



# HOUSE OF LORDS

Unrevised transcript of evidence taken before  
**The Select Committee on the European Union**  
External Affairs (Sub-Committee C)

Inquiry on

## **EUROPEAN EXTERNAL ACTION SERVICE**

*Evidence Session No. 9*

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*Questions 158-197*

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9.15 am

Witnesses: Pierre Vimont, James Morrison and Patrick Child

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Members present

Lord Teverson (Chairman)  
Lord Foulkes of Cumnock  
Lord Lamont of Lerwick  
Lord Radice

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**Examination of Witnesses**

*Witnesses:* **Pierre Vimont**, Executive Secretary General, EEAS, **James Morrison**, Chef de Cabinet to the High Representative, EEAS, and **Patrick Child**, Managing Director for Finance and Administration, EEAS, gave evidence.

**Q158 The Chairman:** Perhaps we could start the session. I have to say a number of things—health warnings as it were—to be clear. First of all, it is a public session, so it is being transcribed and recorded, and we will send a transcript of that to yourselves, so if there are any things wrong they can be corrected. We have given you an idea of some of the questions, but there are a number of other areas that we are quite keen to pursue, which we will do. Whoever wants to answer the questions or who you would like to is very much up to yourselves.

This is an inquiry about the External Action Service after the first two years, really looking at how we feel we can contribute to the review that it is about to take place and contribute to that process. We have already taken a large amount of evidence and we will conclude that phase next week, or probably later this week, actually, when we meet our own Europe Minister to discuss these areas. We have been on this process now for something like three months. I think we have done enough of that and we can actually start to come to some conclusions.

Perhaps I could start off on the general side. In the evidence to the Committee, the EEAS noted that the most important challenge has been the promotion of a comprehensive

approach to EU external relations and foreign policy. We would like to understand from you how the EEAS has succeeded in that task and specifically what the EEAS has done differently from before the Lisbon Treaty. I have sat in a number of meetings of foreign affairs chairs, every six months, under the Solana regime and the end of that. It sometimes seemed that was very comprehensive. In what ways do you think that the EEAS has added value to the delivery of the EU's foreign policy? A broad start and then we want to get down into some more detail on some issues.

**Pierre Vimont:** Thank you, Lord Chairman. Just before trying to answer your question, let me tell you that we are very much interested in all the input that we will get from you for this review. As you know, many other partners are also very interested in this review. Each and every one of the member states is working on this and intends to send us papers. We have the European Parliament; we have a lot of think-tanks. I hope that, by the time of the release of the High Representative's report, which will be around July if we manage to keep to the timetable, all the different inputs and certainly the one by the House of Lords will be very useful for us. It will be a very interesting contribution.

To try to answer your question, which is a very large question in fact, there are major differences and I hope there is added value, admitting that this is an ongoing process and we are not yet there. First of all, the whole configuration of the EEAS is quite different from Javier Solana's time. As you were saying first of all, there is not anymore in foreign policy a rotating presidency as such; the High Representative is also Vice President of the Commission.

Just to give you one example so that you understand, in the previous system when there was a meeting of the Quartet, the EU delegation came with three strong personalities, who had, before taking the floor, to agree between themselves on who was going to speak, how they were going to speak and what line they were going to take. Now for our counterparts at

the Quartet meeting, it is Cathy Ashton. She is there on her own and it makes it much simpler for all of them to discuss and have a dialogue with the EU. I must say that what has struck me since we have launched the EEAS is that our partners from outside the EU are very pleased with the new system and they have told us that, time and again. That is the first difference.

**Q159 The Chairman:** Do you mean other states that you deal with or other international organisations?

**Pierre Vimont:** Just to give you an example, in the first year or so, as I was going through all the traditional think-tank conferences in Brussels, where we had a little bit of EEAS-bashing here and there, the representatives from foreign countries were always the ones who were coming in, protecting and defending the EEAS as a very useful innovation in the Lisbon Treaty for them, because now they know where to go. They have a single partner in other words—an entrance point into the whole system. The embassies here from third countries and the representatives from different foreign offices around the world, when they come to Brussels, have a more direct contact and know how to do it. That is very useful for them.

Secondly, to compare with what Javier Solana, for instance, had at his disposal, it was very little. It was a small part of the Secretariat of the Council, and it was a few EU Special Representatives who he had appointed. Cathy Ashton leads a full network of 141 delegations. She now has the EEAS as a fully fledged administration working for her. She is part of the Commission and the comprehensive approach is all about working very closely with our counterparts in the Commission, and moving ahead with this comprehensive approach, where we put together all the different tools that we have at our disposal. This, once again to try to illustrate that in the most practical way, is changing the whole way we are working together.

If you take, for instance, Mali and what is happening in Mali at the moment, we are able when we meet, as we did yesterday in the Crisis Platform group, to have around the table people involved in all the military initiatives and action, whether they are the military staff, the Chair of the Military Committee, the different units in the field, the CSDP, the CMPD, the CPCC, etc. We have Nick Westcott, who I think you will see this afternoon, with his whole African department, which can deal with all the diplomatic contacts and everything we have to do in the assessment on the ground. We have our EU delegation in Bamako. We have the Commission with its humanitarian assistance. We have the Commission with its development assistance. We have people in charge of counterterrorism, because there is a large part there also that we have to deal with. In other words, we have a whole spectrum of tools at our disposal. Once again, it is an ongoing process; I do not pretend that we are already as efficient as we hope we should be, but at least we have all the instruments at our disposal to try to move ahead. That makes a lot of difference compared with what existed before the Lisbon Treaty.

