Foreword

“In fulfilling his mandate the HR shall be assisted by a European External Action Service”
Article 27.3 TEU

As part of the political decision that enabled us to set up the EEAS, I was invited to review how the service was working and present a report in the summer of 2013.

At that time it seemed a long way off. We were at the very beginning of what needed to be done and grappling with what could be done.

Despite the length of the negotiations on the Constitution and then the Lisbon Treaty nothing had been put in place to make the EEAS a reality - in part because of the legal and political uncertainty surrounding the process.

There is much that could be written about those early days - and of the extraordinary events that took place as we started to build the service, turning a few words in the Lisbon Treaty into a global foreign policy service of 3400 staff and 139 Delegations. I have likened it to trying to fly a plane while still bolting the wings on. The institutional challenges, and sometimes battles, were many. Different ideas on how the service should work and what impact it would have on existing institutions led to difficult decisions and sometimes lost opportunities.

For the people who joined this newly created service there were great challenges. Delegations in the field had to transform themselves overnight taking on new roles with no extra resources and without consolidated instructions or advice. For Brussels based staff there followed a period of enormous uncertainty about their role in the new organisation and how they would relate to its new culture. For Member State diplomats there was the challenge of taking on new obligations and expectations.

It was in a word, tough.

And against that tough beginning expectations were high, the world did not wait for a service to exist challenges in our own neighbourhood and beyond demanded a European response. And all this was against an economic backdrop that made investment in the service more difficult.

This review sets out some of the lessons we have learned. We have sought to make the best use of scarce financial resources – and also to meet expectations that the EU should support progress towards democracy and prosperity in countries as varied as Libya and Somalia, Iraq and Afghanistan, Mali and Myanmar/Burma.

We are guided by our conviction that Europe has a special role to play in today’s world. Our own recent history reminds us of the horrors of conflict and tyranny – and shows how prosperous, open societies can be built when those horrors are banished. One of the ambitions I encounter most frequently when I meet people struggling for justice and democracy is: “We want the same freedoms as you: please help us to achieve them”. The trust that people around the world are willing to place in us should not be underestimated. It is a vital asset. But that is not the only reason to engage with third countries. The hard truth that we must not avoid is that conflicts thousands of miles from our borders can damage our interests, while the spread of peace, prosperity and democracy around the world is good for Europe.
I am proud of what we have achieved so far. With the support of Member States in the Council, the European Commission and the European Parliament, the EEAS has developed into a modern and operational foreign policy service, equipped to promote EU interests and values in our relations with the rest of the world. Although much remains to be done, we can see the benefits of the comprehensive approach in the Balkans, the Middle East and North Africa, the crises in Africa, in support of the transition in Myanmar/Burma and in many other parts of the world.

Europe’s role in the world is one of the major challenges of the 21st century. The EEAS is but one component of Europe’s response to this global challenge. We seek to co-operate with, but not replace, the important work done by Member States. The EEAS seeks to add value by being more than a foreign ministry – combining elements of a development and of a defence ministry. The EEAS can be a catalyst to bring together the foreign policies of Member States and strengthen the position of the EU in the world.

This review reflects on what works and what doesn’t. It identifies short and medium term issues and makes recommendations to the Council, the Commission and the Parliament. While the list of issues we raise here is not exhaustive and certainly not the last word in good ideas, I believe all of these proposals are important and necessary.

A lot of people have contributed their ideas and views - from Delegations across the world, Brussels-based staff, Commission, Council, Member States, the European Parliament, think tanks, NGOs and individuals. I thank you all. Not all of them are incorporated here - in the end these are the issues that I think should be focused on now. In particular, the quality of the staff of the EEAS and the CSDP missions has been key to the progress we have made together over the last months. I am grateful to all of them for their support and professionalism during this difficult time, especially those working in challenging and dangerous environments far from home.

Over the coming months there will be time to consider the changes that I believe should be made. If we use this review to make sure the foundations of the service are as strong as possible then the capacity for the HR/VP and of the service to be more effective will be greater in the future.

Catherine Ashton

July 2013
The EEAS

It is important in this review not to lose sight of what the EEAS is for and what we mean by European foreign policy as distinct from the individual foreign policies of Member States. It is something new and unique that brings together all of the policies and levers at the EU’s collective disposal and allows them to be focused on building influence and delivering results across the world to promote EU values and interests. The EEAS is not a European Ministry of Foreign Affairs designed to replace Member States’ ministries. Nor is it a foreign policy department of the General Secretariat of the Council, or a revamped version of the former Directorate General for External Relations of the Commission with additional development and CFSP competences. Based on the central concept of the comprehensive approach, the main strengths of the EEAS are:

- a global coverage of all geographical and thematic issues, supported by an network of 139 EU delegations representing the EU in 163 third countries and international institutions. In more than 70 places where the EU has a Delegation there are fewer than 10 Member States represented and 50 countries where there are fewer than 5 Member States. The EU combined is the world’s largest economy of over half a billion people. In today’s world size and weight matter: collectively the EU can achieve things that no Member State individually is able to do;
- the capacity to engage strongly in support of key policy priorities, in particular in the neighbourhood to the south and to the east where the EU has influence and leverage to promote and to deliver change
- an increasingly close partnership with the national diplomatic services of Member States, both in Brussels and in third countries, which is vital to an effective division of labour and efficient use of resources.

The EEAS ensures effective and timely delivery of EU foreign policy through a global network of EU delegations, crisis management structures and CSDP missions. Equally, the EEAS should provide strong and effective coordination of EU external policies, including trade, development and other global issues like energy security, climate change and migration. EU delegations are the operational focus of the service, working with national embassies of Member States in third countries and multilateral fora on the basis of trust, cooperation and burden sharing in all fields.

As the Service has been established the key elements of EU foreign policy have become clearer. At the beginning of the mandate the HR/VP set out three priorities: (a) establishing the Service; (b) the neighbourhood; and (c) strategic partners. Three main elements of EU foreign policy have emerged from the first two years of operation of the service: (I) the neighbourhood where the EU has all of the policies and instruments at its disposal to effect lasting change; (II) the Comprehensive Approach – which makes the EU uniquely able to tackle all aspects of a foreign policy issue and (III) those international issues where only the EU’s collective weight allow us to play a lead role in today’s globalised world.

