

EUROPEAN DEFENCE AGENCY (EDA)

Vacancy notice

Directorate	Corporate Services Directorate
Vacancy title	Head of Legal Office (Legal Advisor / Data Protection Officer)
Contract type	Temporary agent
Group	N.A.
Grade	AD11
Indicative starting date	16/08/2023
Security Clearance	SECRET UE/EU SECRET
Management of staff	N.A.
Location	Brussels
Closing date for applications	31/05/2023

The selection of candidates will follow the EDA Staff Recruitment Procedure. Candidates must apply for this post via the EDA website <http://www.eda.europa.eu - vacancies>. Please note that to make an EDA on - line application you will need to create your EDA profile using a valid e - mail address and a password.

1. BACKGROUND

The European Defence Agency (EDA) was established on 12 July 2004, and is governed by Council Decision (CFSP) 2015/1835 defining the statute, seat and operational rules of the European Defence Agency. The Agency has its headquarters in Brussels.

The main task of EDA is to support the Council and the Member States in their effort to improve the Union's defence capabilities in the field of crisis management and to sustain the Common Security and Defence Policy (CSDP) as it currently stands and as it develops in the future.

The Agency is structured into four directorates. The Corporate Services Directorate (CSD) and three operational directorates: Industry, Synergies and Enablers (ISE); Capability, Armament & Planning (CAP); Research, Technology and Innovation (RTI).

2. THE AGENCY'S WAY OF WORKING

The Agency is an "outward-facing" organisation, constantly interacting with its shareholders, the participating Member States, as well as with a wide range of stakeholders. It works in an integrated way, with multi-disciplinary teams representing all of the Agency's functional areas, to realise its objectives. Its business processes are flexible and oriented towards achieving results. Staff at all levels need to demonstrate the corresponding qualities of commitment, flexibility, innovation, and team-working; to work effectively with shareholders and stakeholder groups, formal and informal; and to operate without the need for detailed direction.

3. THE CORPORATE SERVICES DIRECTORATE

The Corporate Services Directorate (CSD) provides critical business support to EDA operations by delivering high-quality corporate services under 5 dedicated units, namely: Human Resources; Procurement and Contract Management; Finance; IT and Information Management together with Security and Infrastructure Management. Additionally, the EDA Legal Team provides legal, data protection and institutional advice and checks to its management relating to the fulfilment of Agency objectives. The EDA Programme Manager and Corporate Projects Officer provides a leadership role in, and a focal point for, good practice in Project, Programme and Risk Management. Finally, the Record Manager is responsible for the effective and appropriate management of information produced and/or received by the organisation.

CSD processes are geared towards efficient and optimal use of resources, leveraging good practice and technological solutions while ensuring sound financial management, transparency and accountability; outward focus and commitment to continuous improvement are the hallmarks of CSD.

4. THE TEAM

The successful candidate will lead a small but versatile legal team, covering legal matters ranging from drafting and interpretation of legal instruments to advising on administrative legal matters (i.e. staff related disputes, ethics & conduct, public access to documents, OLAF investigations and European Ombudsman complaints), offering the successful candidate opportunity for professional growth.

5. DUTIES

We are looking for a dynamic legal professional with an established track record in providing clear, accurate, and soundly reasoned legal advice. Combining legal expertise service-oriented skills, the successful candidate will be asked to react quickly on a wide-range of various legal issues impacting the Agency's work. In the role of Legal Advisor, s/he will act as a central point to ensure the legal coherence of the Agency's work.

Under the supervision of the Director, the successful candidate will perform the following duties:

- provide legal advice and services to EDA Management on matters pertaining to the Agency;
- provide legal support to the Agency's operational Directorates in the implementation of their projects, as required;
- provide legal advice in respect of the interpretation of the EDA Rules;
- verify the legal soundness of the Agency decisions;
- draft or assist in the drafting of various legal and contractual documents within the Agency's remit (such as Rules on public access to EDA documents, governance framework, legal templates etc.);
- contribute to and review decisions, internal guidance, policies, handbooks, manuals, etc, as required;
- provide legal advice on matters of procurement/contracting in close cooperation with the Procurement and Contract Unit;
- liaise and ensure sound and fruitful working relations with the legal services of EDA's institutional counterparts and stakeholders (pMS, Council of the European Union, EEAS, European Commission, Agencies, etc.);
- oversee the maintenance of the Agency's repository of internal decisions, rules and non-contractual legal commitments;
- co-ordinate the Agency's approach towards litigation and proceedings to which the Agency is/may be party;
- manage the workload and human resources allocated to CSD/LEG, including the development of competences and skills, and the evaluation of performance.