**Q160 The Chairman:** Can I perhaps take you up on that? If I wanted to look at it in a completely different way, I might say this Committee has taken a lot of interest in Mali going back some time. We have been hearing about the training mission, which has been happening and which is still not operational yet. In some ways, one could say that surely that area of North Africa is an area that the United States does not particularly want to lead in; the EU is a natural actor. Perhaps that was the one area where the battle group concept could have been used. There could have been a much more comprehensive approach by the EU, but in fact what happened is France, at utter frustration at not being able to do that, had to intervene itself and beg other people to help. In some ways, you could look at it as a failure of the EU in terms of CSDP.

**Pierre Vimont:** I am not so sure. You could go on saying it was a failure, but the whole purpose from the beginning was precisely to have African ownership of all this. This is why we had decided some time ago, with the support of the UN, to have an African force and a training mission. This was going ahead and the training mission was supposed to be in place by March and the African force by September, more or less. What has happened in the last two or three weeks has been a surprise intervention by the rebels in the north. Do not forget that, two weeks ago, they were at a meeting table with the mediator from Burkina Faso talking about political dialogue. They just left the room and, without prior notice to any one of us, they picked up and decided to go to the south to try to capture a few cities. The whole question there was whether anybody was able to respond to such an urgent threat in the question of hours or days. So far, as we still do not have a European army or anything of that sort, in the end this lies very much with the member states that are able to do that at such short notice.

**Q161 Lord Lamont of Lerwick:** Just following on Lord Teverson's point, this is not intended to be a criticism of the EEAS. We are just trying to recognise the world as it really is. I do not know how much notice the EEAS had. Perhaps you who obviously have strong links with the Quai d'Orsay might have known before other people. Did the French Government consult with all the European Governments before it took military action? How far in advance were people formally notified about what was going to happen with the military intervention?

**Pierre Vimont:** I take absolutely your point, my Lord; I do not take it as a criticism. We all try to do an assessment and something about lessons learned from Mali, but one has to understand that the right intelligence and the proper intelligence came somewhere around Wednesday, not of last week but of the week before. On Thursday, Konna, an important city, was taken over by the rebels and the French came in on Friday. We were informed.

The Foreign Minister, Laurent Fabius, called Cathy Ashton before, on Thursday. The UN Security Council was informed in the night, between Thursday and Friday, and at that point the French decided really at the last minute to go.

We thought about the battle groups, of course. As you know, battle groups have to go through the agreement of 27 member states, so we need to gather the PSC, and we asked the French what their opinion about this was. At no point did the French say that they needed, at this stage, clear-cut military support. What they immediately told us was that, as quickly as possible, they wanted to create the right conditions in order to move ahead and accelerate what was the previous plan, which was the African force and EUTM. This is exactly what we had been doing, pushing one month ahead. We hope the EUTM will be there by February, instead of March. It could be considered, to some extent, as a failure, as we still have to rely on the member states to do that, but one has to understand the nature of the threat we were facing, which was about answering in less than one day what was definitely a surprising move. We are not facing a conventional army; we are facing people in pickups who suddenly appear and, in a few hours, get into a city and move ahead. These are the kinds of people we are facing.

**Q162 Lord Lamont of Lerwick:** You mentioned the Military Committee. What does it do in this crisis? You referred to the chair of the Military Committee.

**Pierre Vimont:** The Military Committee is the committee that gathers twice a year as the heads of defence, les chefs d'état-major, as we say in France, and in the meanwhile gathers the military attachés who are posted here in Brussels. They are the equivalent of what you would have in the political field with the ambassadors to the PSC. I think you have seen some of them this morning.

**Q163 Lord Lamont of Lerwick:** This was an emergency meeting, was it, not just the twice-a-year meeting?

**Pierre Vimont:** Certainly. The military staff have been working on a permanent 24-hour basis since then. We have been doing that also.

**Q164 Lord Lamont of Lerwick:** What do they do? The military action is being done by France with some support.

**Pierre Vimont:** They are the ones who, in relations with the CMPD, are doing the preparation for the setting-up of the EUTM mission in Bamako. They are also the ones who, at the moment, are doing very useful work in what we call the clearing house. In other words, they are bringing together the different contributions from the member states in relation to logistical or technical support for the Malian army or the future African force, the AFISMA, trying to put this all together and co-ordinate it with the French, the African Union and ECOWAS in the next few days. This is going to be one of the most difficult issues we are going to face in the next few days. African nations are sending troops. There are already more than 1,000 soldiers slowly coming into Mali, either at the border with Niger or in Bamako. At the moment, the headquarters of that force has not been implemented. They are still in Abuja; they have to move into Bamako. Therefore, at the moment it is the French forces that are trying to deal with that and asking for support from the EU in that field.

**Q165 The Chairman:** I think we will not go any further with Mali. It was very useful as an example. One of the things that exercises us, to some degree, is that in a way the EEAS can be successful only if there is a European foreign policy, otherwise you just come back to Commission technical functions. Could you give us a summary of how unified you see the member states in terms of foreign policy at the moment? We are particularly interested where there is not that unanimity, whether it was in Libya in the earlier days of the EEAS, maybe the Middle East or particularly the Russian Federation and how that is viewed. Is the EEAS able to contribute anything or do you just withdraw from the field of play?



