Council adopts final legal acts for European External Action Service

The Council today adopted revised versions of the EU staff and financial regulation necessary for the functioning of the European External Action Service (EEAS). This follows a first-reading agreement with the European Parliament. The modifications reflect and concretise agreements made in the context of the Council decision on the establishment and functioning of the EEAS which was adopted on 26 July 2010.

The two texts are the last of the legal acts necessary for making operational the EEAS, one of the most significant changes introduced by the Treaty of Lisbon.

The new staff regulation (52/10) provides inter alia for the following rules:

- the High Representative is empowered to act as appointing authority;
- EU officials and temporary agents coming from the diplomatic services of the member states enjoy the same rights and obligations and will be treated equally; this applies in particular for the eligibility to assume all positions and, as a matter of principle, for recruitments;
- personnel from the diplomatic services of the member states appointed as temporary agents should represent at least one third of all EEAS staff at AD-level and EU officials at least 60%;
- recruitment or engagement is directed to securing for the EEAS the services of officials and temporary staff of the highest standard of ability, efficiency and integrity, while ensuring adequate geographical and gender balance.
The amended EU financial regulation (53/10) includes the following key elements:

- the EEAS is recognised as an institution in budgetary terms, which provides it with autonomy for its administrative budget, i.e. its own section in the EU budget;

- concerning operational expenditure (mainly financial assistance programmes and development aid), the financial governance framework of the Commission will apply to the EEAS;

- the heads of EU delegations will be given sub-delegated implementing powers by the responsible Commission Directors Generals for this operational expenditure; at the same time, they will have to comply with specific reporting duties. The revised financial regulation also spells out the various safeguards that are necessary to handle these operations, including how to act in case of irregularities.