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EDITORIAL – Full steam ahead

In the six months since it was set up, U4U has firmly established itself within the staff representation landscape at the Commission, thanks to its presence in more than 30 Directorates-General, cultivating partnerships with a large number of trade unions, setting up its own communication tools (website, bimonthly NoXyLo, this monthly publication) or by joining forces with others to generate group reflection on our jobs and the European Civil Service (Cf [Graspe](#)) or of course on the future of the European schools (Cf [GUDEE](#)).

We are delighted to have got off to such a good start because this means we are in a position to see through our project to overhaul the trade unions in order to create a trade union organisation which is strong,

citizen-focused, rooted in the services, a champion of European integration, the European institutions and the European Civil Service. We extend this project, our own trademark, to all of our colleagues as well as all those trade union forces who wish to share our vision.

This call for change corresponds to a deep-seated need which came about due to the crisis facing staff representation and is shared by a number of players and colleagues with whom U4U has started to work. It represents a challenge to staff, whom we invite to mobilise, for their trade union organisations as well as the institution which would also be well-advised to take note of comments and proposals made by a representative trade union force.

New Commission : First impressions and questions

If we are to believe the Second Barroso Commission's (2010-2014) project; key changes will be made in the following areas:

- all policies external to the Union which involve the current DEV, AIDCO, RELEX and ENLARG DGs, within the context of the establishment of a European External Action Service (EEAS) and the appointment of a High Representative (HR)/Vice-President (VP)

DG AIDCO will fall in part under the tutelage of DG *Development* (DEV-Andris Pielbags) and in part DG *Enlargement and Neighbourhood Policy* (ENLARG-Stefan Füle), the latter also taking up the *Neighbourhood* section from DG RELEX (Catherine Ashton).

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Recruitment and selection: latest state of play

Everyone knows that the selection policy is a fundamental basis of the European Public Service. Since the 1950's, Community institutions have managed to uphold a selection and recruitment system which is independent from the Member States.

The 2004 reform did not change existing principles so much as fundamentally alter statutory provisions. On the other hand, it revised the terms underpinning the competition and selection process, in order to recruit colleagues from the new Member States.

In order to address this large-scale wave of recruitment, the Institutions began streamlining procedures, pooling the available resources within the framework of EPSO.

It is true that the changes made in 2004 regarding the way the competitions are organised created a controversy, in particular as far as the scaled-down languages regime was concerned (a focal point of criticism) as well as the adoption of Computer-Based Testing.

Even if it was necessary to take such measures in order to cope with enlargement, the fact remains that they were not discussed with the great reformers at the time working at EPSO.

The arrival of a new administration to head this body made it possible to restart the dialogue and talk about how the competition should be run within the context of EPSO's development plan.

EPSO began by giving some thought to the image and attractiveness of the European civil service in a changing world and in the context of a growing array of international careers. These considerations were combined with the programming of competitions based on the needs of the Institutions, so as to be able to adjust the volume of selections in a more satisfactory way. In this new context, the Office is determined to guarantee a maximum level of transparency, so that all European citizens have equal access to the information. This is vital for the legitimacy of the Institutions and Europe.

On this basis, EPSO reorganised the competitions system in order to reduce the waiting time for candidates between the publication of the competition and the recruitment stage from two years to nine months, thus bringing itself in line with the standard amount of time for positions in European public administration. This measure is very important, because, until now, the waiting time discouraged the best candidates. Competitions will be organised on an annual basis, from 2010, which will make it easier for candidates to prepare themselves.

The issue of the restricted language regime has also been reviewed, following pressure from the trade unions. As from 2011, the preselection tests may be taken by candidates in their mother tongue, thus avoiding the preferential treatment of linguists.

The other significant development under way concerns the nature of the tests. The new competition system is geared towards skills-

based tests rather than tests based on knowledge, but ought not to lead to a situation where only specialists are being recruited, either. This small revolution aims to create a little more equal treatment between the candidates. Just one setback: we can only regret the disappearance of the European test, deemed to be insufficiently selective by EPSO, but necessary in our view to select candidates with knowledge of what goes on in Europe/a European hinterland.

The last very significant organisational issue concerns the recruitment of a core panel of permanent selection boards which will lead to the development of real expertise in the field of selection, thus avoiding the current difficulties linked to the non-permanence of the panels.