**Pierre Vimont:** We try not to, as much as possible. This is, for me personally, a striking feature since I arrived here at the end of 2010. There is much more unity in foreign policy than is quite often seen at first sight among European member states. Let me give you two very striking examples. The first one is Libya. As you were saying, there was no agreement among member states on the question of military intervention. We even had one member state sitting in the Security Council that abstained on the resolution that opened the way to military intervention.

**The Chairman:** It is interesting that we never mention the name. We always say “one member state”.

**Pierre Vimont:** I am sure you will find it in due course. Three days after that—and I think the vote took place on the Thursday evening or Friday morning—we had a meeting of the Foreign Affairs Council when we agreed, the 27 of us, on what we wanted to do in spite of our differences on the political side. We agreed on what we wanted to do with regard to Libya: to start contact with the transitional council in Benghazi; try to see how we can support them, etc. Therefore, from the political point of view, we had a common stance that was useful, because it helped the High Representative to play a major part in the contacts with the people of Benghazi, with the African Union, with the Arab League and with the other regional institutions. Therefore, we played a rather active part, in spite of the fact that, at the beginning, there was this division.

The second spectacular example was the recent vote on a non-member status for the Palestinian Authority in the UN General Assembly. There you had a three-way split: 14 in favour, 12 abstentions and one against, or something like that. Exactly at the same time as the 27 member states voted in different ways, we agreed—this was an initiative by the High Representative agreed by all the member states—to have a common statement by the 27 reaffirming once again our position on the whole issue: the two-state solution, in no way

could we accept the Israeli settlements, etc.—the traditional line. It was very interesting to see that, at the same time as the vote took place, we were able to show a unified position. You will tell me there is a little bit of contradiction there but, if you look at it in the proper way, not as much as one would think. It showed that, in spite of the differences with regard to the single issue of the status of the Palestinian Authority in the UN, there was a much larger picture on which we all agreed. The fact that we could reaffirm that at the same time was a very useful message to the Arab world and to the whole world.

**Q166 Lord Lamont of Lerwick:** Surely that common position, which you might call the lowest common denominator, existed before anyway. It did not need the EEAS to bring it into existence.

**Pierre Vimont:** It is a position that we have enhanced and completed as time has gone by. Since the last two years of the existence of the EEAS, we have had rather comprehensive statements, more or less twice a year, that added a few things. It is a rather interesting body of doctrine that is rather impressive because, for the Palestinians among others, it makes us one of the most understanding, useful and constructive partners for them. It is not only about statement; it is also about financial support, being on their side, being part of the Quartet and trying to push forward the peace process.

In other words, what I wanted to say was that, in spite of what may exist with different member states, the simple fact that we have been going on since 1972, in the building on the other side of the street, having working groups, PSC meetings, COREPER meetings, and the Foreign Affairs Council, has created a united position and attitude that is much more important than sometimes we figure out.

**The Chairman:** One of the things we heard from the evidence that I had not realised was how many non-member states or candidate states were also included in some statements. I am going to hand over to Lord Radice.

**Q167 Lord Radice:** I think you just put over quite a persuasive case that the EEAS—I must say they are terrible initials and I wish you could get better ones—is able to put together a package and have a more strategic view on foreign policy than is sometimes thought. You had the temerity to put over what appeared to be two failures, which you have heralded as a success, if you like. It may be there is a time for putting out what is the lowest common denominator to remind countries that there is a united position, even though in moments of crisis they may go their different ways. The thing that has struck us in taking evidence—I am now talking about your missions all over the world, because one of the parts of your new approach is that you have a mission—is about how far these missions have really bedded down, and whether there is a conflict between the old regime with the commissions running projects and your new approach to foreign policy. How is this all working? Are you happy that in these missions there really is a unified approach? Are you able to get a unified approach or is the reality more mixed and, indeed, sometimes a bit chaotic?

**The Chairman:** Or does the Commission just get on with business as it always used to and occasionally let you know what it is doing?

**Pierre Vimont:** I do not want to overdo it and appear over-optimistic or over-positive, because I totally agree. As you were saying, my Lord, one could see those failures as failures. I am trying to see them as a glass half-empty and half-full, I would say. Secondly, this is an ongoing process. Coming back to our missions—for instance, our delegations abroad—this once again, to be totally honest with you, has been a surprise to us how well it went with member states. Before being appointed here at the EEAS, I happened to be working in Washington. When the whole system started in 2010, Washington was a city where you had 27 embassies for the 27 member states, which were very proud of their sovereignty and their independence. The way the EU delegation went into that system and

became the natural focal point for co-ordination, meetings, and so on has been quite surprising, if only because our colleagues in the American administration prefer to go and have one briefing for all the 27 in the headquarters of the EU delegation, rather than all day being visited by each and every one of the 27 member states. It is just as practical as that.

More than that, we have shown as we have been moving on, not only in Washington but all over the different delegations we have around the world, that there was real added value for member states—in other words starting with the political aspect and the fact that they could co-ordinate their positions, that if necessary they could do a démarche together, which brings more weight when they do it. Even now—I guess this is one of the outcomes of the present financial and budgetary crisis that most member states are facing—they are seeing a lot of interest in how they can work together in order to diminish costs, if possible. There are, slowly moving in, best practices that are appearing here and there in some of our delegations, working with member states' embassies, which I find very interesting.

