

Chapter 2 High Representative of the Union for Foreign Affairs and Security Policy

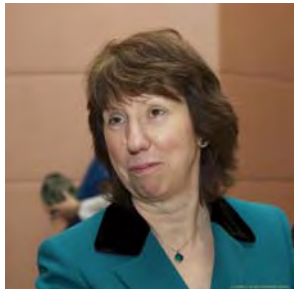
The role, functions and tasks of the High Representative in the field of CFSP/ CSDP.

Author Professor Mag. Gunther Hauser, PhD
Senior researcher and lecturer
Institute for Strategy and Security Policy
National Defence Academy, Austria

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Historical background

The previous office of High Representative of the CFSP was introduced on 18 October 1999 (Amsterdam Treaty). The former NATO Secretary General Javier Solana has been the EU High Representative for CFSP since then. Solana played an important role in the establishment of the European Security and Defence Policy (ESDP), amongst others by promoting the integration of tasks and tools of the Western European Union (WEU). The SG/HR assisted the Council in foreign policy matters, through contributing to the formulation, preparation and implementation of policy decisions. He acted on behalf of the Council in conducting political dialogue with third parties. The six-monthly rotating Presidency has been in charge of chairing the General Affairs and External Relations Council (GAERC), representing the Union in CFSP matters, implementing the decisions taken and for expressing the EU position internationally.



Ms Catherine ASHTON,
High Representative of
the Union for Foreign
Affairs and Security
Policy

*Credit "The Council of
the European Union"*

At the informal meeting in Brussels on 19 November 2009, ahead of the entry into force of the Treaty of Lisbon, EU Heads of State or Government reached a political agreement on the appointment of Ms Catherine Ashton as the High Representative of the Union for Foreign Affairs and Security Policy. Ms Ashton was subsequently appointed by the European Council with the agreement of the President of the Commission. Her term of office (five years) coincides in principle with the Commission's term of office. This appointment was made pursuant to Article 18 (1) TEU: *"The European Council, acting by a qualified majority, with the agreement of the President of the Commission, shall appoint the High Representative of the Union for Foreign Affairs and Security Policy. The European Council may end his term of office by the same procedure."*

The High Representative is also a Vice-President of the European Commission and is subject, together with the President of the Commission and the other members of the Commission, to a vote of consent by the European Parliament

Read more on the Union's High Representative here
(Click on the image on left)

MULTIPLE ROLES AND TASKS

The High Representative exercises, in foreign affairs, a number of functions which were previously exercised to some extent by the six-monthly rotating Presidency, the High Representative for the CFSP and the Commissioner for External Relations. The post of the High Representative is designed to enhance the consistency and unity of the EU's external action. According to Articles 18 and 27 of the Treaty on the European Union, the High Representative:

- Conducts the Union's common foreign and security policy (Article 18 (2) TEU);
- Contributes by her proposals to the development of that policy, which she will carry out as mandated by the Council, and ensures implementation of the decisions adopted in this field (Article 18 (2) TEU);
- Presides over the Foreign Affairs Council (Article 18 (3) TEU and Article 27 (1) TEU);
- Is one of the Vice-Presidents of the European Commission. She ensures the consistency of the Union's external action. She is responsible within the Commission for responsibilities incumbent on it in

external relations and for coordinating other aspects of the Union's external action (Article 18 (4) TEU);

- Represents the Union for matters relating to the CFSP, conduct political dialogue with third parties on the Union's behalf and expresses the Union's position in international organisations and at international conferences (Article 27 (2) TEU);
- Exercises authority over the European External Action Service and over the Union delegations in third countries and at international organisations;

Further tasks and functions encompass also:

- International representation of the EU, in particular on CFSP issues (without prejudice to the role of the President of the European Council at his level);
- Proposing the Appointment of EU Special Representatives;
- Head of the European Defence Agency (EDA);
- Chair of the board of the European Union Institute for Security Studies (EU ISS) and of the European Union Satellite Centre (EUSC),

In fulfilling this extensive mandate, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, is answerable to respectively the European Council and the European Commission.

SUPPORTING INSTRUMENTS & STRUCTURES

The High Representative will be assisted by a European External Action Service (EEAS), including some 130 delegations of the Union in third countries and to international organisations (see below). She benefits from the support from the Council and Commission services, as appropriate.

Under Article 33 TEU *"The Council may, on a proposal from the High Representative of the Union for Foreign Affairs and Security Policy, appoint a special representative with a mandate in relation to particular policy issues. The special representative shall carry out his mandate under the authority of the High Representative."*



For details on EU Special Representatives please explore the dedicated Council website section (Click on the left icon)

EU's EXTERNAL ACTION SERVICE

Article 27 (3) TEU, introduced by the Treaty of Lisbon, constitutes the legal basis for the External Action Service (EEAS) and the Council decision on the organisation and functioning of the EEAS. It states that:

"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."

It is expected that the decision on the EEAS will be adopted by the Council in the summer of 2010 (the draft decision is contained in doc. 11665/10 of 12 July 2010). This has to be followed by amendments to the EU budget, the Staff Regulations and the Financial Regulation, which are expected to be adopted later in 2010.

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European External Action Service

- EEAS is a service of a *sui generis* nature, separate from the Commission and the Council Secretariat;
- EEAS has its own section in EU budget.
- EEAS staff is appointed by the HR/VP;
- EU's crisis management structures (e.g. CMPD, CCPC, EUMS, SitCen e.a.) part of EEAS.

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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.

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. In order to enable the High Representative to conduct the CSDP, the EU's crisis management structures are part of the EEAS while taking full account of their specificities. These include the Crisis Management and Planning Directorate (CMPD), the Civilian Planning and Conduct Capability (CPCC), the Military Staff (EUMS) and the Situation Centre (SitCen) e.a.

The EEAS is a service *sui generis*, separate from the Commission and the Council Secretariat. It has autonomy in terms of administrative budget and management of staff. The EEAS has its own section in the EU budget, to which the usual budgetary and control rules will apply. 60 percent of the EEAS personnel will originate from the European Commission and the Council Secretariat.

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

Effective consultation procedures should be established between the EEAS and the services of the European Commission with external responsibilities, including those in charge of internal policies with significant external dimensions.



For more details on the EEAS please explore its website.
(Click on the image at left)

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