Institutional aspects of creating a European service for external action

2009/2133(INI) - 22/10/2009 - Text adopted by Parliament, single reading

The European Parliament adopted by 424 votes to 94, with 30 abstentions, a resolution on the institutional aspects of setting up the European External Action Service (EEAS).

It recalls that the organisation and operation of the EEAS will be established by a decision of the Council, acting on a proposal from the Vice President/High Representative after consulting Parliament and after obtaining the consent of the Commission, once the Treaty of Lisbon has entered into force. Parliament considers that a number of issues of principle with regard to the form of the EEAS should be resolved in sufficiently good time to enable it to begin its work as soon as possible after the appointment of the Vice President/High Representative. It is for this reason that it proposes a number of general guidelines concerning the EEAS. Moreover, the establishment of the EEAS must include agreement on the budgetary aspects.

Associate the Parliament in the setting up of the EEAS:Parliament calls on the Commission, the Council, the Member States and the next High Representative/Vice President to clearly commit itself to reach a comprehensive, ambitious and consensual plan for the setting up of the EEAS. Parliament considers that a body such as the EEAS cannot be completely circumscribed or predetermined in advance, but must be put in place by a **gradual process based on mutual trust** and a growing fund of expertise and shared experience.

Guiding principles for setting up the EEAS: Parliament affirms the following principles and urges the Commission, when making future proposals, to insist on compliance with those principles, in accordance with the spirit and purpose of the provisions of the Treaty of Lisbon and the spirit of the deliberations of the Convention:

- **EEAS staff**: appointments to the EEAS should be made on the basis of merit, expertise and excellence in appropriate proportions and respecting the geographical balance from the Commission, the Council and national diplomatic services via an open and transparent process.
- **Organisation**: the EEAS should take a form which improves the consistency of the external action of the Union and its representation in foreign relations, for which purpose in particular the units dealing with external relations in the stricter sense and senior positions in the delegations in third countries should be brought under the umbrella of the EEAS. The report states that it is not, however, necessary to strip the Commission Directorates-General of all their external relations responsibilities. The Commission, striving to avoid duplication, should provide a **specific model for the departments concerned**. The **military and civilian crisis management units** must be placed under the High Representative's authority, while the command and organisational structure may have to differ from that for civilian personnel. Lastly, **Commission delegations** in third countries and the Council liaison offices, as well as offices of the EU Special Representatives where possible, should be merged to form **'Union embassies'**, headed by EEAS staff. The EEAS must ensure that the European Parliament has contact persons in the EU Delegations that guarantee cooperation with the European Parliament (for example in order to foster parliamentary contacts in third countries).

Administrative structure: as a service that is *sui generis* from an organisational and budgetary point of view, the EEAS must be incorporated into the Commission's administrative structure. Parliament considers that the decision relating to the establishment of the EEAS should ensure in a legally binding manner, by means of the directorial powers of the Vice President/High Representative, that the Service is

subject to the decisions of the Council in the traditional fields of external policy (CFSP and CSDP) and subject to the decisions of the College of Commissioners in the field of common external relations.

General guidelines of the EEAS: Parliament considers that the EEAS should be constituted as follows:

- all staff of the EEAS should have the same permanent or temporary status and the same rights and obligations irrespective of their origin;
- the powers of the appointing authority for the EEAS should be assigned to the Vice President/High Representative;
- EEAS staff should possess a **certain objective independence**, so that the service can perform its duties optimally; such independence could be ensured by appointments for a fixed period, **such as five years**, with the possibility of an extension, which could be reduced only if the member of staff concerned violates official obligations;
- the decision on the setting-up of the EEAS should establish the organisational structure of the service, with the provision that the establishment plan should be adopted as a part of the budget of the Commission (administrative expenditure) in the course of the annual budget procedure, making it possible to build the service in a structured manner, keeping pace with ascertained needs;
- in his or her absence, the Vice President/High Representative should decide on a substitute on a case-by-case basis and in the light of the duties to be performed on each occasion.

Budgetary approach: Parliament recalls the need to find an agreement with the Parliament on the future Commission proposals amending the Financial Regulation and the Staff Regulations. It reiterates its determination to exercise its budgetary powers to the full in connection with these institutional innovations and emphasises that all aspects of the funding arrangements for the EEAS must remain **under the supervision of the budgetary authority** in accordance with the Treaties.

General structure of the EEAS: Parliament considers that the EEAS should: (i) be headed by a Director-General answerable to the Vice President/High Representative; (ii) be divided into a number of directorates, each of which would be responsible for a geo-strategically important field of the Union's external relations, and further directorates for security and defence policy issues, civilian crisis management, multilateral and horizontal affairs including human rights and administrative matters; (iii) structure the cooperation of country units in Brussels with the delegations (embassies) of the Union in third countries in the context of each directorate; (iv) associate the EU delegations in third countries in order to enhance gains in efficiency.

Information to the European Parliament: Parliament requests that it be duly informed about the appointments to senior posts in the EEAS and to agree to the committee conducting hearings with the nominees, if the committee so decides. They also request that the next Vice President/High Representative commit him/herself to renegotiating the current interinstitutional agreement with the European Parliament, in particular on access to sensitive information and other issues relevant for smooth interinstitutional cooperation.

New responsibilities: Parliament also proposes that enquiries be made to determine the extent to which Union embassy staff on secondment from national consular services, beyond performing their political and economic tasks, could gradually assume responsibility, where necessary, for consular tasks in relation to nationals of non-member countries and for tasks related to diplomatic and consular protection of Union citizens in third countries. Furthermore, it proposes that consideration be given to possibilities for c **ooperation between Parliament officials and the EEAS**.

Parliament proposes setting up a **European diplomatic college** which, in close cooperation with appropriate bodies in the Member States, would provide Union officials and officials of the Member States who are to work in external relations functions with training based on uniformly harmonised curricula.

Lastly, Plenary calls on the Commission to consent to the Vice President/High Representative's proposal only once it largely complies with the guidelines set out in this resolution or once a differing compromise solution has been achieved **by consensus** through interinstitutional contacts involving Parliament.