One example here again: in Japan, our EU delegation has proposed to have only one press review every morning for all of them, because the translation from the Japanese press into English is costly. They have accepted. As a counterpart, other embassies will do a sort of common tasking for the others. They are looking at where precisely they could reduce the cost of translators by doing it jointly and reducing the costs. It is the same for hotels, accommodation, etc. There are many ways, practical ways and more important political ways, of working together. It is a success so far. Every time I meet my counterparts in the 27 member states, they are all very happy with the way delegations are working. Here and there you may have some problems because of the personalities of the heads of delegations or otherwise but, in general terms, they are rather happy with the way it is working.

**Q168 Lord Radice:** You do not think there is a problem with the old regime, the Commission. You did not answer that.

**Pierre Vimont:** You are right; we have a problem. We have other problems. Maybe Patrick will come back to that if he wants to, which is the way the new EU delegation is organised and the fact that the financial process and procedures are still rather complicated. We knew that right from the beginning and we have underlined that. The whole problem, seen from the Commission's point of view, is to some extent a legal problem. The EEAS is not a fully fledged institution; we are an administration. For the Commission, as such we do not have the legal status to deal with the different operational and financial resources that it manages. Secondly, each service inside the Commission has retained a direct link with its representatives around the world. Coming from a member state, and I think it is the same in more or less all the other member states, if you look at a member state embassy, it is more or less the same. The ambassador is struggling every day to try to keep some sort of control of the group of people he is chairing because, usually in a normal embassy, at least in the country I know best, diplomats make up only 15% to 20% of the total staff and the others come from finance, transport or whatever. You need to grasp all of this together. It is more or less what our heads of delegation are facing at the moment, which once again is not totally exceptional in the diplomatic world.

**Q169 Lord Lamont of Lerwick:** Does it not lead to very blurred lines of reporting, when you have a majority of staff from the Commission who are doing the development and the trade sides, which are obviously very important, but then you have the EEAS, which is doing the diplomatic and political? They are the icing on the top of this administrative structure and yet they are called a diplomatic mission.

**James Morrison:** What Pierre says is right. I am from the Foreign Office originally, and it is the case with the EEAS that one of the things we did when we agreed the decision was to change the staff regulations and the financial regulation, so the head of delegation has the power to instruct Commission staff in delegations. He has that power to convene, which is

rather like an ambassador for a member state in an embassy. We also changed the financial regulation so the head of delegation has a sub-delegated budgetary authority, so he does have power over the money. There are issues, as Pierre has said and probably Patrick could say more, about the extent of that sub-delegation and then if you can sub-delegate it to somebody else. It is a legal issue for the Commission, because the Commission, under the strictures of the financial regulation, is directly responsible for this. Member states would not have it any other way, I suspect. In terms of how it works in delegations, as Pierre says, it is rather like a national diplomatic service, insofar as there are a small number of diplomats; they do have certain co-ordination powers. It is no different from that really, because the head of delegation will know what is going on, in terms of any instructions that are coming from line DGs in the Commission in Brussels.

**Q170 Lord Lamont of Lerwick:** Surely it is profoundly different, because most of the staff are not performing tasks for you, the diplomats; they are performing completely different tasks, which have to be managed and are important in their own right.

**James Morrison:** I would say, and I could be wrong, that for instance a British embassy is a platform for the entire spectrum of British Government business. There will be people doing climate change in the British embassy, who will be taking instructions from that bit of Government and it will be co-ordinated. The delegations are, in a way, the platform, in our case, for EU policies. EU policies are things in the treaties that the member states have decided are better done at an EU level, so I do not see the conflict in that way, but maybe I am missing the point of the question.

**Q171 The Chairman:** If we are honest, from the evidence that we have heard, which may or may not be right, this has been pinpointed as being one of the issues, in that, perhaps partly because of legal constraints or whatever, the Commission, perhaps on the development side and in other areas, has been rather slow at really changing its tune or

smelling the coffee of the new regime. This is practically getting in the way. If that is true that is inevitable, to a degree, but I would have thought, the High Representative being a member, the Vice President, of the Commission as well, surely there is more leverage that could be put through that route or that makes that role very important. How can we, as we look forward, say, “Yes, we expect there to be residual turf wars or issues over that, but we need to accelerate this”? If this does not work properly—and you are saying it does work—then surely this is something that needs to be sorted out.

**James Morrison:** I am saying it is beginning to work. As you say, we have made a major change here. We have changed things that were as they were for 50 years or more, and we are two years into it. That is why it is good that we have a review this year, and that was foreseen in the decision. There has been an amount of change in a relatively short space of time. You are right. When you create something new, you create a structure that is between the Council and Commission. Of course, people take time to adapt to that, but there is no reason inherently why it should not work.

**Q172 Lord Lamont of Lerwick:** Who controls the CFSP budget?

**James Morrison:** The High Representative and the member states, but that is the CFSP budget. The High Representative, because she is also responsible under Article 18(3) of the Treaty for the overall coherence of external relations in the Commission sense, also has a role in the programming of development assistance as well, so she does that jointly with two commissioners on the external side, Andris Piebalgs and Štefan Füle. That role is foreseen in the Treaty, as I say, in Article 18(3). That is a separate larger budget than the CFSP budget.

