Basic information

2010/0816(NLE) NLE - Non-legislative enactments Decision	Procedure completed
European External Action Service (EEAS): organisation and functioning **Subject** 6.10 Common foreign and security policy (CFSP) 8.40.08 Agencies and bodies of the EU	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AFET Foreign Affairs	BROK Elmar (PPE)	26/01/2010
	Shadow rapporteur GUALTIERI Roberto (S&D) NEYTS-UYTTEBROECK Annemie (ALDE) BRANTNER Franziska Katharina (Verts/ALE) LUNACEK Ulrike (Verts/ALE) TANNOCK Timothy Charles Ayrton (ECR) SCHOLZ Helmut (GUE/NGL) PROVERA Fiorello (EFD)	

Committee for opinion	Rapporteur for opinion	Appointed
DEVE Development	KACZMAREK Filip (PPE)	04/02/2010
INTA International Trade	ZAHRADIL Jan (ECR)	27/01/2010
BUDG Budgets	GUALTIERI Roberto (S&D)	08/04/2010
CONT Budgetary Control	KALFIN Ivailo (S&D)	23/03/2010
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	

JURI Legal Affairs	The committee decided not to give an opinion.	
LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
AFCO Constitutional Affairs (Associated committee)	VERHOFSTADT Guy (ALDE)	22/02/2010
FEMM Women's Rights and Gender Equality	BRANTNER Franziska Katharina (Verts/ALE)	02/03/2010

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3022	2010-06-14
General Affairs	3028	2010-07-26
General Affairs	3011	2010-05-10
General Affairs	3010	2010-04-26

European Commission

Commission DG	Commissioner
External Relations	ASHTON Catherine

Key events

Date	Event	Reference	Summary
25/03/2010	Legislative proposal published	08029/2010	Summary
26/04/2010	Debate in Council		Summary
06/05/2010	Committee referral announced in Parliament		
06/05/2010	Referral to associated committees announced in Parliament		
10/05/2010	Debate in Council		
14/06/2010	Debate in Council		Summary
06/07/2010	Vote in committee		Summary
06/07/2010	Committee report tabled for plenary, 1st reading/single reading	A7-0228/2010	
07/07/2010	Debate in Parliament		
08/07/2010	Decision by Parliament	T7-0280/2010	Summary
08/07/2010	Results of vote in Parliament		
26/07/2010	Act adopted by Council after consultation of Parliament		
26/07/2010	End of procedure in Parliament		

03/08/2010	Final act published in Official Journal		

Technical information

Procedure reference	2010/0816(NLE)
Procedure type	NLE - Non-legislative enactments
Procedure subtype	Consultation of Parliament
Legislative instrument	Decision
Legal basis	Treaty on European Union TEU 27-p3
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed
Committee dossier	AFET/7/02461

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	FEMM	PE441.063	24/06/2010	
Committee draft report		PE441.305	24/06/2010	
Committee opinion	INTA	PE440.219	29/06/2010	
Committee opinion	CONT	PE441.269	01/07/2010	
Committee opinion	DEVE	PE443.110	01/07/2010	
Amendments tabled in committee		PE443.165	01/07/2010	
Committee opinion	BUDG	PE443.098	05/07/2010	
Committee opinion	AFCO	PE445.667	05/07/2010	
Committee report tabled for plenary, 1st reading/single reading		A7-0228/2010	06/07/2010	
Text adopted by Parliament, 1st reading/single reading		T7-0280/2010	08/07/2010	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	08029/2010	25/03/2010	Summary
Supplementary legislative basic document	08870/2010	22/04/2010	

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	C(2010)4999	20/07/2010	

Additional information		
Source	**Document**	**Date**
European Commission	EUR-Lex	

Final act	
Decision 2010/0427 OJ L 201 03.08.2010, p. 0030	Summary

European External Action Service (EEAS): organisation and functioning

2010/0816(NLE) - 26/04/2010

The Council reached a **political orientation** on a draft decision on the establishment of the European External Action Service (EEAS), as provided for under the Treaty of Lisbon, on the basis of the proposal presented by High Representative Catherine Ashton on 25 March 2010. The agreement provides a basis for consulting the European Parliament.

The creation of the EEAS is one of the most significant changes introduced by the Treaty of Lisbon. It aims to enable greater coherence and efficiency in the EU's external action and increase its political and economic influence in the world.

The EEAS will assist the 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 the 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 the Member States.

The Treaty provides that the Council will act on the proposal after consulting Parliament and obtaining the consent of the Commission.