The EEAS supports the High Representative in delivering Common Foreign and Security Policy and in ensuring the consistency of the Union’s external relations, in her roles as chair of Foreign Affairs Council and Vice President of the Commission. The EEAS also provides support for the President of the European Council, the President of the European Commission and other Commissioners in their work on external relations (including in the preparation of policy papers, briefing files and preparation of Summits and other high-level meetings and visits). Co-operation between the EEAS and the European Parliament is strong, through the Declaration on Political Accountability and through the support EU delegations provide to Members of the Parliament when they travel.
I. The ORGANISATION of the EEAS

Under this part of the review the focus will be on the structure of the service. The organigram of 1 January 2011 was designed for the start-up phase and reflected both the way that the service was created from pre-existing assets and also the new tasks that it would need to perform in terms of merging the roles previously done by the Commission, Council Secretariat and 6 month rotating Presidency of the Council on CFSP, CSDP and external relations issues. Now that the service is up and running and in the light of experience changes can be proposed. In some cases – for example the identification and transfer of posts from headquarters to reinforce the Delegations network around the world – this work has already begun.

Structure of the EEAS
The current structure of EEAS Headquarters was agreed in early 2011 and flows from Article 4 of the EEAS Decision. The senior management of the service consists of the four members of the Corporate Board (the Executive Secretary General, Chief Operating Officer and two Deputy Secretaries General), eight Managing Directors with specific geographic or thematic responsibilities, the Director General of the EU Military staff and the directors of the other CSDP departments reporting directly to the High Representative.

The Corporate Board
The EEAS was established by means of a bloc transfer of staff from the Commission and Council Secretariat (Annex I of the EEAS Decision) supplemented with a small allocation of new posts to allow for the recruitment of national Diplomats from Member States. This posed complex challenges of combining different traditions and organisational cultures alongside the difficult task and on-going inter institutional negotiations linked to setting up the service. For this reason the start-up EEAS included a strong and experienced senior management team including a top structure containing two posts - Executive Secretary General and Chief Operating Officer supported by two Deputy Secretary Generals. Both carried unique responsibilities but together they ensured global coverage on all the key political, economic and inter-institutional issues.

For the next phase of the EEAS, the necessity to have both posts will be less compelling. Both the present incumbents agree that a recommendation for the future would be to merge the roles creating a single Secretary General post (supported as necessary by the MD for Administration on resource and organisational issues). The Secretary General should continue to be able to call directly on two deputies to ensure global coverage reflecting the needs of the organisation.

Managing Directorates
The structure chosen for the start-up phase – geographical and thematic Managing Directorates – was a logical choice. However in some cases there is scope for combining posts as they become vacant for example where different geographical areas are covered by the same policy instruments.

Approximately 70% of staff arrived as part of the bloc transfer with their current grades which affected the capacity to design a new organisation. Member states had high expectations for their role in providing additional staff especially at senior level.

The Organigram reflects these realities. However it is clear that for the future the structure should change. The EEAS has already proposed a reduction in the number of the senior posts [AD15/16] by 11 in the 2014 budget. There is some scope for further reductions. But there is also a need for reallocation of posts to strengthen cross-cutting functions such as policy planning and to create short term contract posts to help the service to regularise the anomalous status of EUSRs. The number of Managing Directorates should therefore be reduced in the next mandate and more responsibility given to Director-level posts. This should be implemented at the same time as the reform of the Corporate Board set out above.

EU Special Representatives (EUSRs)
The current status of EUSR is an anomaly post Lisbon. These positions were originally created by the Council linked to specific crises or situations in the era when there was no EEAS and only the Commission had
Delegations around the world. With the Lisbon Treaty, the network of 139 EU Delegations has been brought under the authority of the HR/VP (Article 221) and represent the Union as a whole. At the time of the setting up of the EEAS, EUSRs had little connection to the Delegations or the central services, being housed in a separate buildings with a relationship primarily to the Member States through the PSC. Though we have changed this substantially more should be done to ensure that Article 33 TEU is implemented in a way that EUSRs are an intrinsic part of the EEAS. There are at present 12 EUSRs including 8 based in Brussels and 4 based in the countries or regions where they are active. In 2012, the total budget of EUSRs and their combined staff of 200 political advisors and administrative support was €28m. The current EUSRs should be fully integrated within the EEAS, while retaining a close link to Member States via the PSC. This pre-supposes however the transfer of their staff and the associated budget to the EEAS. This would also allow for savings to be made in terms of salary levels (all EUSRS are still graded AD16 despite an EEAS proposal to reduce this to AD14).

In any event, it will be important for the EEAS to have flexibility to recruit short-term senior figures (special representatives, co-ordinators or EU envoys) to undertake specific missions as the need arises.

**Crisis Management Structures**

The EU is highly regarded for our civilian and military missions. While these operate under different mandates there is still a need to improve our coordination. Currently there are 16 missions and operations deploying more than 7000 military or civilian personnel. Of these 12 are civilian and 4 military operations. For the future development of a Comprehensive Approach to crisis prevention and management we need to ensure that these structures are better integrated into the operation of the EEAS. This includes more effective coordination on the ground between different missions, Delegations, EUSRs and partners.

In support of a more coordinated approach, a Managing Director with specific responsibility for crisis response was appointed, together with the creation of a new 24/7 situation room - merging the work previously done by “watchkeeper” and the open-source monitoring function of the old SitCen both 24 hour services thereby making better use of our resources.

The recent creation by the Commission of a 24/7 Emergency Response Centre which brings together Civil Protection and Humanitarian support mirrors this. However an even better use of EU resources would be to combine all of the 24/7 crisis capabilities into a single EU facility. To this end I have proposed that the EEAS Situation Room should be co-located with the Commission ERC to create a single EU ERC generating savings and avoiding duplication.

A crisis management board chaired by the Executive Secretary General and regular Crisis platform meetings coordinate responses across the EU institutions to crisis situations, for example on Mali, CAR, Syria, Yemen and Libya. This means the geographic services meeting with Commission and EEAS departments responsible for conflict prevention, crisis response, peace building, financial support including humanitarian aid where appropriate security policy and CSDP.

