

Joint letter from the Foreign Ministers of Belgium, Estonia, Finland, France, Germany, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland and Sweden

To the High Representative of the Union for Foreign Affairs and Security Policy and Vice President of the European Commission, Catherine Ashton

8 December 2011

Dear colleague,

The European External Action Service (EEAS) has the potential to significantly enhance the effectiveness and coherence of the EU's external action. From the start we have strongly backed this view and have a major interest in a strong and efficient EEAS.

Since the launch of the EEAS in December 2010, you and EEAS senior management have taken important steps with a view to making the EEAS fully operational. By the end of the year, you will present a first general report to the European Parliament, the Council and the Commission on the functioning of the EEAS.

We would like to join efforts to further enhance the effectiveness of the EEAS and to help it develop its full potential. In this context we would like to offer some suggestions on how the functioning of the Service could be further improved, which we hope you will find useful in the preparation of your upcoming report.

Yours sincerely

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of the Kingdom of Belgium

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Non-paper on the European External Action Service
from the Foreign Ministers of Belgium, Estonia, Finland, France, Germany,
Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland and Sweden

The creation of the office of High Representative of the Union for Foreign and Security Policy and of the European External Action Service (EEAS) under the Treaty of Lisbon has the potential to enhance the effectiveness and coherence of the EU's external action in a fundamental way. We have strongly backed this idea from the start and have a major interest in a strong and efficient EEAS. Several Member States have since presented proposals on the further development of the EEAS, e.g. the Benelux and Austria in April 2011.

Since the launch of the EEAS in December 2010, the High Representative and EEAS senior management have taken important steps with a view to making the EEAS fully operational. The relevant structures were swiftly established, allowing it to start tackling the great variety of tasks within its remit.

Building a new service is a complex process that needs time. We strongly welcome the in-depth discussion initiated by Executive Secretary General Pierre Vimont and Chief Administrative Officer David O'Sullivan in particular in the areas of political demarches, local coordination and recruitment procedures.

By the end of the year, the High Representative will present a first general report on the functioning of the EEAS, which will be followed in 2013 by an overall review of EEAS organization and functioning and of the EEAS Decision. We would like to join efforts to further enhance the effectiveness of the EEAS and to help it develop its full potential. With a view to the High Representative's upcoming report, we believe the following issues should be discussed:

1. Preparation of the Foreign Affairs Council

- A key function of the High Representative is to chair the Foreign Affairs Council (FAC). Ways to further optimize the identification of political priorities should be explored here. A yearly FAC agenda planning could be an important tool in this connection, taking into account necessary short-term adjustments of the agenda. Also, the EEAS could be tasked more regularly to produce preparatory policy and/or decision-making papers to be circulated sufficiently in advance of FAC meetings.

2. Coordination with the Commission

- Close cooperation between the EEAS and the Commission is essential for effective and coherent EU external action. As Vice-President of the Commission, the High Representative plays a key role in coordinating the external relations aspects within the Commission. To ensure that foreign policy aspects are fully reflected in the discussions of the Relex Commissioners and, where appropriate, with other Commissioners, the EEAS should jointly prepare such meetings together with the Secretariat-General of the Commission.
- Initiatives of the High Representative together with the Commission on issues relating to foreign policy play an important role in driving the EU's external

action. Relevant EEAS units should be involved in preparatory work within the Commission from the outset of such initiatives. Does the EEAS have the right organizational structure to ensure effective cooperation with the Commission on all external action aspects?

- A swift implementation of policy initiatives is a precondition for the EU's impact in the area of external relations. We should consider ways to ensure the effective coordination of the funding of CFSP activities and non-CFSP actions.

3. Internal EEAS procedures

- The EEAS has already made important progress in developing an “esprit de corps”. Further work on EEAS internal manuals or guidelines would be helpful in developing established practice. The EEAS has also made progress in the area of joint training. Additional common training initiatives could be envisaged, making use of existing training facilities both at the EU level and within Member States.
- Practical cooperation between the EEAS and the Commission and the Council Secretariat (meeting premises, infrastructure) should be reviewed to maximize EEAS effectiveness.
- The result of the ongoing debate on the update of CSDP tools should be mirrored in due time by the adoption of new EEAS crisis management procedures and guidelines.

4. Building up Delegations to their full potential

- An EU Delegation can function effectively only if the Head of Delegation receives all necessary information in good time and can fully focus on political priorities, and if a Delegation can manage its administrative expenditures efficiently.
- With regard to instructions that Delegations receive from Commission Directorate-Generals, it is important to ensure that the EEAS and Heads of Delegation are directly involved.
- The Commission is responsible for implementation of the EU's budget. The Financial Regulation has been amended to allow for this task to be sub-delegated to the Head of Delegation. In our view Heads of Delegations should be able to further delegate the management of operational tasks to their Deputies. The Financial Regulation should be amended accordingly.
- Given its focus on both CFSP and “community” tasks, the EEAS has rightly been set up as an institution “sui generis” with its own budget line. This means that the management of a Delegation's administrative expenditures cannot be concentrated in one hand. Here, too, we should examine whether the Financial Regulation needs to be amended to solve this problem.
- A further key to maximizing Delegations' effectiveness is optimal cooperation and coordination with Member State embassies also examining infrastructure-sharing arrangements and pooling of available resources. The setting-up of a secure communications network should be a major priority. We welcome the ongoing work in the area of demarches: how can they be made more efficient and transparent, how can meaningful Member State involvement be guaranteed? Additional steps should be taken to further strengthen the political analysis and political reporting capacity of Delegations.
- The role of the EEAS in the area of consular protection should be further explored, in line with the Treaty.

- The creation of defence and security attachés in EU delegations, as proposed by the EEAS, should also be considered.

5. Full involvement of Member States

- To avoid the setting up of a new structure disconnected from the Member States, there should be a close interaction between the EEAS and the Member States. In this regard, an important prerequisite for EEAS effectiveness is the close involvement of Member State personnel.
- In order to fully exercise its functions according to the Treaty, an adequate representation of Member States diplomats in the EEAS, in particular in the field of CFSP, is key. It is envisaged that by 2013 one third of EEAS staff (AD level) should be from Member States. In our view, the path to the implementation of this target should be spelled out in detail with a concrete timeline, building on the official report of the High Representative of June 2010. The EEAS should clearly indicate in this connection which resources it considers necessary, within the agreed framework of a sound EU budget. Until the one third target has been reached, no new outside recruitment should take place. All vacancies must be advertised accordingly at all levels, in particular for those positions covered by the CCA (Consultative Committee on Appointments) Decision and for all Heads of Division posts.
- Progress has been achieved with regard to the recruitment process. However, further steps are necessary. The EEAS should make proposals to improve the information of candidates. When selected for an interview, candidates should have enough time (more than 8 days) to allow for travel and work arrangements. The length of time the process takes has also acted as a deterrent to applicants. We welcome work on streamlining these procedures. In our view, timing should be synchronized with the annual summer staff rotations practised by many Member States. Ideally, vacancies should be advertised early enough to allow the selection process to be finalized in January. In line with the EEAS Decision, a proper EEAS staff rotation system should also be established, covering positions at both Delegations and headquarters. The recruitment process should ensure a level playing field for all applicants.
- The EEAS human resources management be strengthened so as to ensure that the various EEAS personnel components are fully integrated. The CCA should be made fully operational. As agreed upon, a special session of the CCA should be organized to review the recruitment process and elaborate recommendations to correct shortcomings.

In the medium term more fundamental issues should be addressed, possibly as part of a review of the EEAS Decision of July 2010. These could include e.g. the programming of financial instruments.