European External Action Service (EEAS): organisation and functioning

2010/0816(NLE) - 08/07/2010 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 549 votes to 78, with 17 abstentions, a legislative resolution on the proposal for a Council decision establishing the organisation and functioning of the European External Action Service (EEAS).

The European Parliament reiterates that, in the event of disputes concerning Commission instructions to Heads of EU Delegations which are placed under the authority of the High Representative, and in the event of disagreement between the High Representative and the Commissioners responsible for the programming of the relevant external assistance instruments, it is for the College of Commissioners to take the final decision.

Parliament also urges the High Representative to make sure that at least 60% of all EEAS staff are to be permanent EU officials and that they are reflected in all grades in the EEAS hierarchy.

In parallel, the Parliament adopts the proposal by the High Representative with the following amendments:

1) Structure and organisational fonctions of the EEAS:

- **EEAS's mission**: Parliament calls for the EEAS to assist the High Representative in fulfilling her mandate to conduct the Common Foreign and Security Policy ("CFSP") of the European Union, including the Common Security and Defence Policy ("**CSDP**"), to contribute by her proposals to the development of that policy, which she shall carry out as mandated by the Council and to ensure the consistency of the EU's external action. It shall assist the President of the European Council, the President of the Commission, and the Commission, in the exercise of their respective functions in the area of external relations. The EEAS shall support and work in cooperation with the diplomatic services of the Member States and extend appropriate support and cooperation to the other institutions and bodies of the Union, in particular to the European Parliament.
- **EEAS Directorate-General's missions**: the central administration of the EEAS shall be organised in directorates general. These shall in particular include: a **Director General for budget and administration** who shall be responsible to the High Representative for the administrative and internal budgetary management of the EEAS. He shall follow the same budget lines and administrative rules as applicable in the part of Section III of the EU budget which falls under Heading 5 of the Multiannual Financial Framework. Members also define the crisis management and planning, this directorate shall assist her in the task of conducting the Union's CFSP. Members also call for a **strategic policy planning department**.

- **Union Delegations**: Members consider that OLAF should have the capacity to control the activities carried out in the delegations. The decision to open or close a delegation shall be adopted by the High Representative, in agreement with the Council and the Commission.

2. EEAS Staff:

- When the EEAS has reached its full capacity, **staff from Member States, should represent at least one third of all EEAS staff** at AD level. Likewise, **permanent EU officials should represent at least 60% of all EEAS staff** at AD level, including staff coming from the diplomatic services of the Member States, who have become permanent EU officials, in accordance with the provisions of the Staff Regulations. Each year, the High Representative shall present a report to the European Parliament and the Council on the occupation of posts in the EEAS. The High Representative shall lay down the rules on mobility so as to ensure that the members of the staff of the EEAS are subject to a high degree of mobility.
- **SNEs**: if necessary, the EEAS may, in specific cases, have recourse to a limited number of specialised seconded national experts (SNEs), over which the High Representative will have authority. 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. By the expiry of the contract of an SNE transferred to the EEAS, the function will be converted into a temporary agent post in cases where the function performed by the SNE corresponds to a function normally carried out by staff at AD level, provided that the necessary post is available under the establishment plan.
- **Annual report**: each year, the High Representative shall present a report to the European Parliament and the Council on the occupation of posts in the EEAS.
- **Recruitment**: Parliament insists that recruitment in the EEAS shall be based on merit whilst ensuring an adequate geographical and gender balance. The staff of the EEAS shall comprise an adequate presence of nationals from all the Member States. The review foreseen in 2013 should also cover this issue, including, as appropriate, suggestions for additional specific measures to correct possible imbalances.Before the **1st of 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 that date, all officials and other servants of the European Union should be able to apply for vacant posts in the EEAS.

3. Statutory measures:

- **Application of the Staff Regulations**: 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 Staff Regulations and the CEOS shall apply to this staff. EU officials serving in the EEAS shall have the right to apply for posts in their institution of origin on the same terms as internal applicants. Parliament adds that EEAS staff may not accept any payments of any kind whatever from any other source outside the EEAS. The High Representative shall adopt the rules, equivalent to those laid down in Council Decision 2003/479/EC under which SNEs are put at the disposal of the EEAS in order to provide specialised expertise.
- **SNEs**: the High Representative shall adopt the rules, equivalent to those laid down in Council Decision 2003/479/EC, under which SNEs are put at the disposal of the EEAS in order to provide specialised expertise.
- **Specific measures applicable to officials coming from the diplomatic services of the Member States**: each Member State shall provide its officials who have become temporary agents in the EEAS with a guarantee of immediate reinstatement at the end of their period of service to the EEAS. This period of service shall not exceed eight years, unless, it is extended for a maximum period of two years in exceptional circumstances and in the interest of the service.
- **Transitional provisions regarding staff**: in order to clarify the proposed measure, Members integrate certain provisions **from the initial proposal on the transfer of staff and other agents as well as other members of staff transferred to the EEAS in a new chapter. The transfers shall take effect on 1 January 2011**. In accordance with the Staff Regulations, upon their transfer to the EEAS, the High Representative shall assign each official to a post in his function group which corresponds to his grade.

