policy, European Union, European Parliament, European Council
- *Directorate-General for Global Issues, United Nations, Human Rights and Humanitarian Aid*
- *Political Directorates* for:
  - o Middle East
  - o Africa
  - o Latin America
  - o Asia, Oceania
- *Directorate-General for Economic Affairs and Sustainable Development*: development policy, foreign trade policy and promotion, research and technology policy, environment
- *Legal Directorate-General*: international law, constitutional and administrative law, and consular law
- *Culture and Education Directorate-General*: foreign cultural and education policy, dialogue among civilizations, international cultural co-operation
- *Communication Directorate-General*: public diplomacy at home and abroad
- *Protocol*: state visits, international conferences and foreign missions in Germany

The Federal Minister for Foreign Affairs is the head of the Federal Foreign Office. He is responsible for shaping German foreign policy. Two ministers of state, who are members of parliament, assume

primarily political tasks and represent the minister in the cabinet and in parliament. Two state secretaries are in charge of larger sections of headquarters and jointly supervise the missions abroad. One state secretary is in charge of Central Services and the Organisational Consultancy, the Political Directorate-General, and the Directorate-General for Disarmament and Arms Control. The other state secretary is in charge of the Political Directorates for the Middle East, Africa, Latin America, Asia and Oceania; the Directorate-General for Economic Affairs and Sustainable Development, the Legal Directorate-General, the Culture and Education Directorate-General, the Communication Directorate-General, and Protocol. The state secretaries also chair the daily meetings of all directors-general, where the current situation and possible action by the Federal Foreign Office are discussed.

There are three special co-ordinators and commissioners, who cover fields of particular importance in German foreign policy: the Co-ordinator of German-American Co-operation, the Co-ordinator of German-Russian Inter-societal Co-operation, and the Federal Government Commissioner for Human Rights Policy and Humanitarian Aid.

Germany currently has 218 foreign missions and diplomatic relations with 191 states. The German embassies in the respective capitals maintain and shape political, economic, cultural and legal co-operation with the host countries, and some embassies serve several countries. Consulates-general and consulates represent Germany in other major cities of key countries. They focus on trade promotion and legal relations with the host country. Germany maintains 12 representations to international and supranational organisations, such as the OECD in Paris, the United Nations in New York, Geneva and Vienna, and the European Union in Brussels.

## **II. Staff**

The basis of staff regulations for the Foreign Service is the Federal Officials Act (FOA, *Bundesbeamtengesetz*), in combination with the Federal Ordinance on Careers and Promotion of Civil Servants (FOCPCS, *Beamtenrechtsrahmengesetz*). Specifically, the Foreign Service Act (FSA), part 2, section 5 stipulates that “members of the Foreign Service shall be assigned in accordance with the requirements of the Service to the Federal Foreign Office and its missions and posts abroad.” It also provides for an “adequate staff reserve” to provide temporary additional staff where special needs arise as a result of political developments abroad, international conferences, etc., and to allow for appropriate professional and language training, further training and pre-post training. This provision is the legal basis for funding additional staff, as appropriate.

The Foreign Service currently comprises approximately 8,200 staff. These include 2,948 regular staff at headquarters as well as 5,233 regular and local staff in foreign missions. Regular staff are posted to a foreign mission on a rotational basis for a specified period. Regular staff currently number 8,181 in the following categories:

- higher (executive) service : 2,032
- higher intermediate (administrative) service: 2,209
- intermediate service: 1,707
- ordinary service: 995
- typing pools: 1,238

In addition, the missions abroad employ approximately 4,800 German and non-German nationals, who are recruited on site (locally employed staff), and 1,082 staff members who have been temporarily seconded to the Foreign Office from other federal ministries, federal states, the business community and other institutions. A total of 141 staff are working in other agencies or foreign ministries.

Entry into intermediate, administrative and executive categories is conditional on having completed preparatory training and passed a professional examination. Details of career structures, training and examinations are regulated by the Federal Foreign Office by legal ordinance, in agreement with the Federal Ministry of the Interior. Such ordinances may also regulate the duration of professional training to meet the special requirements of the Foreign Service.

Other qualifications for the public service may be recognized as equivalent, provided the applicant has, in the course of his/her training, acquired the required skills and been examined in the relevant field for entry into the appropriate Foreign Service grade, or has demonstrated such knowledge and skills in his/her previous career in the public service [FSA, section 12 (2,3)]. This provision is addressed to non-career diplomats.

