



GENERAL SECRETARIAT OF THE COUNCIL OF THE EU

~BACKGROUND~

The High Representative for Foreign Affairs and Security Policy / The European External Action Service

November 2009

EU High Representative for Foreign Affairs and Security Policy

At their next informal meeting in Brussels on 19 November, ahead of the entry into force of the Treaty of Lisbon on 1 December, EU Heads of State or Government are expected to agree on the appointment of the High Representative of the Union for Foreign Affairs and Security Policy.

What are his/her duties?

The High Representative will exercise, in foreign affairs, the functions which, so far, were exercised by the six-monthly rotating Presidency, the High Representative for CFSP and the Commissioner for External Relations. According to Articles 18 and 27 of the Treaty on the European Union, the High Representative will in particular:

- conduct the Union's common foreign and security policy;
- contribute by his proposals to the development of that policy, which he/she will carry out as mandated by the Council, and ensure implementation of the decisions adopted in this field;
- preside over the Foreign Affairs Council;
- be one of the Vice-Presidents of the Commission. He/she will ensure the consistency of the Union's external action. He/she will be responsible within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union's external action.
- represent the Union for matters relating to the common foreign and security policy, conduct political dialogue with third parties on the Union's behalf and express the Union's position in international organisations and at international conferences.
- exercise authority over the European External Action Service and over the Union delegations in third countries and at international organisations

P R E S S

How will he/she be appointed?

The European Council, acting by a qualified majority, with the agreement of the President of the Commission, will appoint the High Representative.

He/she will be subject, together with the President of the Commission and the other members of the Commission, to a vote of consent by the European Parliament.

Supporting arrangements

In fulfilling his/her mandate, the High Representative will be assisted by a European External Action Service (see below). He will also be able to benefit from support from the Council and Commission services as appropriate.

Before the Treaty of Lisbon

The previous office of High Representative for the common foreign and security policy was introduced in 1999 (Amsterdam Treaty). Javier Solana has been the EU High Representative for CFSP since then. He assists the Council in foreign policy matters, through contributing to the formulation, preparation and implementation of policy decisions. He acts on behalf of the Council in conducting political dialogue with third parties. The six-monthly rotating Presidency has been in charge of chairing the External Relations Council, representing the Union in CFSP matters, implementing the decisions taken and for expressing the EU position internationally.

European External Action Service

Article 27(3) TEU constitutes the legal basis for the Council decision on the organisation and functioning of the EEAS.

“In fulfilling his mandate, the High Representative shall be assisted by a European External Action Service. This service shall work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the member states. The organisation and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after consulting the European Parliament and after obtaining the consent of the Commission.”

On 30 October 2009, the European Council agreed on guidelines for the European External Action Service (EEAS) (doc. [14930/09](#)). The future HR was invited to present a proposal for the organisation and functioning of the EEAS as soon as possible after the entry into force of the Lisbon Treaty, with a view to its adoption by the Council at the latest by the end of April 2010.

What is the EEAS?

According to the guidelines adopted by the European Council in October 2009, the EEAS will be a single service under the authority of the High Representative. The EEAS will have an organisational status reflecting and supporting the High Representative's unique role and functions in the EU system.

What will it do?

The EEAS will help the High Representative ensure the consistency and coordination of the Union's external action as well as prepare policy proposals and implement them after their approval by Council. It will also assist the President of the European Council and the President as well as the Members of the Commission in their respective functions in the area of external relations and will ensure close cooperation with the Member States. The EEAS should be composed of single geographical (covering all regions and countries) and thematic desks, which will continue to perform under the authority of the High Representative the tasks currently executed by the relevant parts of the Commission and the Council Secretariat. Trade and development policy as defined by the Treaty should remain the responsibility of relevant Commissioners of the Commission.

How will it be staffed?

EEAS staff will be appointed by the High Representative and drawn from three sources: relevant departments of the General Secretariat of the Council, of the Commission and of national diplomatic services of the Member States. Recruitment will be based on merit, with the objective of securing the services of staff of the highest standard of ability, efficiency and integrity, while ensuring adequate geographical balance.

Crisis management structures

In order to enable the High Representative to conduct the European Security and Defence Policy (ESDP), the EU's crisis management structures should be part of the EEAS while taking full account of their specificities. These structures will form an entity placed under the direct authority and responsibility of the High Representative.

What will be its legal status?

The EEAS should be a service of a *sui generis* nature, separate from the Commission and the Council Secretariat. It should have autonomy in terms of administrative budget and management of staff. The EEAS will have its own section in the EU budget, to which the usual budgetary and control rules will apply. The High Representative will propose and implement the EEAS budget.

How will it be financed?

The establishment of the EEAS will be guided by the principle of cost efficiency and aimed towards budget neutrality. A limited number of additional posts for Member States' temporary agents will probably be necessary, to be financed within the framework of the current financial perspectives..

EU Delegations

The Commission's delegations will become Union delegations under the authority of the High Representative and will be part of the EEAS structure. Delegations will contain both regular EEAS staff (including Heads of Delegation) and staff from relevant Commission services. All staff should work under the authority of the Head of Delegation. EU delegations will work in close cooperation with diplomatic services of the Member States.. They should play a supporting role as regards diplomatic and consular protection of Union citizens in third countries.