4. Financial and budgetary responsibility of the EEAS: Parliament considers that the Commission should have a more important role in the internal management of the EEAS. The Commission shall be responsible to the High Representative for the administrative and internal budgetary management of the EEAS. The EEAS internal auditor will cooperate with the internal auditor of the Commission to ensure the consistency of audit policy, with particular reference to the Commission's responsibility for operational expenditure. In addition, the EEAS shall cooperate with the European Office for the Fight against Fraud (**OLAF**). The Financial Regulation should be amended in order to include the EEAS in Article 1 of the Financial Regulation, with a specific section in the Union budget. In accordance with applicable rules, and as it is the case for other institutions, a part of the annual report of the Court of Auditors will be dedicated also to the EEAS and the EEAS will respond to such reports. The EEAS shall draw up estimates of its expenditure for the following financial year. The Commission shall consolidate these estimates in a draft budget, which may contain different estimates. The Commission may amend the draft budget. In order to ensure the budgetary transparency in the area of external action of the Union, the Commission will transmit to the budgetary authority, together with the Draft EU Budget, a working document presenting, in a comprehensive way, all expenditure related to the external action of the Union. The EEAS will, in this context, fully cooperate with institutions involved in the discharge procedure and provide, as appropriate, the additional necessary information, including through attendance in meetings of the relevant bodies.

5. External Action Instruments and programming: Parliament states that the management of EU external cooperation programmes is under the responsibility of the Commission without prejudice to role of the Commission and of the EEAS in programming. The High Representative shall ensure overall political coordination of the EU's external action, ensuring the unity, consistency and effectiveness of the EU's external action in particular **through all the external assistance instruments**. The whole cycle of programming, planning and implementation of these instruments, the High Representative and the EEAS shall work with the relevant members and services of the Commission. Actions undertaken under the **CFSP budget**, and other specific instruments (including the Election Observation Missions) are under the responsibility of the High Representative/EEAS. The Commission shall be responsible for their financial implementation.

6. Report and revision of the EEAS: the High Representative shall submit a report to the European Parliament, the Council and the Commission on the functioning of the EEAS no later than the end of 2011. She should, by mid-2013, carry out a review of the functioning and organisation of the EEAS, accompanied, if necessary, by proposals for a revision of this Decision. The measures resulting from such revision should be adopted no later than the beginning of 2014.

European External Action Service (EEAS): organisation and functioning

2010/0816(NLE) - 25/03/2010 - Legislative proposal

PURPOSE: High Representative's proposal on the establishment of the organisation and functioning of the European External Action (EEAS) Service.

PROPOSED ACT: Council Decision.

BACKGROUND: the European Union has the clear objective to support a more stable, prosperous and secure environment for its citizens. In order to better achieve this, the Lisbon Treaty lays the basis for greater coherence in the Union's foreign policy. By bringing together its many levers of influence in a more effective manner and pursue a wide range of goals on the international scene, it will increase the Union's political and economic influence in the world.

The TEU tasks the High Representative to conduct the Union's Common Foreign and Security Policy (CFSP), to chair the Foreign Affairs Council, to fulfil within the Commission the responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external relations, and to support and facilitate the cooperation between the Council and Commission in order to ensure consistency between the different areas of external action.

In fulfilling her mandate, the High Representative shall be assisted by a European External Action Service (EEAS) which will help strengthen the European Union on the global stage, give it more profile, and enable it to project its interests and values more efficiently. In order to attain these objectives and implement the Lisbon Treaty, the EEAS must be operational as soon as possible. This proposal sets out the organisation and structure of this service.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 27(3) of the Treaty on the EU.

CONTENT: the present proposal for a Council Decision, presented by the High Representative, sets out the framework for an efficient and effective EEAS. It is based on wide and constructive consultations the High Representative held with Member States, the Commission and the European Parliament. The question of the adaptation of existing Inter-Institutional Agreements with the European Parliament will be examined in the forthcoming deliberations between institutions. The main provisions are as follows:

Nature and Scope: the EEAS, which has its headquarters in Brussels, shall be a **functionally autonomous body of the EU**, separate from the Commission and the General Secretariat of the Council, with the legal capacity necessary to perform its tasks. It shall be placed under the authority of the High Representative of the Union for Foreign Affairs and Security Policy ("HR"), and be made up of a central administration and of the Union delegations to third countries and to international organisations.