For admission into the Foreign Service, some general formal preconditions apply. Applicants must be German nationals – in the sense of article 116 of the German Basic Law – and must justify their commitment to the free and democratic basic order set down in that law. Applicants must have adult status and be under 33 years of age. As the majority of posts pose health risks and/or cannot guarantee sufficient medical care, the Foreign Office ensures – before accepting applicants – that their physical condition would permit them to be posted worldwide without restrictions. Before accepting an applicant, the Foreign Office also conducts a security check, in accordance with the Security Examination Law of 20 April 1994 [Federal Law Gazette I 1994, p. 867], amended by Article 5 of the Law on Combating International Terrorism of 9 January 2002 [Federal Law Gazette I 2002, p.361].

The Foreign Service examinations for all three career levels consist of written and oral parts. The written examination tests whether the intellectual requirements of each respective post are met, while the oral examination addresses the candidate's personality and motivation for applying as well as his/her social and intercultural competence.

Career-specific prerequisites for the higher (executive) service are a university degree and fluency in English and French (French can be replaced by another official United Nations language in the Foreign Service examination). For the higher intermediate (administrative) service, the prerequisites are a college or technical college degree and fluency in English or French (English or French can be replaced by another official UN language in the Foreign Service examination). For the intermediate service, a secondary education degree or vocational training is required in a field conducive to the Foreign Service (for example, a commercial profession). The Federal Foreign Office trains its own staff. Before entering the Foreign Service, all officials undergo specific training, the curricula and duration of which – between one and three years – vary according to the specific requirements of each career track. The Foreign Office runs a diplomatic school that comprises training for all three tracks and, in the case of higher intermediate service officials, cooperates with administration colleges. At the end of each training period, future officials must pass an examination, which is an indispensable prerequisite of any foreign service career. Officials from other ministries or institutions who have not passed these diplomatic school final examinations are only admitted into the Service on a temporary basis.

Intermediate service officials work in legal and consular services and in administration, notably in registry administration (representing one-third of staff in this category). At headquarters, these officials are in charge of procurement, vehicles and transport, and equipment of official buildings or, as IT attendants, have computer-related tasks. In foreign missions, apart from registry administration, these staff run the pay offices. In visa sections they determine, in accordance with the relevant legal provisions, whether a visa can be granted or travel document issued, and they also help Germans abroad in case of emergency.

Higher intermediate (administrative) service officials are classically in charge of routine tasks in legal and consular services and administration, trade promotion, development and economic co-operation, cultural affairs, public diplomacy and protocol. They will typically spend two-thirds of their careers abroad, and one-third at headquarters. The broad range of tasks that they carry out requires them to be generalists, who can apply administrative rules and principles to a variety of issues. They are increasingly entrusted with executive responsibilities, in such posts as chief of administration, deputy head of mission in small missions, head of an adjoined office of a mission, or head of the legal and consular department of an embassy. At headquarters, more and more staff in this category are also employed as country desk officers.

Higher (executive) service officials apply their expertise and language skills to shaping the whole spectrum of German foreign policy, from preparing the protocol for the visit to a host country of a delegation of parliamentarians to analysing complicated political developments, negotiating draft resolutions in the United Nations, or inaugurating a development project abroad. During the first ten years, a higher service official should become familiar with as many different regions and functions as possible, with no longer than a three-year term per posting. After that, some regional or functional specialization should follow, which could be guided by knowledge of a difficult or rare language, or by a background in international law or European Union proceedings. Irrespective of their specialization, these officials will have leadership responsibilities early in their career, e.g. as head of the cultural department of an embassy or as deputy chief of mission. As there are currently 218 missions, nearly 15% of higher service officials can become a head of mission. Many of these missions are very small embassies or consulates in countries with difficult climatic or health conditions. A fair number of advanced diplomats retire after having held a final post as head of department (press, culture, trade) in a large mission.

Officials of other federal agencies may be allowed to work in the Foreign Service on a temporary basis to fulfil specific tasks, and during that time they enjoy the status of members of the Foreign Service in terms of their rights and duties (FSA, section 13).