The key innovations in the way the competitions are run will be implemented as from March 2010. U4U will be paying very close attention to whether the key principles of the European civil service are respected, of which competition-based recruitment forms a pillar. Without a transparent, equal, professional selection process, set up at Community level, there can be no European civil service. Without this, the selection process and competitions would fall into the hands of the Member States, as is the case in other international organisations. The Commission, in its capacity as guarantor of the European administration, must continue to preserve the selection process from any external influence and EPSO must implement this policy and the principles laid out above.

U4U is currently debating these new guidelines, which raise the following questions:

- **shouldn't the European dimension be present in the written skills tests as well as the orals, in order to make up for the end of the preselection tests in the European field?**
- **shouldn't candidates take all tests in their mother tongue and shouldn't EPSO already be preparing itself for this new stage?**
- **shouldn't the Institutions review their recruitment policy and publish part of the competitions for higher grades, in order to make positions more attractive to candidates with solid professional experience?**
- **More fundamentally, how can we guarantee the recruitment of candidates with the skills needed to fill the specific role of a European civil servant, someone capable of taking the long view to help bring about a position which represents the shared interests of the Union?**
- **how can we meet the challenges posed by a 27-strong European Union, soon to be 30-strong, to be sure we can recruit convinced Europeans rather than people merely interested in well-paid jobs, etc?**

Come and take part in our working groups, join us !

In order to [become](#) a member, please transfer 5€ (members) or 50€ (donor members) into the account 377-008 5561-44 (J.-P. Soyer, treasurer), specifying your name.

Setting up of the European External Action Service (EEAS) What is at stake and what is to be debated

According to the Treaties, including what is known as the 'Lisbon Treaty', it is the Commission - and the Commission alone - which has the responsibility of promoting the overall interests of the Union and it is also the Commission alone which has the power to take the initiatives required to accomplish such tasks.

Amongst other novelties, the Lisbon Treaty on European Union consecrates the importance of action external to the Union, by specifying its objectives and principles in one of the chapters given over to the Common Foreign and Security Policy (CFSP). In the same chapter, mention is made of the setting up of a *European External Action Service* (EEAS), supervised by a High Representative (HR) who is, at the same time, a Vice-President of the Commission. The High Representative (HR) of the European Union, who will also chair the Foreign Affairs Council will also base his/her work on this European External Action Service (EEAS) .

This new architecture means an overlapping of competences in the field of external relations to the European Union and runs the risk of weakening the power of the Community, making it subordinate to the intergovernmental. This risk resides in the field of external action, but also, above and beyond this, for a certain number of European policies which already exist in the field of cooperation and development, or even Community external action. What is more, the task of running the EEAS is entrusted to one and the same person, who acts as High Representative /Vice-president of the Commission; so how can we make sure that the dual task of High-Representative/Vice-President does not prevent the Union's external policy being involved in achieving goals which serve the general interest of the European Union and guarantee that it is not restricted to the narrow confines of intergovernmental cooperation?

The texts thus give rise to ambiguities which need to be highlighted by identifying what is at stake and by thinking up solutions in order to set up a strategic framework for external action, which bears in mind the interests of all and is in line with the objectives of the European Union.

The first challenge involves the introduction, wording and implementation of existing Community external policies which must not gradually come under the supervision of objectives and actions laid out in an intergovernmental framework, because this would deconstruct 50 years of Community integration.

On the contrary, it is crucial that the autonomy and strength of these policies be reinforced so that they do not become mere accessories but rather contribute towards the introduction, formulation and implementation on the ground of the European Union's development and cooperation policies. In this connection, the notion of entrusting the responsibility for the multiannual programming of the development policy to the EEAS would amount to clipping the wings of a future Development Commissioner (will we even need one?), and viewing development as but a 'financial arm' to serve External Policy. The same applies to many activities conducted today within DG RELEX, which must remain at the Commission.

In a context where the Foreign and Security Policy is in no way included in the Community's field of competence, our key priority must therefore be to preserve, within the 'European Union's external action', the 'acquis communautaires' (for example, development cooperation, humanitarian aid, negotiations with third countries) and lend a sense of coherence to Community policies when considered alongside the interests and objectives of external action as defined by the European Council (art 22), without making them subordinate. These Community policies can be in line with the CFSP, defined and implemented by the European Council and the Council acting unanimously, but here, too, without becoming mere appendices!

There is not just a need for policies introduced by the Commission to be implemented by Commission services, rather there is also an opportunity to go further in developing a horizontal coordination of the external strands of these European policies, centred around cooperation policies identified together with beneficiary countries (Energy, Transport, Environment, Research, Fishing, Trade, Agriculture, Economic, Financial and Technical Cooperation, etc).