**Q173 Lord Foulkes of Cumnock:** I am concerned about what you said, Mr Vimont. You said there is no legal status for the External Action Service. You said it is not a fully fledged institution; it is just an administrative matter. Then you went on to say the heads of delegation, however, can be given power to convene meetings and financial responsibility.

Am I right in saying they report back to the Commission, rather than the External Action Service?

**Pierre Vimont:** To the External Action Service, and Patrick could explain that to you. With regard to financial matters, they also have to deal with the Commission, which at the end of the day is responsible.

**Lord Foulkes of Cumnock:** On financial matters?

**Pierre Vimont:** On financial matters.

**Q174 Lord Lamont of Lerwick:** They report to the Council on policy and the Commission on financial matters.

**Pierre Vimont:** They mostly report to the High Representative.

**Lord Lamont of Lerwick:** Who reports to the Council.

**Pierre Vimont:** Who reports to the Council.

**Q175 The Chairman:** We had evidence that you had to do two lots of accounts in different ways—send one to the Commission and one to the EEAS.

**Patrick Child:** Maybe I could address some of these points.

**Q176 Lord Lamont of Lerwick:** Could you just amplify what is meant by “no legal status”? I am not quite clear what that means.

**James Morrison:** It is established by a Council decision.

**Patrick Child:** It is clear that the legal status of the External Action Service firstly derives from the reference to it in the Lisbon Treaty, which is further amplified by the Council decision, which establishes its basic statutes and function. It does not have the same formal status as an EU institution in the Treaty terms, as for example the Commission, the Council of Ministers and Parliament, which I think is the point that Pierre was making. It nevertheless has a very clear and well established legal basis.



It is treated under the financial regulation and the EU staff regulations as a body that is assimilated to an institution, which means that the staff of the EEAS are governed by the same principles and loyalties as any other EU officials working for any of the other institutions, which helps us when we come to the question of financial responsibilities. It is true that, although heads of delegation are clearly staff of the External Action Service, and therefore their primary loyalty is to the High Representative who, as appointing officer for the External Action Service is their overall boss, they also have, according to the financial regulation, specific responsibilities for the management and supervision of external assistance programmes, for which they are accountable to the Commission which, given its overall responsibility for the execution of operational budgets, remains ultimately responsible for that spending. The heads of delegation are also responsible for the administrative budget of their delegations, and that is part of the budget of the External Action Service, which has responsibility for administrative budgets. That is the origin of this discussion on the dual financial circuits, as it is called, where a head of delegation is accountable to the EEAS and ultimately Cathy Ashton for their management of the administrative budgets and, through the special provisions of the financial regulation, to the Commission, of which of course Cathy Ashton is Vice President, for the execution of operational budgets and aid programmes.

Particularly in the case of the CFSP budget, the specific difference there is that the service of the Commission that is responsible for the implementation of CFSP programmes and actions is a service that is directly under the authority of Cathy Ashton, as Vice President and responsible member of the Commission. In a way, she has the dual oversight of the CFSP budget, in that she is both working with the Council of Ministers and member states on the political orientations and decisions of what exactly that budget should be used for, and then

she is also the responsible commissioner when it comes to the service that is responsible for its implementation, which is the FPI, we call it—the foreign policy instruments.

**Q177 The Chairman:** On delegations, which is where Lord Radice started, one of the questions that the Committee has been interested to understand is how it is decided where delegations should be. You have obviously inherited the Commission ones. There are two questions. The quick question is: are there any other EU offices outside the 27 other than EEAS delegations these days? That is one question. The second one is: how do you view where you open new ones or particularly where you should close ones? Is it just that they are where they are, so that is still where they will be?

**Pierre Vimont:** In the first two years of the EEAS, we have already decided to close two of our delegations, precisely because we needed to open new ones. Think about Libya, where we had no delegation, or think about Burma, where we have an office at the moment, but intend to upgrade it to a delegation. Also, the High Representative wanted to have a greater presence from the EU in the Gulf, because at the moment our single delegation for the Gulf countries is in Saudi Arabia, so she asked for us to open in the Emirates and maybe later on in others. In other words, I would say it is a sort of constant review that we do as we move on to take into account the reality of the international scene, as it is moving on, and to look at ways in which we could update and adapt our network to what are the real needs of the EEAS. This again will be an ongoing process, but we have done it. We are closing in Suriname and the other one was in New Caledonia. We are opening in Tripoli, in Juba in South Sudan because it is independent, in the Emirates and in Burma, where we are upgrading. This is the way it works and I am sure it will go on in the future.

**Q178 The Chairman:** Do any of the other institutions have offices that are different from the EEAS ones worldwide?

**Patrick Child:** There are a number of financial projects, which, for example, in the list of questions that we saw, would include some kind of trade promotion office in India or other Asian countries, which are not institutionally part of the administration of the EEAS, but which are part of the EU presence, which is being supervised by the EU delegation. There is also a network of humanitarian assistance offices, the ECHO offices, which are present in a number of countries and which co-operate very closely with the delegations of the European Union, but also have direct links with the headquarters Commission services responsible for humanitarian assistance. That is for the purpose of maintaining a certain political independence of humanitarian actors by comparison with the political presence of the EU as such. In terms of the procedures for the opening and closing of delegations, Article 5 of the EEAS decision sets that out. Such decisions are taken on a proposal from the High Representative, but in agreement with the Council and the Commission.