Tasks: the EEAS shall support the HR:

- in fulfilling her mandate to conduct the CFSP of the EU and to ensure the consistency of the EU's external action;
- in her capacity of President of the Foreign Affairs Council, without prejudice to the normal tasks of the General Secretariat of the Council;
- in her capacity as Vice-President of the Commission for fulfilling within the Commission the responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action, without prejudice to the normal tasks of the services of the Commission.

The EEAS shall assist the President of the Commission, the Commission and the President of the European Council.

Cooperation: it shall work in cooperation with the General Secretariat of the Council and the services of the Commission, as well as with the diplomatic services of Member States, in order to ensure consistency between the different areas of the Union external action and between these and its other policies. The EEAS and the Commission services must consult each other on all matters relating to the external action of the Union. The EEAS shall take part in the preparatory work relating to acts to be prepared by the Commission in this area. It may enter into service-level arrangements with relevant services of the Commission, the General Secretariat of the Council, or other offices or interinstitutional bodies of the EU. It shall extend appropriate support to the other institutions of the Union.

Central administration: to ensure the effective day-to-day administration and operation of the Service, the High Representative shall appoint a Secretary-General, two Deputy Secretaries-General working under the latter's authority, and the Directors General of the EEAS. The Secretary-General, assisted by the Deputy Secretaries-General, shall manage the EEAS and ensure the effective coordination between all departments of the EEAS and with the Union Delegations. The Directorates General of the EEAS shall include geographical desks covering all countries and regions of the world as well as multilateral and thematic desks. These departments shall coordinate as necessary with relevant services of the Commission and with the General Secretariat of the Council. The EEAS will also comprise administrative, staffing, financial and other support services necessary for the functioning of the service.

Union delegations: the Union Delegations constitute an integral part of the EEAS. They are a key platform for the international projection of common European interests. The decision to open a Delegation shall be adopted by the High Representative, after consulting the Council and the Commission, while a decision to close a Delegation shall be adopted in agreement with the Council and the Commission.

Each Union delegation shall be led by a Head of Delegation, who will have authority over all staff in the delegation, **whatever their status, and for all its activities**. He shall be accountable to the HR for the overall management of the work of the delegation. Staff in delegations shall comprise EEAS staff and, where this is appropriate for the implementation of the Union budget and Union policies other than those under the remit of the EEAS, Commission staff.

The Head of Delegation shall receive instructions from the HR and the EEAS, and shall be responsible for their execution. In areas where the Commission exercises the powers conferred to it by the Treaties, the Commission may also issue instructions to delegations, which shall be executed under the overall responsibility of the Head of Delegation. The Head of Delegation shall implement **operational credits in relation to EU projects** in the corresponding third country, where sub-delegated by the Commission, in accordance with the Financial Regulation.

Union delegations shall have the capacity to service the needs of other EU institutions, in particular the European Council and the European Parliament, in their official contacts with the international organisations or third countries to which they are accredited. They shall work in close cooperation with the diplomatic services of the Member States.

Staff: for matters relating to its staff the EEAS should be treated as an institution within the meaning of the Staff Regulations. The EEAS shall comprise:

- officials and other servants of the EU, including personnel from the diplomatic services of the Member States appointed as temporary agents;
- if necessary, and on a temporary basis, specialised seconded national experts (SNEs).

All members of the staff of the EEAS covered by the Staff Regulations and the Conditions of Employment of Other Servants shall have the same rights and obligations, regardless whether they are officials of the EU or temporary agents coming from the diplomatic services of the Member States, and be treated equally, in particular as concerns eligibility to assume all positions under equivalent conditions. No distinction shall be made between temporary agents coming from national diplomatic services and officials of the EU as regards the assignment of duties to perform in all areas of activities and policies implemented by the EEAS. The relevant departments and functions in the General Secretariat of the Council and in the Commission listed in the Annex (to be published) shall be transferred to the EEAS on the day of the adoption of the amending Budget of the EU providing for the corresponding posts and appropriations in the EEAS. When the EEAS has reached its full capacity, **staff from Member States should represent at least one third of all EEAS staff at AD level**.

Staff transfers: 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. This shall also apply to contract and local staff assigned to such departments and functions. SNEs working in those departments or functions shall also be transferred to the EEAS. These transfers shall take effect on the day of the adoption of the amending Budget of the European Union providing for the corresponding posts and appropriations in the EEAS. Upon their transfer to the EEAS, the High Representative shall assign each official to a post in his function group which corresponds to his grade.