According to Articles 18 and 27 of the Treaty, the EEAS supports the High Representative in fulfilling her mandate to conduct the Common Foreign and Security Policy, including the Common Security and Defence Policy, both in making proposals for the development of policy and in its implementation as mandated by the Council. The planned European Council debate in December will be a further opportunity to consider ways of strengthening the effectiveness of EU security and defence policies, including whether the EEAS has appropriate internal management structures and the speed and effectiveness of decision-making on CSDP.

The present CSDP system raises a number of questions in terms of (I) the positioning and reporting lines of the relevant EEAS departments in relation to the HR/VP and relations with other parts of the EEAS and (II) the speed and effectiveness of decision-making, in particular in crisis situations. Any change in the basic reporting lines and authority of the High Representative will require a change to the EEAS decision but should now be
considered. In the short term however, internal co-ordination can be reinforced by giving a clearer mandate to the Secretary General. Without prejudice to the specific profile and administrative status of military staff within the EUMS, ways should be explored of making their expertise more widely and directly available to other policy departments in the EEAS (for example by short-term staff loans in both directions), as well as in EU delegations by expanding the pilot programme of detached security/military experts. Similarly there is scope to improve synergy between the geographical experts in the INTCEN and the relevant delegations and policy departments, while preserving the specific links with the Intelligence Services of Member States. Finally, consideration should be given to clarifying and streamlining responsibilities for security policy issues and for the planning of CSDP missions.

In relation to the speed and effectiveness of decision-making in the area of CSDP, improvements could be made within the existing legal framework to reduce the number of intermediate steps of consultation of Council Working Groups in preparation for the implementation of a mission or joint action. The PSC has recently approved some proposals from the EEAS on the revision of crisis management procedures, and more radical steps could be considered for the future. These could include overhauling the management and procedures for CSDP operations (streamline planning functions for civilian and military missions; reduce intermediate steps in consultation of Council working groups). This analysis could also cover the level of decision making for operational issues, between Council working groups, the EEAS/FPI and the day-to-day management autonomy of missions themselves.

Similarly, despite considerable progress in recent years, a number of additional measures could be considered to accelerate procurement and improve financial procedures. Specifically, this could include changes to the financial regulation to bring urgent preparatory and implementation measures for CFSP actions within the fast-track procedures already available for humanitarian assistance. There is also a strong case or creating a shared services centre to provide logistical, procurement and administrative support for all CSDP missions and EUSRs as well as scope to put the employment conditions of the staff of CSDP missions and EUSRs on a sounder footing.

Working Groups
Post Lisbon, the HR/VP appoints the chair of the Political and Security Committee and the permanent chairs of 16 geographical and thematic working groups in the area of CFSP and external relations. These arrangements are generally working well and they ensure close links between the working group chairs and the policy departments in the EEAS. However there remain a number of Council working groups chaired by the rotating Presidency, in particular the group of External Relations Counsellors, the Development working group, the Africa Caribbean Pacific (ACP) working group, the European Free Trade Area (EFTA) group, the Counter Terrorism Working Group (COTER), the International Public Law Working Group (COJUR) and Athena committee. Given the close relationship between the work of these groups and the policy areas covered by groups already chaired by the EEAS, and in the interest of policy coherence, it would make sense to consider a change in the relevant Council decision to provide permanent chairs for these groups as well (with the transfer of support staff from the Council Secretariat to the EEAS). In addition there should be a special relationship between the EEAS and the Enlargement Working Group (COELA) working group.
II. FUNCTIONING of the EEAS

Under this part of the review the focus will be on the systems of the service which includes the internal working of the EEAS and the inter-institutional relationships with the other Brussels institutions.

Policy Coherence and Strategic Thinking.

A central aim of the Lisbon treaty is to strengthen the EU’s capacity to develop a long-term EU strategic framework in the area of external relations. In support of this objective, the EEAS produces a wide range of policy documents:

- draft Council conclusions on specific and topical issues;
- policy papers on key foreign policy issues (eg Human Rights Strategy, Communications and country reports under the European Neighbourhood Policy, Sahel Strategy, Caribbean Strategy);
- negotiating mandates for international agreements or contractual relations with third countries.

Position papers and preparatory work for Summits and other high level political dialogue meetings;
- policy proposals and financing decisions for joint actions and missions in the context of the European Security and Defence Policy;
- country and regional strategy documents for the programming of external assistance (in co-operation with the relevant Commission services);
- analysis and recommendations on the external dimension of key internal EU policies like energy security, the environment, migration, counter-terrorism and transport.

There is no shortage of building blocks for comprehensive and effective EU external policies, and in many cases these instruments have helped to deliver a high level of consensus between Member States and the EU institutions, and on this basis, a strong and well-coordinated response to foreign policy challenges.

It is not always easy to achieve this since it requires the establishment of linkages between: related geographic or thematic topics; the work in different institutions, and even the different levels of discussion in the Council bodies (European Council, Ministerial Council formations, PSC, thematic working groups). At the same time, the Lisbon Treaty left CFSP intergovernmental and therefore subject to unanimity: in the absence of collective political will and agreement between Member States, this is a limiting factor on decision-making.

The longer term perspective of the EEAS allows it to play an important role in policy formulation, brokering and implementation. The EEAS is uniquely well placed in the EU institutional framework to promote the strategic direction of the EU’s external action, in particular with the active involvement of Member States and close co-operation with the Commission as well as the continued support of the European Parliament. With this in mind the EEAS policy planning capability should be reinforced.

Beyond this, there is clearly scope for the EEAS to use its unique position in the EU institutional framework to promote the strategic direction of the EU’s external action, in particular with the active involvement of Member States and close co-operation with the Commission as well as the continued support of the European Parliament. The role of the High Representative in presenting the position of the Foreign Affairs Council in meetings of the European Council is important in this respect. The High Representative, as Vice President of the Commission could contribute external relations priorities for inclusion in the Commission work programme. Similarly, the EEAS should continue to contribute to the broader work programme of the trio of rotating Presidencies.

More generally, it could be useful to reflect on a new basis for EU strategies or policies to be adopted jointly by Member States, the EEAS and the Commission (e.g. making the linkages between joint papers from the High Representative and the Commission with Council conclusions).