The second challenge involves the role conferred upon the EEAS to define a coherent framework which respects the common interest and makes it easy to merge the various external policies to the European Union which have an external impact. Yet, in a configuration where the EEAS leans structurally and legally in an intergovernmental direction and where management will be made up of 1/3 of 'seconded' civil servants on those 'on loan' from the national diplomatic services, how are we supposed to believe that purely national interests will not strongly interfere?

This is why a determining factor lies in setting out the sphere of action of the EEAS concerning representation functions, information and, in part, negotiation functions to which we could add preparation functions and those required to implement the CFSP which is chiefly set out at Council level.

In parallel, even more than the personality of the High Representative (HR)/Vice President appointed to head this service, his or her powers and obligations, in particular as Vice-President of the Commission, are of decisive importance. In this regard, it will fall upon this person, acting as the Vice-President of the Commission in charge of External Policy, to help the College to integrate into a common strategic framework all of the numerous Commission policies which contribute towards external action, including the external strand of internal policies.

The third challenge involves the need to not raise, or even to correct, the dichotomy between the drafting and implementation of these external policies, which can lead to chaotic interventions, which cause tension and contradictions which run counter to a dignified, legible European Union external action worthy of its objectives. This dichotomy, already problematic, indeed runs the risk of being accentuated if Commission staff are entrusted with implementation tasks, 'diplomacy' remaining a privilege reserved to 'nationals' or the intergovernmental.

In conclusion it is vital that there exist an overall strategy to

enable the merging and structuring of the European Union's external action in a political approach that transcends the intergovernmental, the random, heading towards the Community-focused, bringing a lasting structural solidarity.

People affected- principles and initial propositions for staff

Defending the Commission staff means, first and foremost, defending the political role, prerogatives and sphere of influence of this institution.

The setting up of a EEAS will bring changes to the working framework of EC colleagues posted in the RELEX family DGs as well as Council staff, not to mention future colleagues who will come from the 27 Member States, (incidentally, not all will come from the same body). For all of these people, the establishment of the EEAS will have an impact on their professional path as well as on the nature of their work and the terms which underpin it.

In our view, the issue of human resources must be dealt with in connection with the defence of a Community approach within which the EC institution as a whole must be able to pack a punch in the new external relations game; this means that the principles of unity, independence and permanence of the European Civil Service (ECS) must be respected. This is why the EEAS that we favour is a structure whose staff must be an integral part of the European Civil Service (ECS). Staff working within this service should either be European civil servants or Temporary Agents (TA) with the possibility of establishment as an official according to the terms to be negotiated. Contract Agents (CA) who 'migrate' towards the EEAS ought to benefit from a temporary agent's open-ended contract.

In order to avoid discriminatory policies which could lead to professional dumping within the EEAS, thus setting a precedent which could inspire all of the ECS, it is of decisive importance to show our solidarity and fight to ensure the capital and know-how, experience, motivation and commitment within the body of European staff is recognised.

In order to promote the setting up of a shared European culture when it comes to implementing the (external) policies of the European Union, **we need to provide fair working conditions for all of the EEAS staff**, which presupposes the guarantee of mobility between the EEAS and the Commission's services and allow people to return to the headquarters.

Finally, it would seem urgent that an adapted training policy be put in place, based on a cross-fertilisation of skills and experience acquired within the national or Community framework, which would allow all colleagues concerned to prepare themselves, professionally speaking, for work in the EEAS and be in a position to represent the Union as well as implement its external aid policy.

Meeting held on 6 November with colleagues from DG Relex

A U4U working group on the establishment of a European External Action Service (EEAS) has produced a discussion paper (cf. previous summary), of which several thousand copies have been distributed. We shall go into further detail in a later edition on the content of the debates, which attracted more than 75 colleagues. For now, let us reflect on several strong ideas: the EEAS can represent an opportunity for European integration by allowing us to conduct action, which, if it is not of the Community, is at least common, or at any rate, better coordinated. In order for this kind of progress to be made, the utmost respect must be shown to the treaties and the competences arising from the treaties for the Community institutions, in particular the Commission, whose sphere of action must be maintained by external action which results from the application of this sphere. Defending the legitimate interests of Commission staff must also involve defending the interests of the institution. If the sphere of this institution is infringed upon, if its external action activities are transformed into those of an agency, the institution will be weakened, opening the floodgates to attacks against our independence and status. We are counting on the College to defend the most effective tool in pursuing Community integration.