Budget: in order to ensure the budgetary autonomy necessary for the smooth operation of the EEAS, the Financial Regulation should be amended in order to treat the EEAS as an "institution" within the meaning of the Financial Regulation, with a specific section in the Union budget (see COD/2010/0054). The EEAS will be subject to the procedures regarding the discharge. The HR will act as authorising officer for the EEAS section of the General Budget of the EU and adopt the internal rules for the management of the corresponding budget lines. These internal rules shall lay down which of the powers of the authorising officer are delegated to the Secretary-General and the conditions under which the Secretary-General can sub delegate these powers. As regards operational expenditure arising from the implementation of the CFSP budget, the Instrument for Stability, the Instrument for Cooperation with Industrialised Countries, the Communication and Public Diplomacy as well as the Election Observation Missions, the Commission shall be responsible for their financial management under the authority of the HR in her capacity as Vice-President of the Commission.

Programming: in the framework of the management of **EU external cooperation programmes, which remain under the responsibility of the Commission**, the High Representative and the EEAS shall contribute to the programming and management cycle for the following geographic and thematic instruments, on the basis of the policy objectives set out in the said instruments:

- the Development Cooperation Instrument (DCI),
- the European Development Fund (EDF),
- the European Instrument for Democracy and Human Rights (EIDHR),
- the European Neighbourhood and Partnership Instrument (ENPI),
- the Instrument for Cooperation with Industrialised Countries,
- the Instrument for Nuclear Safety Cooperation.

Throughout the whole cycle of programming, planning and implementation of these instruments, the HR and the EEAS shall work with the Commission. All proposals for decision will be prepared through Commission procedures and submitted to the Commission for decision.

The EEAS shall in particular have responsibility for preparing the following Commission decisions on the strategic, multi-annual steps within the programming cycle:

- country allocations to determine the global financial envelope for each region (subject to the indicative breakdown of the financial perspectives). Within each region, a proportion of funding will be reserved for regional programmes;
- country and regional strategic papers (CSPs/RSPs);
- national and regional indicative programmes (NIPs/RIPs).

With regard to the EDF and the DCI, any proposals, including those for changes in the basic regulations and the programming documents above, shall be prepared by the EEAS and in the Commission under the direct supervision of the Commissioner for Development Policy and then jointly submitted with the HR for decision by the Commission. The same applies to the ENPI under the direct supervision and guidance of the Commissioner responsible for Neighbourhood Policy.

Thematic programmes shall be prepared by the Commission under the guidance of the Commissioner responsible for Development and presented to the College in agreement with the High Representative and other relevant Commissioners.

The proposal also contains provisions **on security, and access to documents and data protection**.

Report: the HR shall submit a report to the Council on the functioning of the EEAS in 2012. The Council will review the Decision in 2014.

Entry into force: in accordance with the guidelines of the European Council of December 2009, it is critical that the present Decision be adopted swiftly. In parallel and as part of this overall project, amending provisions to the Financial Regulation and the Staff Regulation and an amending budget should be adopted rapidly, with a view to rendering the EEAS fully operational. The provisions on financial management and recruitment going beyond the existing Staff Regulations and Financial Regulation shall only produce their legal effects once the necessary amendments to the Staff Regulations and the Financial Regulation, as well as the amending budget, have been adopted. One month after the entry into force of the Decision, the HR shall submit to the Commission an estimate of the revenue and expenditure of the EEAS, including an establishment plan, in order for it to present a draft amending budget.

Consultation: a recital states that the European Parliament will fully play its role in the external action of the Union, including its functions of political control as provided for in the TEU, as well as in legislative and budgetary matters as laid down in the Treaties. Furthermore, in accordance with the TEU, the High Representative will regularly consult the European Parliament on the main aspects and the basic choices of the CFSP and will ensure that the views of the European Parliament are duly taken into consideration. The EEAS will assist the High Representative in this regard.

BUDGETARY IMPLICATION: an amending budget should be adopted shortly outlining the corresponding posts and appropriations in the EEAS.

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.

European External Action Service (EEAS): organisation and functioning

2010/0816(NLE) - 14/06/2010

The Council took stock of progress in negotiations with the European Parliament on draft decisions

on the establishment of a European External Action Service, and of further steps to be taken in the coming weeks.

Ongoing work has been focusing on the functioning and organisation of the EEAS and on the necessary **amendments to the EU's financial regulation and staff regulations**.

The Council reached agreement on the main issues at its meeting on 26 April.