In addition, as the Agency's appointed Data Protection Officer (DPO), the jobholder is responsible for ensuring that the Agency's processing of the personal data is and remains in compliance with the applicable data protection rules.

In line with the applicable EU Regulation on data protection, the DPO shall:

- ensure that controllers and data subjects are informed about their data protection rights, obligations and responsibilities and raise awareness about them;
- give advice and recommendations to the institution about the interpretation or application of the data protection rules, in particular as regards the notification of personal data breaches and DPIAs;
- maintain the necessary records of processing operations within the Agency to demonstrate compliance as required;
- ensure data protection compliance within the Agency and help the latter to be accountable in this respect;
- handle queries or complaints on request by the Agency, the controller, other person(s);
- cooperate with the EDPS (responding to his requests about investigations, complaint handling, inspections conducted by the EDPS, etc.);
- liaise with and contribute to the work of the EU Agencies' DPO network.

Duties may evolve according to the development of the EDA's structure and activities, and the decisions of EDA management.

6. ELIGIBILITY CRITERIA

To be considered eligible to take part in this selection procedure, on the closing date for the submission of applications candidates must satisfy all the eligibility criteria as specified below:

- be a national of a Member State participating in the Agency;
- be entitled to his/her full rights as a citizen;
- have fulfilled any obligations imposed on him/her by the laws concerning military service;
- produce the appropriate character references as to his/her suitability for the performance of his/her duties (extract from the "judicial record" or certificate of good conduct will be requested prior to recruitment);
- be physically fit to perform his/her duties;
- have a thorough knowledge (minimum level C1 oral and written) of one of the languages of the participating Member States and a satisfactory knowledge (minimum level B2 oral and written) of another of these languages to the extent necessary to discharge his/her duties;
- have no personal interest (financial, family relationship, or other) which could be in conflict with disinterested discharge of his/her duties within the Agency;
- hold, or be in a position to obtain, a valid Personnel Security Clearance Certificate (national or EU PSC at SECRET UE/EU SECRET level). Personnel Security Clearance Certificate (PSCC) means a certificate issued by a competent authority establishing that an individual is security cleared and holds a valid national or EU PSC, and which shows the level of EUCI to which that individual may be granted access (SECRET UE/EU SECRET), the date of validity of the relevant PSC and the date of expiry of the certificate itself. Note that the necessary procedure for obtaining a PSCC can be initiated on request of the employer only, and not by the individual candidate;
- have 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 education is at least three years or be a graduate of a national or international Defence College; or where justified in the interests of the service, professional training of an equivalent level.

Only diplomas that have been awarded in EU Member States or that are the subject of equivalence certificates issued by the authorities in the said Member States shall be taken into consideration. In the latter case, the authority authorised to

conclude contracts of employment reserves the right to request proof of such equivalence.

For diplomas awarded in non-EU countries, a NARIC recognition is required: <https://www.enic-naric.net/>

Qualifications/diplomas awarded until 31/12/2020 in the United Kingdom are accepted without further recognition. For diplomas awarded after this date (from 01/01/2021), a NARIC recognition is required.

For native English speakers, your ability to communicate in another EU language will be tested during the selection process.

To assess your foreign language levels, see: <https://europa.eu/europass/en/common-european-framework-reference-language-skills>

7. SELECTION CRITERIA

A. Essential

Only applications meeting all essential selection criteria will be assessed.

(1) Professional

The candidate will be required to demonstrate that he/she has:

- university degree in law and/or advanced studies in law;
- at least 10 years of working experience in similar posts involving the provision of dedicated legal advice in an EU or international public sector environment;
- work experience in the field of data protection; knowledge of data protection in international organisations and the EU;
- a track record in providing legal advice, both orally and in writing, on EU and public international law;
- excellent knowledge of the EU legal framework, including institutional legal processes and procedures;
- people management experience and the demonstrated capacity to lead, motivate and engage colleagues;
- excellent level of written and spoken English;
- very good ICT skills with proficient knowledge of MS Office applications, including Excel.

