Staff Regulations of Officials of the European Union: European External Action Service personnel policy; new terminology

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The Committee on Legal Affairs adopted the report drafted by Bernhard RAPKAY (S&D, DE) on the proposal for a regulation of the European Parliament and of the Council amending the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of those Communities.

It recommended that the European Parliament adopts its position at first reading under the ordinary legislative procedure (former co-decision procedure) amending the Commission's proposal as follows:

Ensuring equal treatment:Officials of the Union and temporary agents coming from the diplomatic services of the Member States should have the same rights and obligations and be treated equally, in particular as concerns their eligibility to assume all positions under equivalent conditions. No distinction should be made between temporary agents coming from national diplomatic services and officials of the Union as regards the assignment of duties to perform in all areas of activities and policies implemented by the EEAS.

Organising staff transfers to the EEAS:staff transfers and seconded staff from Member States should be organised in the following way:

- **until 30 June 2013** the EEAS will recruit **exclusively officials originating from the General Secretariat of the Council and the Commission as well as staff from the diplomatic services of the Member States**; during this period, it is necessary to ensure that staff from national diplomatic services, candidates from the General Secretariat of the Council and the Commission as well as internal candidates can apply for posts in the EEAS on an equal footing. During the same period, it should however be possible, in exceptional cases and after having exhausted the possibilities to recruit from the three exclusive sources, to recruit from outside those sources technical support staff at AD level necessary for the good functioning of the EEAS, such as specialists in the areas of crisis management, security and IT;
- with a view to helping reach the target that staff from national diplomatic services should represent at least one third of all EEAS staff at AD level, it is necessary to provide for a temporary derogation until 30 June 2013 to give priority for certain posts in function group AD in the EEAS to candidates from such national diplomatic services in the case of equivalent qualifications;
- **from 1 July 2013** access to posts in the EEAS should also be **opened to officials from other institutions** (e.g. European Parliament staff);
- **until 30 June 2014**, with regard to those officials from the General Secretariat of the Council or from the Commission who have been transferred to the EEAS during the start-up phase, it should be possible to transfer such EEAS officials without their post, in the interest of the service, from the EEAS to the Council or the Commission.

Recruiting seconded national experts: the EEAS may, in specific cases, have recourse to a limited number of specialised seconded national experts (SNEs), seconded with a view to their performing specific tasks, in particular related to crisis management or military functions, over whom the High

Representative should have authority. Their secondment should not be counted in the one third of all EEAS staff at AD level which staff from Member States should represent when the EEAS reaches its full capacity.

Ensuring a proper balance amongst the different staff components of the EEAS: in order to ensure a proper balance amongst the different staff components of the EEAS and in accordance with Council Decision 2010/427/EU, when the EEAS has reached its full capacity, personnel from the diplomatic services of the Member States appointed as temporary agents should represent **at least one third of all EEAS staff** at AD level and **Union officials should represent at least 60% of all EEAS staff** at AD level. This should include staff coming from the diplomatic services of the Member States who have become permanent officials of the Union in accordance with the provisions of the Staff Regulations.

Recruiting highly qualified staff: recruitment or engagement should be directed to securing for the EEAS the services of officials and temporary staff of the highest standard of ability, efficiency and integrity, recruited on the broadest possible geographical basis from among nationals of Member States of the Union. This will apply to the EEAS as a whole and to its different staff components, including temporary staff. In addition, the staff of the EEAS should comprise an appropriate and meaningful presence of nationals from all the Member States.

Promoting gender equality:the High Representative will take appropriate measures to promote equal opportunities for the under-represented gender in certain function groups, more particularly in function group AD.

Duration of contracts of seconded staff engaged as temporary EEAS staff: the proposal provides that the engagement of seconded staff should not exceed eight years. However, in exceptional circumstances and in the interest of the service, at the end of the eighth year, the contract may be extended for a maximum period of two years. After this delay, staff may reintegrate immediately their posts in the national administrations.

Setting up a Disciplinary Board and a Staff Committee by 31 December 2011: a Disciplinary Board should be established by the HR for the EEAS by 31 December 2011 at the latest. The Disciplinary Board established in the Commission should also serve as the Disciplinary Board for the EEAS, until the High Representative decides to establish a Disciplinary Board for the EEAS. Similarly, a Staff Committee should also be set up within the EEAS by 31 December 2011 at the latest. Until as such time as this happens, the Staff Committee of the Commission shall also represent EEAS staff, who would be entitled to vote and stand as candidates in its elections.

Statement from the High Representative (HR) on geographical balance in the EEAS: the High Representative, Mrs Ashton, should attach the highest importance to the recruitment on the broadest possible geographical basis from among the nationals of the Member States of the Union, as well as to ensuring an appropriate and meaningful presence of nationals from all Member States in the Service. The HR should attach the highest importance to the promotion of gender balance in the staffing of the EEAS. A key to the promotion of gender balance is the encouragement of applications from women for posts in the EEAS and the removal of barriers in this respect. She will also identify best practices from national diplomatic services and apply them whenever possible to the EEAS. Full use of all the possibilities in promoting the employment of women in the Service should be made.

By mid-2013, the High Representative shall submit a report to the European Parliament, the Council and the Commission on the implementation of this Regulation, with a particular emphasis on gender and geographical balance of staff within the EEAS.