



*Syndicat du Personnel des
Institutions Européennes*

The ALTERNANCE 2009-2012 trade unions keep you informed...
(R&D-Alliance – USHU- U4U and FFPE)

30 November 2009

INFORMATION MEETING – EUROPEAN SERVICE OF EXTERNAL ACTION

**THE EU'S NEW EXTERNAL SERVICE
THE "BACK OFFICE" OF MEMBER STATES?**

In the wake of requests by some unions, the Commission through Mrs DAY – General Secretary of the Commission – has presented documents (available on our site) concerning the setting up of the new external service. Although it is too soon to compose definitive answers to staff members' questions and concerns, a certain number of points has been raised in all transparency by the General Secretary and the Director General of DG ADMIN. R&D – USHU - U4U and FFPE presents here its first impressions.

The Commission has definitely lost its monopoly of initiative.

Whether it be a necessary institutional evolution for the EU, or a lack of political courage by this Commission, it is nevertheless the case that the Commission has lost its monopoly of proposition to the benefit of Member States. From today, the Commission is reduced to helping the future "High Representative - Vice president of the Commission" present a proposal which must then be submitted to the Council. In conclusion, the Commission controls neither the contents nor the timetable of negotiations which take place as follows: 1st preparatory stage while waiting for the green light from the Czech government; a 2nd transitional stage of 3 to 6 months will allow to finalise a proposal in the name of the HR/VP; finally the 3rd stage of creation of the European Service of External Action. A review meeting is planned before the end of the new Commission's mandate (2014) to assess the situation and make any changes that may possibly be required.

In the opinion of R&D – USHU - U4U and FFPE the Commission should absolutely remain in charge of the exercise and the conduct of the EU's external policy, otherwise it will become utterly ineffective, just like the intergovernmental method always reminds us over the past 50 years of the European project.

A new SEU to do what?

No one knows exactly. It is the service of the future High Representative/Vice President of the Commission but the Commission should keep its existing thematic policy services (TRADE, some parts of DEV, AIDCO, ECHO, ELARG, policies towards neighbours) whether because they relate to the Commission's competencies, or because Member States have no interest in carrying out mundane work of aid management or of the programmes.

On the other hand, we might find in the new service the geographical functions of DG RELEX and certain thematic functions such as human rights. The debates are lively and nothing is yet set in stone. It seems that DG RELEX will completely disappear and that colleagues within it will be reallocated or not replaced to make way for our friends of the Council and Member States. Naturally, the question of **budgetary neutrality** – a sacrosanct principle imposed by the budgetary authority and accepted by the institution in order to harm it and facilitate the creation of super executive agencies of which it completely loses control – requires that the creation of the new External Service is carried out within the existing budget. Does that mean that the Commission will have to lose a minimum of 400 posts and change part of it into temporary staff drafted in by the Member States?

For **R&D – other unions** -, the Commission ought to retain a DG RELEX with the task of managing the network of delegations, the proper coordination of EU policies on the international stage and the proper application of conditions for staff coming directly under its responsibility. The common External Service would allow the High Representative to discharge his or her responsibilities under the Treaty of Lisbon. In his or her role of Vice President, he or she would be able to rely on a truly European diplomatic service which would be in a position to welcome the colleagues of the Council and the Member States.

Local and contractual agents absent from the debate. For their benefit?

Manifestly the Member States are interested in neither contractual agents nor local staff. This is something of a shame because they comprise not less than 80% of the staff in the 140 delegations and do all the donkey works in the Commission's delegations. In the view of R&D – USHU - U4U and FFPE, these groups of staff have the same priority as civil servants.

Only the highest civil service posts of category AD are of interest to our friends in the Council and in Member States. That is why the Commission's proposal covers only a small tranche of 500 to 600 people in all. The new service would be staffed from 3 sources: the Commission, the Member States and the General Secretariat of the Council. All this fine world will be the direct responsibility of the new HR/VP whether it be in terms of recruitment, appointment, career, promotion, etc. There will no longer be any detached national experts, but above all temporary staff, staff from Member States' diplomatic services treated in exactly the same way as European civil servants. Following the example of the European Parliament, R&D – USHU - U4U and FFPE are requesting that vacancies for temporary staff and/or detachments for civil servants be based on merit and subjected to transparent procedures which are clear, and open to all.

