

**NOTE**

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from :	Secretariat
to :	Working Group VII on "External Action"
Subject :	Summary of the meeting held on 29 October 2002

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**I. Opening of the meeting and introductory remarks by the Chair**

1. Vice President Dehaene (Chair) recalled that a note prepared by the Secretariat containing a draft text on principles and objectives of EU external action had been distributed at the previous meeting (WD 7, also sent out by e-mail to the Working Group). Commissioner Barnier and Mr. Attalides had already transmitted their comments (WD 13 and WD 12, respectively) on the draft text to the Secretariat and the Chair invited other members of the Group to do so as soon as possible.
2. In addition to the note on principles and objectives and the note on resources of European institutions (WD 6), which were already handed out at the previous meeting, two further background notes prepared by the Secretariat were distributed: a document on certain financial aspects the external action of the EU (WD 14) and a document concerning the legal bases, competencies, instruments and decision procedures in EU external action (WD 15).

**II. External representation of the EU: in international organisations and in bilateral relations**

3. The subject of the meeting was the external representation of the EU in international organisations and in bilateral relations and the agenda of the meeting (CONV 365/02)

had set out certain specific questions to be addressed by the Working Group. These covered the consideration of possible amendments to arrangements for external representation in order to increase the Union's influence at the international level; the scope for rationalisation in representation arrangements; the improvement of mechanisms that help forging common positions; the means by which one could improve clarity and continuity in political dialogue; and the improvement of synergies between diplomatic representations and delegations in third countries.

4. Several members underlined that an agreement on the objectives and priorities of EU external action and the definition of competencies were primordial and that the question of the external representation of the EU was closely linked to this.

### **International organisations**

5. There was a general recognition of the fact that the EU was able to exert the strongest influence when it spoke with a single voice. Several members recalled that there was however a need to adopt a pragmatic approach and to recognise that specific areas of external action might require specific arrangements. This was also the case in relation to international organisations.
6. Several members argued that it would seem logical that the EU had a single representative in organisations dealing with external aspects of issues falling within the internal competencies. Some furthermore considered that the position to be defended by this single representative should be determined by qualified majority when this was the rule in the relevant internal field of competence. Members of the group suggested that an examination of the possibilities for unified representation should start with for instance IFIs. One member underlined the importance of distinguishing between membership of these organisations and the question of unified representation.
7. Several members underlined that a pragmatic approach was required in respect to organisations of a clear political nature. It was not realistic to discuss changes to representation in the UN Security Council, where there was in any case no provision for any representation other than that of States. Efforts should however be undertaken to ensure that Member States speak with the same voice/deliver the same message.

## **Bilateral relations**

8. There was general agreement in the Group about the need to make the representation in third countries clearer and more legible. There was consensus regarding a transformation of Commission delegations into EU delegations. It was in this context recalled that these delegations already provide support to the High Representative (HR) in terms of reporting, and thus already to a certain extent work in a broader scope.
9. The transformation into EU delegations was however not seen as enough by several members, who argued that there was much to be done to improve coordination and coherence of action on the ground.
10. Some suggested that EU delegations might also represent Member States in third countries where they did not have diplomatic representation. Some members also suggested that in a limited number of cases the EU delegations could potentially be the only representation of the EU and Member States.

## **The role of the High Representative**

11. Several members underlined that the HR derives legitimacy and authority from the European Council, which appoints him/her, and is answerable to the Council. Several members of the Group recalled their suggestion that the HR should chair the Foreign Affairs (External Relations) Council, as a means to ensuring greater coherence and continuity than the current rotation of presidencies could provide. Some considered that the HR should become a “Minister of Foreign Affairs” or “Foreign Secretary” of the Union. In this context, several members pointed to a link between the Presidency of the European Council and the consideration of the external representation of the Union. It was however generally agreed that while it was necessary to bear this in mind, the Group would not venture into a discussion concerning the wider institutional context - a matter referred to a debate in Plenary at a later stage.
12. Several members argued in favour of merging the functions of the HR and the External Relations Commissioner. It was underlined by several members that the HR must have the authority of the Council and it was suggested by some that he should be appointed by the Council but be a Member of the Commission. One member cautioned against the combination of the HR chairing the Foreign Affairs (External Relations) Council and being at the same time

a Commissioner, as this would provide the function with a considerably greater concentration of power than that invested in the Commission in the first pillar.

13. Some argued against a merger of the functions of HR and External Relations Commissioner since this function should have a mandate from the Council and that it would be difficult to concile such a mandate with the collegial character of the Commission. They considered that pragmatic solutions could be advanced to improve the coordination between the HR and the Commission and strengthen the HR. It was underlined that the important was to ensure coherence between policy areas and also to be able to secure that the necessary means were available to back up policy with actions, rapidly if needed.
14. Specific proposals regarding practical measures that could enhance the role of the HR and improve the efficiency of the CFSP were put forward by a member of the Group (a document was distributed at the meeting and will be circulated electronically). These included giving the HR the right of initiative and the possibility to table certain proposals jointly with the Commissioner for External Relations; the participation of the HR in meetings of the Commission; the separation of the post of HR from that of the Secretary-General of the Council; the appointment of a limited number of Deputy High Representatives (DHRs); a reinforced Secretariat to support the HR and, where appropriate, common services shared between the Council Secretariat and relevant Commission services; and appropriate budgetary provisions beyond the present allocation for CFSP, including provisions for the funding of Special Representatives.

### **III. Next meeting**

15. The next meeting will take place on Wednesday 13 November at 14.30. Vice President Dehaene informed the Working Group that the Secretariat would prepare a first draft of elements of possible conclusions of the Working Group in view of the meeting.
16. Discussions should focus on this text. Members of the Group were also reminded that there would be a joint meeting with WG VIII on 14 November at 9.00.