Relations with the Commission

Relations with the Commission are vital to the operation of the service. The Vice President role of the HR/VP gives a clear responsibility within the Commission for “responsibilities incumbent on it in external relations” and “for coordinating other aspects of the Union’s external action” (Art 18(4) TEU). Under the EEAS Decision
the EEAS provides information, advice and support to any of the Commissioners who request or need it, and EU Delegations not only offer support to Commissioners and their DGs when visiting a third country but also host their staff and implement their instructions. For example in 2012 the EEAS prepared more than twice the number of briefings for the President and other members of the Commission as it did for the High Representative. Although it generally works well, there are a number of areas where more could be done to make this relationship work more smoothly.

Within the physical constraints of the triple hatted job, the HR/VP actively participates in meetings of the Commission. Her cabinet and the relevant services of the EEAS are fully involved in the upstream preparatory work for all Commission business, and make an active contribution to issues with an impact on the EU’s external relations. The High Representative also participates in meetings of the External Relations Group of Commissioners (including the President, the Trade Commissioner, the Enlargement Commissioner, the Commissioner for Development policy, the Commissioner for Humanitarian Assistance and the Commissioner for Economic and Monetary Affairs). Unfortunately these meetings have not been held frequently enough. The President of the Commission and the High Representative have recently agreed that the Relex Group of Commissioners should meet more regularly, with the High Representative in the Chair. Meetings will be prepared jointly by the Secretariat General of the Commission and the EEAS.

In addition to the HR/VP and within the overarching strategic objectives defined by her, the EEAS works closely with the Commissioner for Enlargement and the European Neighbourhood Policy and the Commissioner for Development. The division of labour has generally worked well. Designating a Commissioner for the neighbourhood when the geographical responsibilities for these countries were transferred to the HR/VP and EEAS risked confusion. The EEAS has full responsibility for relations with all countries across the globe including the ENP countries where it provides support to both the High Representative and the Enlargement Commissioner and the ACP countries where it provides support to the HRVP and to the Development Commissioner. DG Enlargement has policy lead for relations with pre-accession countries in relation to the enlargement process, while more political aspects of relations with the Western Balkans and Turkey are handled by small geographical teams in the EEAS. DG DEVCO has the policy lead for cross-cutting development programmes. The current arrangements in terms of lead responsibility work mainly because of the good and close working relationships between the HR/VP and her Commissioner colleagues. The division of responsibilities is potentially unclear and should be clarified. The allocation of portfolio responsibilities in the next Commission presents an opportunity for the President of the Commission to review the situation.

Close co-operation between the EEAS and the Commission is also vital on the various global issues where the external aspects of internal EU policies have a growing foreign policy dimension. This includes areas such as energy security, environmental protection and climate change, migration issues, counter-terrorism, financial regulation and global economic governance. The EEAS is increasingly expected to provide the Foreign Affairs Council with ideas and policy proposals in these areas. Yet, following the allocation of responsibilities and resources at the creation of the EEAS, virtually all the expertise and capacity to manage the external aspects of these polices remained in the Commission services. The EEAS is not calling into question the lead responsibilities of Commission services in these areas. However, as their political significance and potential impact on the wider foreign policy agenda continues to grow, the EEAS will need to continue to reinforce its capacity to deal with them in future.

With the creation of the EEAS, the Commission created a new Service for Foreign Policy Instruments directly under the authority of the HR/VP with responsibility for the financial management and implementation of operational budgets for Common Foreign and Security Policy, the Instrument for Stability and support for election observation missions. This service is co-located with the services of the EEAS, but remains separate from the EEAS in administrative and functional terms because the Commission has exclusive responsibility for the management of operational chapters of the EU budget. This allows FPI to act as a bridge between the CFSP structures in the EEAS and the central services of the Commission responsible for the overall
management of the budget. FPI is bound by the provisions of the EU Financial Regulation which apply to all
EU institutions and all EU spending. Although it is not possible to integrate the activities of FPI fully into
the EEAS because of the Treaty responsibilities for the execution of the budget, more efficient and closer
working with the EEAS should be explored. There is a strong case for considering a transfer of responsibilities
and associated staff for the implementing measures for the EU sanctions regime from FPI into the EEAS or
into a joint unit. Equally, there are on-going discussions on transferring responsibilities for external relations
communication activities and budgets (including the management of EEAS and delegation websites) from the
FPI to the strategic communications division in the EEAS. FPI, as a Commission service reporting directly to
the HR/VP, could also be expanded to include a number of other financial programme areas directly linked to
core policy objectives of the EEAS, and currently managed by DEVCO. Examples of such programme areas
are those under the long-term component of the Instrument for Stability, Election Assistance in third countries
(beyond Observation) as well as Human Rights and Democratization generally (i.e. those covered by the
EIDHR instrument).

In January 2012, the EEAS and the Commission agreed detailed working arrangements covering co-operation
on instructions and management of work in EU delegations, specific arrangements for joint work on the pro-
gramming and implementation of the EU external assistance programmes (building on Article 9 of the EEAS
Decision), the division of responsibility for preparation of briefings for Summits and other high-level meetings or
visits involving the President of the Commission, the High Representative or other Members of the Commission,
as well as co-operation in the area of communication and press work and specific arrangements covering the
status of ECHO field offices in relation to EU delegations. These arrangements are working well, particularly
in relation to the EU’s external assistance instruments on programming and implementation. Further strengthen-
ing of the division for Development Cooperation coordination, for example through the secondment of
additional experts from Member States, would help to raise the profile and impact of the EEAS in this area.

Relations with the European Parliament

Co-operation between the EEAS and the European Parliament is provided for under Article 36 TEU and
the Declaration on Political Accountability. These arrangements are working well in ensuring proactive and
systematic consultation of the appropriate committee of the Parliament before the decisions are taken on
CFSP/CSDP actions or missions. Equally the practice of informal exchanges of views with newly appointed
Heads of Delegation and EUSRs are helpful for both parties. There are systematic procedures for the EEAS
to provide information to the AFET committee in the Parliament on the discussion at each Foreign Affairs
Council. Most recently, the Chairman of the AFET Committee was invited to attend parts of the Gymnich
informal meeting of Foreign Ministers for specific agenda items, in particular linked to the present review of the
EEAS. The annual report on CFSP/ESDP in particular has provided a basis for a regular Plenary debate with
the High Representative on these issues.