**Q179 Lord Lamont of Lerwick:** Are there no other Commission offices, other than those you have mentioned?

**Patrick Child:** Not that I can recall.

**Lord Lamont of Lerwick:** I ask that because one of our witnesses, I cannot remember who it was, referred to EU offices in the Pacific islands. He referred to the Solomon Islands and the Cook Islands.

**\*Roshani Palamakumbura (Policy Analyst):** It was Brazil—Ambassador Charlton.\*

**Lord Lamont of Lerwick:** They are not in the list of EEAS missions. Maybe it is incorrect, but I wondered, if these offices existed, what exactly they were. My memory is right, is it not?

**Patrick Child:** I am happy to help your staff in clarifying any details. We do have a presence in the Pacific and a delegation present there, which is covering a large number of islands in

that region. It may be that, as part of that, there are people who, from time to time, go and work on other islands in premises under our authority, but these are not separate independent offices of the Commission.

**\*Roshani Palamakumbura (Policy Analyst):** He was referring to business associations with the EU.\*

**Lord Lamont of Lerwick:** Could we have the information, because I think it is quite an important point actually?

**Q180 Lord Foulkes of Cumnock:** I wanted to come on to the central thing before we run out of time. You have described Cathy Ashton's job as double, triple or quadruple-hatted. Some people have suggested it is an impossible task and that there might be a deputy. Your job is surely vital, and then you have got Helga Schmid, who is the Political Director, and then you have got the Director of Finance and the Chief Operating Officer. Can she not delegate more responsibility to you, Helga Schmid and to others?

**Pierre Vimont:** Yes, of course, and we are trying to do our best. The problem is that we are civil servants; we are not political figures. What we are talking about when we are talking about a deputy is, for instance, the capacity to replace Cathy Ashton when she cannot go to the European Parliament, for instance, and talk in the plenary sessions. All of us here present go regularly to the Committees, give hearings and have discussions with MEPs.

**Lord Foulkes of Cumnock:** You cannot go to the plenary session to talk.

**Pierre Vimont:** I can be there to assist, help and support, but I cannot take the floor in the plenary session. That is for either commissioners or the rotating presidency. This is why, when the High Representative cannot be there, she has to look for either the rotating presidency or a commissioner to replace here.

**Q181 Lord Foulkes of Cumnock:** What about Union Special Representatives? Now, there is a horizontal appointment for human rights. Is that right?

**Pierre Vimont:** Yes.

**Lord Foulkes of Cumnock:** That is a political person, a former foreign minister.

**Pierre Vimont:** He is a former minister, former MEP, but he would not be considered. Even if he is a former politician, he cannot be considered as having the right to speak on the floor. It will always come back to this very specific task, where if the High Representative cannot perform because her agenda prevents her from doing that, you need to find a political figure to replace her and a Special Representative is not considered a political figure so far.

**Q182 Lord Foulkes of Cumnock:** Does she have no power to appoint a deputy?

**Pierre Vimont:** If you look at the Lisbon Treaty or the decision of 2010, this does not exist. By the way, on the way up to the Lisbon Treaty and the Convention, the whole question of a deputy was raised by member states and by the delegation to the Convention. If you do not have a deputy to the High Representative in the Treaty, it is precisely because they could not agree, so they left the question on the side and thought that maybe they would come back to it another day.

**Q183 Lord Radice:** Will it mean a new treaty then just to appoint deputies?

**Pierre Vimont:** To be honest, as far as I can see, legal experts are fighting on this one, and I do not know exactly what the answer is.

**Lord Radice:** It does seem rather ridiculous to have a new treaty just to add deputies to Cathy Ashton.

**Lord Lamont of Lerwick:** It would be the subject of a referendum in the UK.

**The Chairman:** We will not get on to that one.

**Q184 Lord Foulkes of Cumnock:** Could one of the commissioners be appointed deputy to the High Representative as a special responsibility?

**Pierre Vimont:** This could be a possibility. It would be for the President of the Commission to decide. You have to understand that this was precisely at the core of the discussion.

Now that each member state has one commissioner, the fact that one of these commissioners could be deputy to another one, even if it is a vice president, raised a very sensitive issue about the idea that there could be different categories.

**James Morrison:** Plus commissioners are not allowed to take instructions from anybody else. Things are possible, and it is possible for the member state, the Commission and the Parliament to decide things without having to go back to an inter-governmental conference. As Pierre says, this issue was discussed in the past in the context of the Convention and no agreement was found, but now we have established the External Action Service and we have set up the multi-hatted job, it is a question for the future and for the next mandate.

**Lord Radice:** Is that the kind of thing you would like us to say?

**Q185 Lord Foulkes of Cumnock:** What could we do without having any Treaty amendments? We do not want referenda.

**Pierre Vimont:** I think a little bit along the lines of what James was saying, looking at the Treaty as it stands and seeing where possibilities do exist for this. There is another way of doing things, and this is more about practice than change of text. It is the idea of having all the commissioners who have, one way or another, competence in external relations meeting regularly at what is sometimes called a cluster of external relations. This has happened in the past, and can happen again, to try to co-ordinate their work in the best way possible.