Cooking up a storm: recipes of the month

November: *'Beef and carrots with Lisbon sauce' or how to make the intergovernmental easier to swallow in the European External Action service (EEAS)*

Preparing the beef

Buy an entire cow, with a European production guarantee and check that it bears the European cutting label recognised across the world (label awarded by the European External Abattoir Service - EEAS).

Cut the piece of beef into 27 chunks.

Enhance the largest and best parts of the animal by smothering them in fat.

Reduce the remaining pieces at a high temperature and throw away any unnecessary parts (the brain, eyes or ears).

Preparing the accompanying vegetables

Take the most tender RELEX carrots and cook them on a low heat until they melt in the mouth.

Let the rest of the carrots go mushy at the bottom of the fridge, throw the most damaged ones away and mash the rest.

To lend a personal touch to your dish, substitute the carrots you had to throw away with a very diplomatic mixture of seconded onions, national leek heads and gherkins with a registered destination of origin, at a 1/3 proportion for this strongly flavoured mixture and 2/3 of young carrots.

Once seated

Keep your recipe a closely-guarded secret.

Distribute the best portions to the biggest guests and share out the rest parsimoniously.

Let your guests know, in a subtle way, what a great pleasure they are experiencing in partaking of this dish.

bon appétit !

Moreover, if we read the footnotes, we can note that decisions must be taken *in close cooperation with the HR and without prejudice of the future EEAS* (European External Action Service-Catherine Ashton) for both DGs, with this added for DEV: *The Development commissioner will moreover assure the political representation of the Commission in the Foreign Affairs Council given the role of the HR/VP as the President of that formation of the Council and for this task draw on the support of the SG and of the RELEX.*

Questions :

- What form will this *support* to DEV from the SG (Barroso) and RELEX (C. Ashton and her dual role) take? The answer to this question as well as the sphere of influence awarded to the EEAS will have an impact on the level of autonomy of all Community policy when it comes to a new empire managed in an intergovernmental style.

- What will become of the staff and who will lay down the guidelines that this staff (officials or otherwise) need to implement in their day-to-day work?

• The creation of a *Climate Action* DG, and the upholding of a DG ENV without the units which are leaving for *Climate change* but also ECHO (both *Civil protection* units) and SANCO (*Biotechnology, pesticides and Health* unit).

The new DG (Connie Hedegaard) will be formed in summer 2010 from several units from directorate C of DG ENV. This process is rather symbolic in view of the Copenhagen conference and smacks more of something done for effect than the implementation of a Union policy.

Questions:

- What Community competences will form the basis of this DG's actions and who will chair the large international meetings on this issue, given the fact that the job of representing the Union is entrusted to the HR?

- What will the staff (and the future Commissioner) do between now and summer 2010 ?

• The creation of a new portfolio *Justice, fundamental rights* (Viviane Reading). This brings together DG *Communication* (DG COMM) and DG JLS, the Publications Office (PO), part of DG *Employment and Social Affairs* (equal opportunities policies, the fight against discrimination and civil society) as well as the agencies and institutes that are linked to these policies (Fundamental Rights Agency FRA, Institute for Gender Equality -EIG, as well as to units from the D directorate of DG EAC.

Questions:

- How will the Union's communication and information policies be connected to policies centred around citizens' rights and those related to anti-discrimination?

- What staff support measures will be provided, especially for those who have managing tasks given the existing differences in the different DGs (decision-making and financial systems in particular) ?

• The principle which guided President Barroso in the proposal to attribute the posts to Commissioners to be renewed lies in the notion of mobility for all.

Questions :

- How can we guarantee the continuity of service, including the tasks inherited from the previous Commission, in the context of the changes brought about by the Lisbon Treaty, some to be applied as from 1 December, 2009, by the creation of the EEAS as well as the revision of the financial Regulation, the implementation of a new multiannual financial framework and the discussion on simplifying procedure?

- How will the staff be involved and supported in this process and what *bottom up* mechanisms will be put in place to allow the services to prepare the hearings of the Commissioners at the EP?

Colleagues, help us contribute by sharing your thoughts, questions and organisational and political recommendations on the 2nd Barroso Commission!

this proposed change affects 15 DGs and 16 units, as well as TEC, FRA, EIG and Galileo.