The High Representative has intensified co-operation with the European Parliament on the identification
and planning of election observation missions, including on the choice of Chief Observers, through the
Election Co-ordination Group. The EEAS has provided the European Parliament with timely and comprehensive
information on progress in negotiations on international agreements covered by Article 218 of the Treaty
and has actively developed arrangements for sharing of sensitive information with the Parliament through
the Special Committee of security cleared MEPs. Similarly the Joint Consultation Meetings on the CFSP
budget have been enhanced and the EEAS has been forthcoming in sharing emerging thinking on the future
external assistance instruments and priorities under the next Multi-Annual Financial Framework. Finally, EU
delegations have been keen to respond to the needs of the European Parliament in its contacts with third
countries and international institutions, in particular in relation to official visits by representatives of the
Parliament. The EEAS has also developed its capacities to engage with national parliaments in Member
States.

The EEAS review provides an opportunity to take stock of progress with co-operation with the European
Parliament, in particular under Article 36 of the Treaty and the Declaration on Political Accountability.
Relations with the Council Secretariat
The position of the HR/VP as a member of the Institutions but also a member of the Council when exercising the function of President of the Foreign Affairs Council is unique in the post Lisbon set up. Coupled with this the EEAS Decision clearly states that the EEAS supports the HR/VP in the fulfilment of all of her roles. At the time of the creation of the EEAS more than 20 AD posts were retained by the Council Secretariat for residual external policy tasks. There should be a review of the division of labour between the EEAS and the Council Secretariat in support of the work of the Foreign Affairs Council and the foreign policy discussions in the European Council, to ensure a correct allocation of human resources and to avoid duplication. The transitional arrangements agreed pre-Lisbon for support for the HR/VPs European Council attendance also need to be reviewed to take account of the creation of the EEAS.

Service Level Agreements
When the EEAS was created as a functionally autonomous institution under the terms of the Financial Regulation and the Staff Regulations, it was decided that transfers of staff and other resources from the Commission and the Council Secretariat should be limited to policy departments falling under the future responsibilities of the service. As a result the EEAS received only a very limited transfer of resources for administrative and support services (no posts from outside the previous DG Relex and DG Development from the Commission and a skeleton staff from the Council Secretariat). This was explained by the view that the EEAS should rely on existing administrative and corporate support functions from the Commission and the Council. This support would come from a series of “service level agreements” covering, for example, HR, payroll, building management, IT support and security and administration of travel.

While this has prevented in some cases unnecessary duplication the “one size fits all” of the rules and procedures has been harder to manage as the systems were not adapted at all to the needs of the EEAS.

In addition specific problems have emerged. Whilst the Commission continues with these agreements, there are some activities that could more usefully be transferred to the EEAS (e.g. security inspections for EU delegations). On the other hand, the Council Secretariat has made clear they wish to end the SLA in place. This has created some challenges, for example, with buildings security and the handling of classified information. It is important that where the Council Secretariat decides to end an SLA that the EEAS receives the corresponding resources to take on the responsibility seamlessly.

Brussels should be the natural location for international events where the EU is driving the agenda. Therefore there is a need to make sure we have the necessary facilities. This requires either the Council to agree to allow the EEAS to use their facilities or the EEAS to be able to create better facilities and/or an arrangement elsewhere in Brussels. In reality there is probably a need for all three possibilities. In particular, the EEAS should be provided with the resources for investment in a permanent in-house facility for such events.

Delegations
With the entry into force of the Treaty of Lisbon, EU Delegations were put under the authority of the HR/VP (Article 221 TFEU) and took on the role of local Presidency assuming responsibilities of local co-ordination with the diplomatic missions of Member States and external representation of EU foreign policy with third countries and multilateral organizations. This enhanced political role for Delegations remains challenging, resources are still limited to perform political tasks and provisions in the underlying Regulations (for example in terms of budget management or flexible use of staff from the Commission) are problematic.

Many delegations have managed the transition without any additional resources (13 have no political section, with the Head of Delegation the only AD official from the EEAS) and the transfer of Presidency responsibilities has gone well. The situation has been more complicated in multilateral delegations (New York, Geneva, Vienna, Paris, Rome, Strasbourg) given the complexity of legal and
competence issues and the very heavy workload associated with EU co-ordination meetings. The Resolution in the UN General Assembly on “Participation of the EU in the work of the UN” in May 2011 provides a good basis for the EU to be present and have its voice heard. And the COREPER decision of October 2011 on general arrangements on handling statements in multilateral fora has provided greater guidance on the respective role of the EEAS, the rotating Presidency and Member States. However, residual legal uncertainties in this area continue.

The EU has 139 delegations. Since the creation of the EEAS, delegations have opened in South Sudan, Libya and Myanmar and will shortly open in the UAE. Delegations have been closed in Suriname and New Caledonia (this will now be a Commission office), and the Delegation in Vanuatu will be closed soon. For each the unanimous approval of the Council and Commission is required and has been given. Yet the current network remains largely the result of past Commission decisions. It is clear that over time there is a need to ensure the EU is fully represented in parts of the world where we do not currently have Delegations e.g. the Gulf States. This will mean further reallocation of resources from headquarters to abroad. But it will also entail the need for some additional funding. The EIB has shown willingness to partner with the EEAS and to provide a loan facility for building and capital projects. However given current resource constraints, we should also recognise that some areas can be fully covered either from neighbouring Delegations or by a small presence on the ground. This means Member States being ready to allow in some circumstances Charges d’Affaires (Laos, Gambia, Costa Rica, New Zealand, Trinidad and Tobago and the Solomon Islands) to coordinate the local Presidency function.

More generally, there is huge potential to deepen the debate on the interaction between EU Delegations and national embassies, including innovative approaches to burden sharing and resource allocation. For example, the successful placement of a Spanish diplomat in the EU delegation in Yemen has created savings of up to €500,000 for the national budget. The growing opportunities for pooling activities and sharing resources should be exploited to the full. The resulting savings in national budgets should be a factor in setting the level of resources for the EEAS.