Foreign Service officials must be prepared to accept transfer to any post (FSA, section 14). Regular staff are subject to so-called "rotation", and personnel in all categories change jobs every three to five years. They are transferred abroad from headquarters, move from one foreign country to another, or return to headquarters from abroad, subject to the specific requirements of their career tracks. The rules for personnel rotation are internal, i.e. determined by Foreign Office personnel policy. To attract higher service officials to headquarters, promotions may be made conditional on successful completion of a certain term there.

The salaries of Foreign Service officials are set out in the provisions of the Federal Remuneration Act (FRA), which establishes the various remuneration grades not only for the Foreign Service, but for all civil servants in the German public service. The prerequisites of promotions are also common to all civil servants (FOA in combination with FOCPCS).

However, the FSA (section 29) specifies that not only the special – material and immaterial – burdens associated with living conditions abroad and differences in purchasing power compared to the home base are to be taken into account in determining salary supplements, but also the extra costs arising as a result of recurrent postings abroad. In the case of married officials, the corresponding burdens placed on spouses and their participation in carrying out the general tasks of the Foreign Service constitute an additional factor. The adequacy of these payments undergoes regular review. A public servant is only eligible for these salary supplements when posted abroad. Upon return to a posting at headquarters, he/she receives the basic civil servant remuneration as set out in the FRA.

The burdens associated with living conditions abroad determine the hardship category of a country, which in turn determines the hardship supplement to the basic remuneration and thus the take-home pay. The categories list from 1 to 12, with 12 as the greatest hardship and 1 as headquarters. These categories are jointly determined by the Ministry of the Interior, Ministry of Finance and Foreign Office.

The specific allowances that a Foreign Service official will receive abroad are again regulated in the FRA. The basic salary abroad is determined by the post held by the official and the corresponding remuneration level (article 19). The law determines the salaries in categories A (incremental remuneration) and B (fixed remuneration) for so-called political offices, and provides basic salary scales. Subject to the approval of the Federal Council (*Bundesrat*), the Federal Government is entitled to link – by means of regulations – functions to the offices set out in the Federal Remuneration Ordinances. In addition to the salaries that officials would be entitled to receive at headquarters, officials abroad receive:

- post allowance, determined in accordance with criteria set out in the FRA for the remuneration level of the official and for the hardship level applicable to the foreign posting;
- children’s allowance;
- housing allowance – if the rent exceeds 18% of the sum of basic salary, family allowances and some other allowances. The housing allowance is 90% of the amount above the 18% limit.

Purchasing power compensation is determined by the Foreign Office in agreement with the Federal Ministry of Finance. Purchasing power compensation applies to 60% of the basic salary. Rent subsidies are not affected by purchasing power compensation. The Foreign Office is entitled to determine, in agreement with the Federal Ministry of Finance, whether married officials can be granted a slightly higher foreign post allowance in order to compensate officials for the burdens suffered by Foreign Service spouses. The Federal Government is entitled to determine, via regulation, the incremental steps of foreign post allowances. Housing allowances are not granted to staff who are provided with official accommodation.

The national functional and official denominations for Foreign Service officials are linked to the level of remuneration. These titles are laid down in the Foreign Office Regulation of 22 June 2004 [Federal Law Gazette I 2004, p. 1088], on the basis of §15, part 1, section 2 of the Federal Officials Act (FOA), in the version published on 31 March 1999 [Federal Law Gazette I 1999, p. 675], in combination with §2, part 4 of the FOCPCS (*Bundeslaufbahnverordnung*), in the version published on 2 July 2002 [Federal Law Gazette I 2002, p. 2459], and in agreement with the Federal Ministry of the Interior. The national designations for higher service officials are:

Remuneration grade, office held	Title
Preparatory training	Attaché
Probationary period	Second Secretary/Vice Consul
Entry grade A 13	Desk Officer/Second Secretary/Consul
Remuneration grade A14	Desk Officer/1 <sup>st</sup> Secretary/Consul
Remuneration grade A15	Desk Officer/Counsellor, Minister, Consul, General/Deputy Consul General, Ambassador
Remuneration grade A16	Head of Division/ 1 <sup>st</sup> Counsellor/Minister Counsellor, Consul/Consul General, Ambassador

