European External Action Service (EEAS): organisation and functioning

2010/0816(NLE) - 26/07/2010 - Final act

PURPOSE: to establish the organisation and functioning of the European External Action Service ('EEAS').

LEGISLATIVE ACT: Council Decision 2010/427/EU establishing the organisation and functioning of the European External Action Service.

CONTENT: the Council adopted a decision establishing the European External Action Service (EEAS) and setting out its organisation and functioning.

The creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon, which entered into force on 1 December 2009. It is aimed at making the EU's external action more coherent and efficient, thereby increasing the EU's influence in the world.

The EEAS will assist Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy, in fulfilling her mandate. It will work in cooperation with the diplomatic services of Member States and comprise officials from relevant departments of the General Secretariat of the Council and of the Commission, as well as staff seconded from the national diplomatic services of Member States.

Nature and scope: the main aim of the EEAS is to establish an effective and coherent service by the pooling of much of the existing resources in the field of external relations under the authority of the High Representative. These resources made up of staff from the Council Secretariat and the Commission and the staff coming from Member States diplomatic services. Member States diplomats will in the medium term constitute one third of the total EEAS staff

Tasks: the EEAS will have its seat in Brussels. It will support the High Representative in the various tasks conferred to her by the treaty and will be autonomous from the Commission and the Council. It will also assist the President of the European Council and the Commission and its President in their functions in the area of external relations. It will cooperate with Member States and other institutions, especially the European Parliament, to whose Members it will also provide logistical support in third countries.

Structure: the EEAS will be placed under the authority of the High Representative, and consist of a central administration and EU delegations in third countries and at international organisations.

Central administration: the EEAS will be managed by a team consisting of an executive Secretary General, two deputies, and a senior Director General for budget and administration. Furthermore, it will consist of a number of geographic directorates general covering all regions of the world, as well as multilateral and thematic departments, a policy planning department, a legal department and departments for interinstitutional relations, information and public diplomacy. The civil and military crisis management structures will be placed under the direct authority of the High Representative and their special status will be respected, while ensuring full coordination with the other EEAS structures. The High Representative will ensure that the relevant units from the Commission transferred to the EEAS which deal with planning and programming of crisis response, conflict prevention and peace building, and the CSDP structures, work in close cooperation and synergy, both under her direct responsibility and authority within the appropriate structure.

EU delegations: these will be an integral part of the EEAS (although not everybody working in a delegation will be part of the EEAS, e.g. Commission staff dealing with management of aid or trade issues). The Heads of Delegations will have authority over all staff. Delegations can receive instructions from the Commission. EU delegations will take up tasks previously carried out by the former rotating Presidency (coordination of EU positions and representation of the EU in third countries). In order to do so efficiently, they will work in close cooperation with the diplomatic missions of Member States.

Staff: the EEAS shall comprise officials and other servants of the European Union, including personnel from the diplomatic services of the Member States appointed as temporary agents The relevant departments and functions in the General Secretariat of the Council and in the Commission listed in the Annex shall be transferred to the EEAS. Officials and temporary agents occupying a post in departments or functions listed in the Annex shall be transferred to the EEAS. These transfers shall take effect on 1 January 2011.

Recruitment: permanent officials of the Union should represent at least 60% of all EEAS staff, including staff coming from the diplomatic services of the Member States who have become permanent officials of the Union. Posts will be published individually and selection will take place according to rigorous criteria.

Before 1 July 2013:, the EEAS will recruit exclusively officials originating from the General Secretariat of the Council and the Commission, as well as staff coming from the diplomatic services of the Member States.

After 13 July 2013: all officials and other servants of the European Union (particularly the EP) should be able to apply for vacant posts in the EEAS. Staff from Member States should represent at least one third of all EEAS staff at AD level. The one-third mark must be reached before 2013.

Recruitment to the EEAS shall be based on merit whilst ensuring adequate geographical and gender balance. The staff of the EEAS shall comprise a meaningful presence of nationals from all the Member States. The review in 2013 shall also cover this issue, including, as appropriate, suggestions for additional specific measures to correct possible imbalances.

Staff Regulations: the Staff Regulations and the CEOS shall apply to the staff of the EEAS.

Seconded national experts (SNEs): the EEAS may, in specific cases, have recourse to a limited number of SNEs. SNEs in posts in the EEAS will not be counted in the one third of all EEAS staff at Administrator ('AD') level which staff from Member States should represent when the EEAS will have reached its full capacity. Their transfer in the phase of setting up of the EEAS will not be automatic and will be made with the consent of the authorities of the originating Member States.

Budget: the relevant existing budget lines from Commission and Council Secretariat will be transferred to the EEAS, once it has been established. The basic principle is that the set-up of the EEAS should be lean, efficient and aim towards budget neutrality. The first real budget for the EEAS - covering 2011 – will come in the second semester of 2010. For 2010 an amending budget covering the period of October to December for the first initial needs of the EEAS is currently under discussion. The proposal covers approximately 9.5 million euros and 100 additional staff (mainly to reinforce Delegations).

The EEAS and Development Policy: the EEAS will support and strengthen EU development policy, while also improving the overall coherence of the EU's external action. It will have a set of single geographic desks, which bring together the analytical capacity, strategic vision and coordination clout necessary to present coherent plans of engagement with our partners around the world.

Proposals under the European Development Fund and the Development Cooperation Instrument, including those for changes in the basic regulations and the relevant programming documents shall be

prepared jointly by the relevant services in the EEAS and in the Commission under the responsibility of Commissioner for Development. They will then be jointly submitted to the College by the High Representative and the Development Commissioner, and then follow the normal procedures in the Council and the European Parliament. Similar arrangements will be made for cooperation with neighbourhood countries. A continual operation will guarantee that the political expertise provided by the EEAS will be optimally combined with the development expertise of the Commission.

From a budgetary point of view, the implementation of the operational budget will be the Commission's responsibility The EEAS will have autonomy over its administrative expenditure.

Report: the High Representative shall submit a report to the European Parliament, the Council and the Commission on the functioning of the EEAS by the end of 2011. By mid-2013, the High Representative shall provide a review of the organisation and functioning of the EEAS. The review shall, if necessary, be accompanied by appropriate proposals for the revision of the by the beginning of 2014.

ENTRY INTO FORCE: 26 July 2010. The provisions on financial management and recruitment shall take effect once the necessary amendments to the Staff Regulations, the CEOS and the Financial Regulation, as well as the amending budget, have been adopted.