Instructions and management in Delegations

Under the overall authority of the EEAS Heads of Delegation, about 1/3 of staff are employed by the EEAS and 2/3 are employed by the European Commission. Within the EEAS staff, in line with the requirement for recruitment of national diplomats, a growing proportion of AD posts are occupied by staff from the Foreign Ministries of Member States. In general all staff in Delegations are conscious of the need to work together as a single team, while respecting individual roles and responsibilities. As part of the working arrangements between the EEAS and the Commission, there is a degree of flexibility for Commission staff in Delegations to contribute to the political work of the EEAS. And the general principle that both EEAS and Commission services can send instructions directly to Heads of Delegation with a copy to the responsible EEAS geographical desk works well in practice. The co-ordination of human resources management in delegations is less good, following the creation of two separate structures: contacts between the EEAS and the Commission on these issues are channelled through a working group (“EUDEL”) involving the administration of the EEAS and DEVCO and the central services of the Commission; separately an internal Commission working group (“COMDEL”) co-ordinates positions between the various Commission services with staff in delegations. This dual system, leads to multiple debate on the same issues, delays in decision-making and can be an obstacle to direct contacts between the EEAS and Commission services with a stake in Delegations.

Financial circuits in Delegations

Historically the Head of Delegation could delegate to their deputy the day to day management of external assistance programmes and had flexibility in small delegations for commission staff to be involved in the management of administrative expenditure. Since the arrival of the EEAS both are no longer allowed creating a major administrative burden for Head of Delegation who are therefore often required to devote disproportionate time to signing off on minor transactions.
The EEAS believes it is of paramount importance to solve this quickly and look to this review to effect some change in the shortest possible timescale. Great efforts have been made in dialogue to resolve these issues but to no effect so far.

The EEAS is unable to make proposals of a legislative nature by itself, and must therefore rely on the Commission. The EEAS wishes to see changes to the Financial Regulation that would enable financial “circuits” in delegations to work better. Heads of Delegation raise this issue on a regular basis. While it is important to ensure that proper accountability exists this is an area we should aim to solve. The EEAS therefore recommends that the Commission puts forwards proposals on this at the earliest opportunity.

**Cooperation with Member States in Delegations**

Co-operation with Member States is based on well-established procedures for regular (at least monthly) meetings at the level of Heads of Mission and numerous co-ordination meetings at other levels (deputy heads of mission, political officers, trade experts, development specialists etc). The system for delivering demarches and making statements locally is working well. In most cases Delegations have put in place systems for information sharing and pooling of political intelligence, leading to increasingly frequent joint reports to Headquarters. This sharing of information, including of classified and sensitive material, should be further improved.

Given the very difficult economic context, the EEAS and Member States have a shared interest in further developing local co-operation in both policy and practical areas. The EEAS strongly supports the principle of co-location of EU Delegations and national embassies, shared logistics, security provision and procurement as well as joint field visits and public diplomacy initiatives. This should be stepped up. The global network of EU delegations offers huge opportunities for closer co-operation and burden sharing with national diplomatic services.

This is particularly relevant in the context of the debate on possible new areas of activity for EU delegations in the future, including consular protection and the further development of the network of security experts. Without prejudice to the political debate for Member States on whether the EEAS should extend into national competence for consular protection, this is an area for which the Service has very limited resources in headquarters (concentrating on co-ordinating crisis response) and no resources or expertise in delegations. Article 5(9) of the EEAS Decision points to a future role for EU delegations in providing consular protection to citizens of the Union in third countries on a resource-neutral basis. This could only be achieved if the necessary resources and expertise were transferred from Member States. On security expertise in Delegations, the EEAS welcomes the response from some Member States to provide seconded experts from national defence and interior ministries or police services on a cost-free basis in response to an initial pilot project in a limited number of Delegations.
III. ROLE of the HR/VP

One of the main innovations of the Lisbon Treaty was to transfer the responsibilities of the rotating Presidency in the area of foreign policy to the High Representative and to the EEAS. Thus the High Representative has taken over the chair of the Foreign Affairs Council as well as the Defence Ministers’ Council and the Development Ministers’ meetings. On top of this she has become responsible for the institutional and representational obligations previously handled by the High Representative, the Commissioner for External Relations and the Foreign Minister of the Rotating Presidency.

Deputising for the High Representative

The Lisbon Treaty establishes the responsibilities of the High Representative, combining the tasks previously held by the Foreign Minister of the Member State with the Rotating Presidency, the High Representative/Secretary General of the Council Secretariat and the former Commissioner for External Relations. While the benefits of combining the jobs are clear, experience has clearly shown that this concentration of responsibilities in a single post generates a huge and relentless workload for one person. The HR/VP has to deal with the regular institutional meetings of the Council, the Commission, the European Council, and the European Parliament, as well as a large number of regular engagements with third countries including Summits and political dialogue meetings. At the same time, the High Representative needs to be able to make time to devote to key issues and relationships as underlined by the success of the recent Serbia-Kosovo dialogue.

The current arrangements for other EU representatives to deputise for the High Representative when she is unable to attend a particular meeting or event are ad-hoc and involve the Minister of the rotating Presidency, Members of the Commission with geographic responsibilities, senior EEAS officials and EUSRs. One option would be to formalise these arrangements, including a more direct co-ordinating responsibility on behalf of the Union for the HR/VP over one or more members of the Commission. At the same time, the High Representative could involve Member States’ foreign ministers in more specific tasks and missions. This approach could be achieved within the existing Treaty and legislative framework, in agreement with the Commission President, in the context of the composition of the next Commission.

An alternative model would be to create a new formal deputy HR/VP position(s). This would have a strong political and symbolic impact and reflect practice in most national Foreign Ministries where political State Secretaries or similar work under the authority of the Minister. It would however be more complex in institutional terms because of the absence of a clear legal basis in the Treaty, and in relation to the debate on the composition of the Commission.

In either model, there is a need to address the question of who represents the High Representative in European Parliament plenary debates, to ensure the best possible information for the Parliament and a real engagement with the EEAS on policy. The High Representative should continue to attend in person whenever possible. Commissioners and Ministers from the rotating Presidency can also make a very valuable contribution. But there are occasionally situations where the person standing in for the High Representative has not personally attended a key meeting or event and where another senior EEAS representative could provide a more informed contribution. It would therefore make sense to revise the Declaration on Political Accountability to allow EP plenary debates to follow the practice in the Foreign Affairs Committee of the Parliament where senior EEAS officials, Heads of Delegation or EU Special Representatives also take the floor.