Remuneration grade B3	Head of Division/1 <sup>st</sup> Counsellor, Minister, Consul General/Deputy Consul General, Ambassador
Remuneration grade B6	Director, Minister, Consul General/Deputy Consul General, Ambassador
Remuneration grade B9	Director General, Minister, Ambassador
Remuneration grade B11	State Secretary

An ambassador is not necessarily head of mission, he/she could also be deputy head of mission. Some missions have two or more ambassadors, depending on the size of the mission and level at which it is staffed. The functional denominations of heads of mission are Ambassador or Consul General or Permanent Representative (for permanent missions to an intergovernmental or international organisation); a deputy head of mission is a Deputy Ambassador or Deputy Consul General or Deputy Permanent Representative. Thus, a Minister, First Counsellor or Counsellor could at the same time be an ambassador. Given the current number of missions (218), about 15% of higher service officials could become ambassadors. Many of these embassies are located in places with hazardous health conditions, insufficient medical care or difficult living conditions. Many senior officials retire as heads of departments in large embassies.

A higher service official will, as a rule, be promoted four times during a career of some 35 years, with the retirement age set at 65 years. Only very few selected officers will obtain a fifth promotion (the federal budget in 2004 provides for 51 grade B6 posts), and even fewer a sixth promotion (18 grade B9 posts in the 2004 federal budget); only two officers will reach the top B11 grade. In contrast, there are 124 grade B3 and 127 grade A16 posts, compared to 306 grade A15 posts. The intervals between promotions are shorter at the beginning of a career than towards the end: On average, the first two or three promotions occur after one to three years, depending on the civil servant's performance. The next promotion will not occur until eight to twelve years later, again depending on the positions available and the performance of each individual civil servant. A period of approximately ten years or more will follow before the civil servant can again be promoted. Promotions are not necessarily connected with specific posts. In general, it is easier to be promoted in the central office than abroad. Sometimes foreign service officers who have not been promoted in the central office are granted a greater choice of a foreign post by way of compensation for the lack of promotion, in the event that an insufficient number of posts at a higher grade are available to reflect the civil servant's performance.

### **III. Organisation and Funding, Reform Process**

Missions abroad are not classified. The Budget Law alone determines the post table of each mission, i.e. the rank of the ambassador and the number and rank of mission staff. The post tables follow foreign policy requirements and are determined by the Federal Foreign Office, in co-operation with the Federal Ministry of Finance. The grade of the ambassador therefore cannot serve as an indication of the level and size of a mission. For example, an embassy consisting of a B9 ambassador and only one technical support staff assistant is theoretically possible.

The organisation and funding of the Foreign Service is regularly adjusted in line with its functions and requirements, as stipulated in section 7 of the Foreign Service Act (FSA). In recent years, foreign policy parameters have dramatically changed: globalization is making the world grow together, societies and economies are building networks, former domestic policy fields – such as taxation, environmental and consumer protection – are becoming international. International forums are assuming legislative tasks, and European integration is progressing.

These developments require adjustments in organisation and staffing, a process which was launched a number of years ago by a major reform exercise. New core tasks have been and are still being identified, and staff deployment and human resources development must follow these new needs. In addition, modern societies require that staff have the possibility of combining family life and professional life, and the professional activities of spouses also need to be taken into account when new staff rules are developed.

Some legislation already reflects this need: the revised FOCPCS requires that deployment in international organisations be conducive to promotion. The possibilities of changing from one career grade to the next higher career track are being widened. More personnel resources will be deployed to missions abroad than to headquarters. Embassies in EU countries will focus on representing Germany's EU interests; missions in places where international organisations are located will orient their work more towards representing German interests in those organisations. "Creative" forms of missions – such as minimal, mobile, and "antenna" missions – will be examined.

The departmental structure of the Foreign Office will be reviewed in the light of its Europeanization: Soon European policy will no longer consist of single, field-oriented policies, but will be a cross-sectional task for the entire institution. As a result, European competence will be strengthened in all departments, while the European Department will focus on co-ordination.

Personnel development will follow strategic considerations, with a broad diversification during the first six years, while assignments will be shorter than in the past. The structure of the career system will be more flexible and increase competitiveness for positions in international organisations, aimed at obtaining the best possible candidates in the light of core tasks. To serve this objective, exchange programmes will be increased with other ministries and institutions in the federal states, as well as with non-governmental organisations. The diplomatic training programme will be adjusted to reflect these new challenges.

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