(2) Personal

All staff must be able to fit into the Agency's way of working (see para. 2). Other attributes important for this post include:

- integrity and a genuine commitment to ethical standards and principles in the public service;
- ability to work in a multicultural team and to quickly adapt;
- excellent analytical skills;
- a strategic mind set as well as a practical and collegiate approach to problem solving;
- excellent communications skills, and the capacity to present orally and in writing in a compelling, accurate, and clear manner;
- resilience and experience managing a significant workload and maintaining calmness under pressure;
- ability to deal with confidential matters professionally;
- flexibility and innovativeness;
- well organised, thorough and accurate.

B. Desirable

The following will be considered an advantage:

- applied knowledge of ethics in the EU institutional environment;
- knowledge of the legal framework pertaining to defence and security matters;
- familiarity with the international and EU defence environment (incl. CSDP);
- clear understanding of the EDA's mission, its main tasks and functions;
- a good level of French (reading comprehension C1).

8. INDEPENDENCE AND DECLARATION OF INTEREST

The Legal Advisor / Data Protection Officer will be required to make a declaration of commitment to act independently in the Agency's interest and to make a declaration in relation to interests that might be considered prejudicial to his/her independence.

9. APPOINTMENT AND CONDITIONS OF EMPLOYMENT

The Legal Advisor / Data Protection Officer will be appointed by the Chief Executive.

Recruitment will be as a member of the temporary staff of the Agency for a four-year period. Renewal is possible within the limits set out in the EDA Staff Regulations. The successful candidate will be recruited as Temporary Agent, grade AD11.

The pay for this position consists of a basic salary of €11.248,49 supplemented with various allowances, including as applicable expatriation or family allowances. The successful candidate will be graded on entry into service according to the length of his/her professional experience. Salaries are exempted from national tax, instead an Agency tax at source is paid.

For further information on working conditions please refer to: <https://eda.europa.eu/jobs/what-we-offer>

Failure to obtain the requisite security clearance certificate before the expiration of the probationary period may be cause for termination of the contract.

Candidates are advised that part of the recruitment process includes medical analyses and physical check-up with the Agency's Medical Adviser.

Applications are invited with a view to establish a reserve list for the post of Legal Advisor / Data Protection Officer at EDA. This list will be valid until 31/12/2024, and may be extended by decision of the Chief Executive. During the validity of the reserve list, successful candidates may be offered a post in EDA according to their competences in relation to the specific requirements of the vacant post. Inclusion on the reserve list does not imply any entitlement of employment in the Agency.

10. EQUAL OPPORTUNITIES

EDA is an equal opportunities employer and accepts applications without distinction on the grounds of age, race, political, philosophical or religious conviction, sex or sexual orientation and regardless of disabilities, marital status or family situation.

11. APPLICATION PROCEDURE

Candidates must submit their application electronically solely via the EDA website. Applications by any other means (hard copy or ordinary e-mail) will not be accepted. Applications must be submitted no later than midnight. Candidates are reminded that the on-line application system will not accept applications after midnight (Brussels time, GMT+1) on the date of the deadline.

When applying, candidates from Ministries of Defence or other governmental entities are encouraged to inform their national administration.

A selection panel will be appointed. Please note that the selection panel's internal proceedings are strictly confidential and that any contact with its members is forbidden. Each application will be screened based on the requirements of the job profile stated in the vacancy notice. The most suitable applicants will be called for an interview and a written test. If recruited, you will be requested to supply documentary evidence in support of the statements that you make for this application. Do not send any supporting or supplementary information until you have been asked to do so by the Agency.

Please note that once you have created your EDA profile, any correspondence regarding your application must be sent or received via your EDA profile. For any prior enquiry, please refer to the FAQ (Frequently asked questions) section, or send an e-mail to recruitment@eda.europa.eu.

12. DATA PROTECTION

Please note that EDA will not return applications to candidates. The personal information EDA requests from candidates will be processed in line with Regulation (EU) N° 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) 45/2001 and Decision No. 1247/2002/EC.

The purpose of processing personal data which candidates submit is to manage applications in view of possible pre-selection and recruitment at EDA. More information on personal data protection in relation to selection and recruitment can be found on the EDA website: <http://www.eda.europa.eu/jobs/dataprotection>