The HR/VP job’s extensive travel requirements affect her ability to participate in Commission meetings. HR/VP staff participate at every level of decision making and discussion on every aspect of Commission policy - from transport to single market issues. Greater use of modern technology such as enabling the HR/VP to contribute to Commission meetings by video link should be considered for the next Commission.
IV. PERFORMANCE against targets

Staffing Issues

The EEAS has 3417 staff divided between headquarters (1457) and EU delegations (1960). In addition there are about 3500 Commission staff working in EU delegations. Within the EEAS staff, there are just over 900 AD posts (538 in HQ and 365 in Delegations). Other staff include 652 AST posts, 363 seconded national experts, 322 contractual agents, and 1137 local agents in delegations.

In line with Article 6 of the EEAS decision, recruitment to the EEAS has been through a transparent procedure based on merit with the objective of securing staff of the highest standard of ability, efficiency and integrity, while ensuring adequate geographical and gender balance, and a meaningful presence of nationals from all Member States. During the transitional phase following the creation of the EEAS, there has been very good progress towards the objective of reaching the 1/3 target for temporary agents from national diplomatic services in AD posts. Following the decisions in the 2013 rotation exercise, the overall figure is 32.9% with 23.8% in HQ posts and 46.2% in Delegations (including 44% Heads of Delegation). The current imbalance between Headquarters and Delegations is the result of the majority of new posts provided for the EEAS being used to reinforce Delegations. Over time this imbalance will even out, as the EEAS develops new rotation and mobility policies for all staff.

In terms of geographical balance and the meaningful presence of nationals of all Member States in the EEAS, the table in annex 1 provides a complete breakdown of the different categories of staff by nationality. Specifically in terms of the newer Member States who were significantly under-represented in the staff transferred into the EEAS from the services of the Commission and the Council Secretariat, the 12 Member States who joined the EU since 2004 now account for 17.2% official posts in the establishment plan compared with a share of EU population in the order of 20%. The figure is slightly higher for AD posts at 18%. With the current exception of Cyprus, Luxembourg and Slovakia, there is at least one Head of Delegation post occupied by a national of each Member State. And new Member States account for 14% of the overall population of Heads of Delegation - 19 Heads of Delegation are held by nationals of Member States that joined the EU since 2004 (the equivalent figure at the start of the EEAS was launched was only 1 (0.7%). The EEAS is confident that the existing policy of recruitment on the basis of open competition remains valid and will further strengthen the geographical balance as posts are advertised and filled.

The HR/VP is also strongly committed to progress towards gender balance in the EEAS. The EEAS inherited a predominantly male workforce in the bloc transfer and like national Diplomatic Services, the EEAS faces challenges in attracting well qualified women candidates for senior positions in the Service. Since the creation of the EEAS, the number of women in Head of Delegation posts has more than doubled from 10 to 24 (17%). In Headquarters there are 22 women in management positions of head of division and above which represents 18% of the total. The most senior woman in the Service is Helga Schmid, who as Political Director is leading a network of women managers in the EEAS to encourage and support the professional development of women. Work on improving gender balance and on removing potential barriers to career progression should be intensified.

More generally the EEAS aims at an overall personnel policy that provides equal opportunities and perspectives for all staff. Based on the principle of equal treatment of permanent officials and temporary agents from Member States, the EEAS must remain within the targets of a minimum of 1/3 AD staff from national Diplomatic Services while maintaining at least 60% permanent staff. Now that the 1/3 target is within reach, the EEAS is actively considering the implications for recruitment and career management of temporary agents, the implications for the future mobility policy for internal staff moves within the Service as well as promotion possibilities for temporary agents and the need to publish a sufficient number of vacant posts to ensure the renewal of temporary staff who return to their national service at the end of their postings. The EEAS is convinced of the need to work closely with Member States in relation to the decisions affecting individual national diplomats. The established procedures in the consultative committee for appointments (CCA) provide a good basis for this co-operation, combined with full transparency to Member States through COREPER.
As the EEAS approaches the end of the transitional period for recruitment of national diplomats, it will be necessary to strike a new balance in the human resources policies of the institution. In particular, it is important to give clear and predictable career perspectives to permanent officials in the EEAS, both internally and by promoting a free flow of staff between the EEAS and other EU institutions. Equally it will be important to open up entry-level recruitment to EPSO competitions as soon as the 1/3 target has been reached to ensure the future generation of permanent officials. From 1 July 2013, the EEAS will also publish vacant posts beyond the traditional Treaty sources (EEAS, Member State diplomatic services, Commission and Council Secretariat) to include other EU institutions, including officials from the European Parliament.

Conclusion
This paper presents a range of proposals and suggestions from the High Representative on the organisation and functioning of the External Action Service, based on the relatively limited period of its operations since the adoption the Council Decision establishing the service and the entry into force of the subsequent changes in the financial and staff regulations on 1 January 2011. At this stage, the review deliberately concentrates on policy issues and possible improvements without addressing what these would require in terms of internal organisational changes, modifications in legal texts or other wider issues to be considered as part of the institutional transition in 2014.
Summary of Proposals for Change

Short-term recommendations

**ORGANISATION**

1. Appoint permanent EEAS chairs for the Council Working Groups in the area of external relations that have remained with the rotating Presidency (Relex Counsellors, Development WG, Africa, Caribbean, Pacific (ACP) Working Group, the EFTA group, the Counter Terrorism Working Group (COTER), the International Public Law Working Group (COJUR) and Athena committee). Review staffing levels devoted to External Relations issues in the Council Secretariat and transfer necessary resources to EEAS. Create a special working relationship between the Enlargement Working Group (COELA) group and the EEAS.

2. Transfer Presidency responsibilities to EU delegations led by chargés d'affaires in Laos, the Gambia, Costa Rica, New Zealand, Trinidad and Tobago and the Solomon Islands;

3. Confirm co-ordinating responsibility for Deputy Secretary General for CSDP and Security Policy and Crisis Prevention departments, including their relations with the rest of the EEAS.

4. Review EUSR mandates and role, to closer integrate them into EEAS structures (HQ and delegations). Revisit the Council guidelines on the appointment, mandate and financing of EUSRs.