Catherine Day has announced that the posts transferred to SEAE will be made available with retirements, returns to base, and vacancies. In time, the new service will be able to have permanent civil servants, but not straightaway. ALTERNANCE is of the opinion that some new posts should be created and authorised by the budgetary authority, because the staff in the delegations and in the RELEX family are by and large overworked and insufficient to fulfil the new diplomatic tasks.

All this leads us to believe within R&D – USHU - U4U and FFPE that the network of delegations should stay as it is and that the new external service should be added to the Commission's existing network and not replace it. All the financial and administrative management of staff and offices should remain within the Commission's competencies. Naturally, the EU's new delegations should be able to welcome the members of the EAS tasked with developing the new axes of the EU's foreign policy. The EAS should reinforce the existing network and not replace two thirds of the civil servants in place.

The battle for posts and the risk of parachuting ...

Mrs Day has insisted that management posts be selected on merit and that transparent procedures be put in place. So does the Parliament too. Panels that include the Commission should therefore be set up to handle recruitment. We should also make room for Member States' diplomats. Currently, for example, at New York we have two delegations, one of the Commission and one of the Council, and it would be advisable to have a national diplomat there as well. Evidently the EU's external service risks being carved up between the larger Member States who may wish to retain their zones of influence, particularly in their former colonies.

The nomination of the future Heads of Delegation for the EU will not fail to be "political" and will do serious harm to the independence of those Heads of Delegation and the good financial management of the EU's resources. What will be the procedures and "sanity checks" put in place by the institutions to allow Heads of Delegation to resist pressure from Member States to favour their national enterprises in the attribution of public sector deals? What will be the guarantees of independence? On all the evidence, and while the staff of the SEC will not be recruited on the basis of transparent open competition open to all organised by EPSO, R&D – USHU - U4U and FFPE are of the opinion that national diplomat should remain "temporary diplomatic staff " (a new category to be created in the RAA) and their contracts should be time-limited.

According to Catherine Day, the Commission will have to carry out a certain number of reorganisations in the service. Member States already think that the number of posts is insufficient for them. As far as consular posts are concerned, they will progressively be introduced but in a way as not to overload the SEAE from them beginning; ditto for military personnel under the High Representative's authority which might stay outside. Again, as long as there is no competition to recruit civil servants for the SEC, the ratio between Council, Commission and Member States ought to stay the same.

Finally, R&D – USHU - U4U and FFPE are asking for reciprocity in the matter of postings. If the Commission is obliged to make way for diplomats and colleagues from the Council so they can understand how the EU acts in other countries, Member States and the Council should also be ready to accept into their diplomatic services European civil servants who are extremely enthusiastic about the idea of learning how Member States operate in terms of security, and military and consular affairs.

Other-worldliness is in charge, the Community method is in danger.

"Fear not ", "Member States are not familiar with the EU's policies ", "The Commission will have a big influence because it has the political expertise ". "This external service will be in a class of its own, very closely connected with the Commission ", "The Commission has no fear that the new service might become intergovernmental as all will enraptured by the Community dimension ", "Member States don't want their diplomats to be stuck in the service for too long a period ". All these affirmations do not reassure colleagues. In spite of its size, the Commission is considered a political and diplomatic dwarf whose only vocation is to be the secretariat of the Council. The European Parliament seems the only body to have understood the real political stakes and to resist the creation of such an agency without any democratic control.

For R&D – USHU - U4U and FFPE creation of a true European diplomatic school is an absolute necessity in order to preserve the Community method. R&D – USHU - U4U and FFPE are requesting that EAS be tasked with setting up a European diplomatic training programme and a programme of exchanges of the type "ERASMUS for DIPLOMATES".

There will be a dialogue between staff and management in good and due form

There will be discussions between management and staff because the new external service will not be able to see the light of day without modifications to conditions of service, of financial rules and corrections to the budget. The extent of the modifications to conditions of service is not yet known but it is clear that R&D – USHU - U4U and FFPE will require the insertion of a certain number of clauses designed to protect the community method and the interests of staff. Among our priorities appears a clause giving a legal basis to the setting up of a pension fund for local agents, health insurance for retired local agents and invalidity insurance.

Catherine Day has confirmed that it was important to inform staff but the formal negotiation phase will come later, once the required changes to conditions of service are known. It is important to explain to you what the difficult points are; this meeting is not a substitute for normal procedures, it is a supplement. I prefer to let everyone know and when we cannot answer a point we will come back to it.

R&D – USHU - U4U and FFPE will keep you informed of all developments.

R&D –USHU-U4U and FFPE