



COMMISSION EUROPEENNE

COMITE CENTRAL DU PERSONNEL

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Bruxelles, le 1 juin 2010
CCP - CS/VDN – D (10) 57

Note à l'attention de Mme SOUKA Directeur général de la DG HR

Objet : Avis du CCP sur la proposition de règlement du Parlement européen et du Conseil modifiant le statut des fonctionnaires des Communautés européennes et le régime applicable aux autres agents de ces Communautés.

Réf : Votre note Ref. ARES(2010)252040 du 10/05/2010

Conformément à votre demande, nous vous prions de bien vouloir trouver ci-joint **l'avis favorable** que le Comité Central du Personnel a rendu lors de sa réunion plénière des 20 et 21 mai 2010 sur la proposition reprise en objet.

(signé)

Cristiano SEBASTIANI
Président

CC: Mme Ashton – vice-présidente de la Commission (CAB); M. J. Morrison
M. Šefcovic – vice-président de la Commission (CAB), M. C. Linder (CAB)
Mme Day – secrétaire général (SG)
M. Child (RELEX)
Mme Belz, MM. Jacob, Jansen, Levasseur, Dotto (DG HR)
Membres du Comité du Statut
CLP, OSP
Comité du Personnel du Conseil, Comité du Personnel du Parlement européen.



EUROPEAN COMMISSION

CENTRAL STAFF COMMITTEE

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Brussels, 1st June 2010
CCP-CS/VDC – D (10) 57

CENTRAL STAFF COMMITTEE OPINION ON THE COMMISSION PROPOSAL FOR A REGULATION AMENDING THE STAFF REGULATIONS OF OFFICIALS OF THE EUROPEAN COMMUNITIES AND CONDITIONS OF EMPLOYMENT OF OTHERS SERVANTS OF THOSE COMMUNITIES

The Central Staff Committee of the Commission,

- having regard to the proposal for a regulation of the European Parliament and of the Council amending the staff regulations of the officials of the European Communities and the conditions of employment of other servants of these communities;
- having regard to the fact that the College has still to adopt formally this proposal;
- having regard to Commission prior commitment to social security for local agents and having regard the statements that the College adopted on Vice-President Šefčovič's proposal;
- whereas the political will on either side is to make the EEAS an exemplary service guaranteeing the respect of the basic principles and values the European Public Service and of its commitment to the community method;
- taking into account the EEAS dual-structure and it's the three sources of its personnel (Council, the Commission, Member States) affected to the delegations of the Union;
- whereas, EEAS staff must form a homogeneous body loyal to the European Union and its principles;
- whereas the Commission has committed itself to limit its proposal and the forthcoming negotiations only to the aspects necessary for the implementation of EEAS and to no other chapter of the Statute. The Commission should be ready to withdraw its proposal if either the Council or the Parliament intend to change this proposal;
- whereas the Commission agreed to set up a follow-up group to inform the staff representation concerning the proceeding of the negotiation with the

Council and the European Parliament,

gives a positive opinion on this proposal provided that the following issues are addressed:

In particular:

- the setting up of a single Staff Committee as a section of the Commission Central Staff Committee is and has to remain an absolutely essential and central element of the proposal. Given the dual nature of the EEAS and the three sources of staff, it is paramount to guarantee a harmonious operation of these services through a strong, unified and balanced representation of the personnel whatever their Staff Regulations, parent institution and the Appointing Authority under which they will come to work. This position is strongly endorsed by the CLP HU.
- the introduction of a legal basis to introduce as needed a primary or complementary social security system for the local staff (art. 121) is crucial. It must result in a real improvement of their social situation including elements such as social security after retirement, a pension system and an invalidity insurance scheme. This objective should be achieved within the general implementing rules to be negotiated with trade unions. It should be noted that already the Central Staff Committee has considerable concerns over the Commission's ability to implement art. 121 given the inherent difficulties relating to the definition of "insufficient". Staff representatives will thus insist on discussing this article again in the light of future staff regulations changes.

and additionally:

- as confirmed by the College's statement, supporting measures will be defined in collaboration with Staff Representation as soon as possible in order to inform and to assist all colleagues in the transition phase of the creation of the EEAS and in order to avoid any possible hindrance in their career progression;
- Any negative consequence for existing staff members – as far as their posts, rights and obligations are concerned – as a result of the obligation laying on the EEAS to have minimum one third of the AD staff members to be recruited from Member States should be avoided. Accompanying measures will be defined together with trade unions and staff committees with all other normal measures for redeployment (flanking committees, *chambres d'écoutes*, information to staff committee, *devoir de sollicitude de l'institution* etc.
- it is essential that, as confirmed by the Vice-President/high representative Mrs Ashton at the meeting on 27 May 2010, the procedures applicable in the EEAS shall be based on best practices identified in co-operation with the staff representation. EEAS shall become an exemplary service fully incorporated into the European public service. Its personnel shall be considered as an integral part of the Community public service;

- it is fundamental to set up transparent, common, objective and merit-based recruitment procedures for EEAS temporary agents AT 2 e). Given the specificity of the nature of their contracts with the EEAS, any "passerelle" or internal procedures to work in other EU institutions, agencies or bodies should be excluded for AT 2 e);
- A permanent "return ticket" for members of staff transferred from both the Council and the Commission to the EEAS shall be part and parcel of the Commission proposal. Consequently, the CSC requests that the organizational measures shall be negotiated as quickly as possible in order to reassure the colleagues regarding the effectiveness of this guarantee;
- Since the Commission is consulted on the appointment of the Heads of Delegation, including in the event of transfers in the interest of the service, the CSC requests DG HR to set up a monitoring process aiming at ensuring the right balance between staff appointed to such functions coming from its services, from the Secretariat-General of the Council and from Member States;
- In the same way, the CSC requests the Commission/EEAS to set up monitoring procedures of recruitments and of the source of the personnel of EEAS right from the start, in order to set up an harmonious, gender-balanced and non discriminatory staff policy;

(Signed)

Cristiano SEBASTIANI
President