**Q186 The Chairman:** I know I should not interrupt, but why does that not happen? I do not understand why that does not happen all the time, because it seems absolutely critical in terms of neighbourhood policy, enlargement and other areas that are absolutely central to the EEAS's work presumably that that does not happen anyway.

**James Morrison:** I think it does happen and it happens at a number of levels. Cathy Ashton has regular meetings with the commissioners who are dealing with external relations issues, but, for instance, in the case of the Commissioner for Neighbourhood, he does not have a

Commission service that deals with that; he uses the External Action Service and the desk. One of the principles when we set up the External Action Service was to ensure there was no duplication of geographical desks between the External Action Service and the Commission. Commissioners, like the Commissioner for Development and the Commissioner for Neighbourhood, use the External Action Service, and therefore you get an inbuilt co-ordination in that and avoidance of duplication.

**Q187 Lord Foulkes of Cumnock:** We heard that you, Mr Vimont, have regular meetings with the permanent secretaries of all the 27 countries. What kinds of things do you discuss and what has come out of that in practical terms?

**Pierre Vimont:** In practical terms, twice a year we have a meeting. It is a practice that existed before the EEAS came in; they used to meet already. They were very key, since the EEAS is here, and it is now definitely an interesting topic on their agenda. When we meet, we usually have a state of play of where the EEAS is and how it relates and interacts with the different national diplomatic services. In other words, there is the whole issue we have come through several times about precisely the question that was raised: the relationship between EU delegations and member states' embassies on the ground. This is where we usually get some positive remarks and observations from our colleagues, but how can we go further? As we are moving ahead, the next meeting we are going to have with the Secretary General will be about the review, where they intend to come in and give us their own assessment of two years of EEAS. We will take that on board and see what the best use we can make of it is. This is an example.

**Q188 Lord Foulkes of Cumnock:** Would you discuss, for example, the provision of consular services to countries that do not have their own mission?

**Pierre Vimont:** We have done that already, looking at this, but there we are very cautious for the obvious reasons: the EEAS has no expertise on that and, to some extent, no competence on that, when we are talking about consular services.

**Q189 Lord Foulkes of Cumnock:** If I am in a country where there is no British embassy—and there are some—but where there is a European delegation, as a European citizen, why can I not go to a European delegation for protection?

**Pierre Vimont:** You could, because there is a right of protection that has existed since the Maastricht Treaty, but, at the moment, this service is fulfilled by another member state embassy. That is the way the arrangements are going at the moment. Some member states are starting to say that they would like this to be taken over by the EU delegation but, for this, we need to have agreement from all 27 member states before moving in. Secondly, of course, if we have additional tasking with this, we will need the necessary resources, and I am not only talking about financial resources; I am talking about human resources.

**Q190 Lord Foulkes of Cumnock:** You would welcome that.

**Pierre Vimont:** We have to be very cautious. If all members ask for it, we could look at this, but we need to do it with our eyes wide open about all the consequences. It should be very limited. It is about assistance to individual citizens who do not have an embassy. It could be about managing crises, natural catastrophes, where we need to co-ordinate and could try to help, if people want us to be a focal point. This is what has happened naturally. Take for instance Japan, where member states did not know exactly what to do after the tsunami and when there was this huge nuclear threat. It was the head of our EU delegation who brought a little bit of calm and serenity among member states by organising meetings and trying to co-ordinate the action of the European embassies present on the ground. We are doing that already.



With regard to consular services—in other words legal acts and things of that sort—we cannot do it; we do not have the competence for that and we are not thinking about doing it, because it would need a whole change. In the country I know best, even diplomats are not allowed to do some of the consular services, because you need to be, as we say in French, an *officier de police judiciaire*, and diplomats are not.

**Q191 Lord Lamont of Lerwick:** I have to ask about the finance—the cost of the Service. It was originally set up in 2010 on the basis of budget neutrality. I know people say it was a new service, the IT, etc., but surely at a time of austerity and stringency, the right thing to do would have been maybe to have a smaller number of offices, if the IT budget could not cover 140, and to build it up slowly so you did not have to have additional resources. I think you got 5.3% one year on top, and €9.3 million the other year. Surely now the budget should be frozen and the staff should be frozen, given what is happening throughout the continent of Europe.

**Pierre Vimont:** Maybe I will let Patrick answer that, but I have just two remarks. First of all, we have done our homework on that and, even if we had an agreement by member states to increase to the amount you just alluded to, in the last two years we have made some pretty important savings, in the order of 10%. That is the first point.

The second thing is that one has to understand—and I am not criticising anyone, as this is the usual way it happens—that when we had the transfers from the Council and the Commission, they transferred some of the charges very easily, not always with the necessary financial resources. This happens in every country. We all know that this is the usual game, but the reality is that, when we started with the EEAS, even by keeping it at the level we had, in terms of staff, and so on, just by fulfilling some of the commitments we had—pensions or whatever—we did not have the exact resources we should have had right from the start. That was one of our main problems.

**Patrick Child:** I agree with those points, obviously. The reality is that, firstly, the very large majority of resources that went into the creation of the External Action Service were existing resources from the Commission and the Council Secretariat.