5. Strengthen EEAS sanctions team, including transfer of relevant staff from FPI and additional seconded staff from Member States;

6. Reinforce EEAS capacity for external aspects of key EU policies (energy security, environment, migration, fight against terrorism, external economic issues);

7. Strengthen the EEAS Policy Planning capability to work on strategic issues and papers.

8. Co-locate the 24/7 EEAS situation room with the newly created Commission of a 24/7 Emergency Response Centre to create a single EU Crisis Response Centre better using EU resources.

**FUNCTIONING**

9. The High Representative, as Vice President of the Commission, should propose specific external relations proposals for inclusion in the Commission annual work programme;

10. The EEAS should present medium-term strategies for specific regions or thematic issues in line with the established policy priorities, for discussion in the Council according to an agreed timetable. These strategies could also foster more joined-up discussions between discussions at different levels within the Council (European Council, Ministerial meetings, PSC, working groups);

11. The EEAS should contribute to the broader work programme of the trio of rotating Presidencies

12. Regular meetings of Relex Group of Commissioners chaired by HRVP, supported by joint EEAS - Commission secretariat. Confirm lead co-ordinating role of HRVP, supported by EEAS geographical and thematic services, for all external relations issues.

13. Maintain active EEAS influence on programming of EU external assistance, within existing legal framework. Additional seconded experts from Member States could reinforce EEAS profile and impact;

14. Require all instructions to delegations to pass by Heads of Delegation, copied to the relevant EEAS geographical desk.
15. Promote closer co-ordination between EU delegations and embassies of Member States in third countries, in particular through greater use of joint reports and mutual sharing of information. Ensure full implementation of system for exchange of sensitive and classified information (including with non-resident EU ambassadors).

16. Establish priority list of joint projects for co-location and pooling support services between EU delegations and national embassies (with appropriate cost-sharing arrangements). Examine ways of providing MS national security resources to protect EU delegations on cost recovery basis.

17. Simplify administrative budget of delegations to ensure single source of funding (combining money from EEAS and Commission budgets);

18. Reinforced EEAS-Commission co-ordination on management of resources in delegations (merger of EUDEL and COMDEL structures).

19. Consolidate focal points in all EU delegations to cover key policy areas (e.g. human rights). Further develop network of military and civilian security experts in delegations. Pursue debate on possible consular role of EU delegations, subject to political agreement and additional resources and expertise from Member States.

20. Clarify division of labour between EEAS and Commission/Council Secretariat services with external relations responsibilities to improve efficiency and eliminate duplication. Any necessary staff transfers could be addressed in the 2014 budget procedure.

21. Review Service Level Agreements with Commission and Council Secretariat and the allocation of resources to address known problem areas (e.g. use of Council meeting rooms for conferences and political dialogue, transfer of secure communication systems, resources for security in third countries).

22. Review priorities and seek to streamline formal political dialogue meetings at Ministerial and senior official level. Meetings should be scheduled on the basis of the substance to be discussed.

STAFFING

23. Human resources policies to keep balance of permanent officials and temporary agents stable at all levels in relation to 1/3 target for national diplomats and 60% minimum for officials (based on principle of equal treatment, ensuring attractive career prospects for all). Publication of posts to the three Treaty sources adapted to needs in terms of turnover of existing temporary agents.

24. Specific policy on status and management of temporary agents from Member States to cover contract duration/renewal, access to mobility and rotation policies for EEAS posts, grading, promotion and reclassification and re-integration into national foreign ministries.

25. Sustained efforts to address residual issues on geographical balance and achieving a meaningful presence of national of all Member States;

26. Additional measures to promote gender balance.
Medium-term recommendations

ORGANISATION

1. Overhaul management and procedures for CSDP operations (streamline planning functions for civilian and military missions; reduce intermediate steps in consultation of Council working groups; simplified procurement and financial procedures). The December European Council debate on security and defence could also cover structural issues (e.g. integration of CSDP structures within the EEAS, reporting lines, mission support);

2. Create a shared services centre to provide logistical, procurement and administrative support for all CSDP missions and EUSRs.

3. Clarify system of political deputy(ies) for the High Representative (either within EEAS structures or through clearer responsibility for HRVP over other Commissioners). Conclude formal arrangements for existing practice where Foreign Ministers, members of the Commission and senior EEAS officials can deputise for the HRVP (including having formal representation rights in EP, Council and Commission meetings);

4. In future allocation of Commission portfolios, strengthen HRVP position in Commission decision-making on external assistance programmes, to ensure optimal coherence with EU foreign policy priorities and clarify the HR/VP’s lead responsibility for relations with Western Balkans and ENP countries.

5. Streamline EEAS top management structure in particular the composition of the Corporate Board and the division of labour between Managing Directors and Directors. Merge posts of Executive Secretary General and Chief Operating Officer into a single post of Secretary General reduce number of Managing Directors.

FUNCTIONING

6. As part of the forthcoming institutional transition, revise the HRVP declaration on political accountability (e.g. to address who can represent HRVP in EP debates; intensify EP input to upstream policy planning; access to classified information, including political reporting from EU delegations; support for EP visits in third countries);

7. Modify Financial Regulation to address problems of dual financial circuits in delegations

8. Review roles of Commission Accountant and Internal Audit Service in relation to financial management of EEAS

9. Address residual competence issues to ensure that EEAS and EU delegations are the single channel for EU external relations issues, including in areas of mixed competence and in multilateral fora including the UN system, OSCE etc.
### Annex 1

**MEMBER STATES DIPLOMATS AS PROPORTION OF AD STAFF, TAKING INTO CONSIDERATION ALREADY ANNOUNCED RECRUITMENTS OF 2013 ROTATION**

<table>
<thead>
<tr>
<th>Countries</th>
<th>Member State</th>
<th>%</th>
<th>AD Officials</th>
<th>%</th>
<th>Total</th>
<th>%</th>
<th>AST STAFF AS OF 20 JUNE 2013</th>
<th>CONTRACT AGENTS AS OF 20 JUNE 2013</th>
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<td><strong>935</strong></td>
<td><strong>100.0%</strong></td>
<td><strong>659</strong></td>
<td><strong>320</strong></td>
</tr>
</tbody>
</table>