**Lord Lamont of Lerwick:** That is what “neutral” meant, yes.

**Patrick Child:** Obviously we receive those resources fully. The Lisbon Treaty introduced for the EEAS very considerable new responsibilities in managing the machinery of the Council in the headquarters and in taking over the tasks of the rotating presidencies in the third countries. These are activities that were previously provided and resourced by member states, which now no longer need to provide resources for these things. These are too difficult to calculate to come into the EU debate on budget neutrality, but are a very real increase in responsibilities for the EEAS and a very clear reduction correspondingly in the tasks that fell to member states in the rotating presidency. As Pierre says, to a very large extent, the new responsibilities of Lisbon in the headquarters have been absorbed by two successive quite substantial reviews of our resources to redeploy from areas where perhaps there was a lower priority or duplication between the previous work of the Commission and the Council Secretariat services, in order to provide the necessary resources for this additional work. We have also, in the last year, identified a significant number of posts to be transferred from our headquarter services to work in delegations, again in order to meet these new needs. We have made some very substantial efforts.

**Q192 Lord Lamont of Lerwick:** What about the level of salaries? One of our witnesses suggested that the level of salaries paid to the diplomats was high compared to national diplomatic services?

**Patrick Child:** The level of salaries of staff in EEAS is framed by the staff regulations that apply to all institutions, and which are decided on proposals from the Commission by the Council of Ministers collectively.

**Q193 The Chairman:** Fine; we understand that, whether we agree with it or not. To come back to Lord Lamont's question, in reality, how does that compare with national ones?

**Patrick Child:** It is a very mixed picture. I have had cases of colleagues who have joined the Service at a very senior level from being ambassadors in member state embassies in third countries, who have been very disappointed and shocked when they learned of the level of remuneration that they were going to receive as a senior official in the EEAS, by comparison to the package that they had previously received as a national diplomat. I guess there are other member states, which are perhaps less well resourced, where the economics work in another direction. If you look at the financial and accommodation package of the average EEAS head of delegation or diplomat, and you compare that to perhaps what is available in the UK system or in other large member states, you will not find very significant differences. To the extent that there are some, you will find them in both directions.

**Q194 Lord Lamont of Lerwick:** One of our witnesses, I cannot remember who, said there were too many senior staff at AD level.

**Patrick Child:** In the creation of the External Action Service, we had to put in place a senior management structure that corresponded to the needs of an organisation that is now more autonomous and independent of the Commission and the Council Secretariat services, which led to a small increase. Fewer than 10 more senior positions were created, in order to enable the service not only to be effectively managed, at a time of significant transition, but also to respond to the very considerable external representation responsibilities that fall to the service. The staffing of the service well reflects that.

**Lord Lamont of Lerwick:** The highest level is €16,000 per month. That is a pretty high salary, is it not? I cannot think of any UK diplomat who would be paid that. I cannot think of any Cabinet Minister who would be paid that.

**The Chairman:** Anything else? We have two minutes.

**Q195 Lord Lamont of Lerwick:** Actually, I have one more, which you will be relieved is not to do with cost. On the reporting from embassies, do the most important EU representatives ever give reports directly to the Council itself?

**Pierre Vimont:** Directly, I am not sure. I think it goes through us, but then we send it to the member states. They have their own.

**Q196 Lord Lamont of Lerwick:** The EU Ambassador in Brazil would never appear before the Council to say, "This is what I have been doing". Should he not?

**Pierre Vimont:** It can happen when they are here. The PSC, for instance, can ask our head of delegation in a place that is of some interest to them to go and give them an oral report, and it is the same with the European Parliament, of course. It is very eager to have heads of delegation when they are passing by. I should add that Special Representatives go regularly to the PSC to report, because this is not usually in their mandate. No, we have that. I was thinking about the written reports that are usually being circulated also. Of course, what we have asked our heads of delegation and our staff in delegations to do is to, directly on the ground with the member states' embassies, have direct contacts and communicate their information back and forth. Some of our heads of delegation are complaining that they are doing that, but it is a little bit of a one-way street at the moment.

**Q197 The Chairman:** Secretary General, we have come to the end of our time. The areas that we have not really covered are training and also recruitment. Perhaps it would be possible for you to drop us a note on those. We would be interested to understand whether national or member states give things like career security to people who come into the service to go back, how you have found that and whether that has meant that certain member states have been more successful in terms of people applying or not. If you could give us some written evidence on that, that would be useful.

**Pierre Vimont:** I could do that, but just to answer your question very briefly, the problem is that we do not yet have much experience, as we launched this two years ago. The first batch of diplomats that we recruited has not yet experienced a return back.

**The Chairman:** No but, having said that, if they did not think they were going to get back successfully, they would not have come in in the first place.

**Pierre Vimont:** Going to these meetings with the Secretaries General again, it was a bit of a surprise when we asked our question to our counterparts in member states, after what is normally a four-year term, “Would you like them back or would you prefer them with us?” to our surprise most of them said they wanted them back, because of the European experience they would have gathered. They said, “We have sent you some of our best diplomats, so we definitely want them back.”

**The Chairman:** Good, and quite right too, absolutely. Secretary General, can I thank you very much indeed? I am aware that, in the end, we did not really go through that in a logical order but, because of the two prior meetings we have already had, there were a number of issues that came up that re-focussed our minds very much. Thank you for going along with us and rather deviating from the script.

**Pierre Vimont:** It was a pleasure. Thank you very much for receiving us.