

**EUROPEAN UNION
THE COUNCIL**

**Brussels, 6 November 1997 (07.11)
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12083/97

LIMITE

CAB 5

COVER NOTE

from: Secretary-General of the Council

to : Council

Subject: Setting up the CFSP policy planning and early warning unit

As instructed by the Council on 26 June 1997, the Secretary-General of the Council hereby submits the attached report on possible organizational arrangements for setting up the CFSP policy planning and early warning unit.

After careful consideration of the respective advantages and disadvantages of various possible options (e.g. simply beefing up the existing CFSP unit or creating a completely new, parallel unit) it emerged that the arrangements set out below would have the advantage of maintaining a unified CFSP capability, while at the same time clearly profiling the new duties/responsibilities resulting from the declaration annexed to the Final Act and the creation of the office of CFSP High Representative.

This report does not specify what the size of the future policy planning and early warning unit should be. The Secretary-General will continue his deliberations in the light of the Council's discussions, and will submit more detailed organizational proposals in due course, when the basic political line is settled.

The European Council in Amsterdam called on the Council "to take as soon as possible the appropriate measures with a view to ensuring the full functioning of the Treaty as soon as it enters into force". The Council should therefore conduct its proceedings with sufficient dispatch to enable this goal to be met.

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REPORT

**from Secretary-General of the Council
to the Council**

Subject: Setting up the CFSP policy planning and early warning unit

Introduction

1. Following agreement on the draft Treaty of Amsterdam, the Council adopted conclusions on 26 June 1997 on preparing the implementation of the outcome of the IGC. In its conclusions, the Council invited the Secretary-General, *inter alia* ⁽¹⁾, to prepare a report to the Council after the signature of the new Treaty on possible organizational arrangements for setting up the CFSP policy planning and early warning unit.

2. This report is in response to that request; it proceeds on the assumption that the policy planning and early warning unit (PPU) should be ready to start work as soon as the Amsterdam Treaty comes into force. If the new Treaty enters into force in early 1999, the budgetary implications of setting up and running the PPU could initially make themselves felt in 1999. With that in mind, those budgetary implications would already have to be taken into account in 1998.

When scrutinizing this report, the Council should therefore aim to adopt conclusions before the end of the year if possible.

⁽¹⁾ In the conclusion, the Secretary-General was also invited to submit a report to the Council on the organizational aspects of integrating the Schengen Secretariat into the General Secretariat of the Council.

The Amsterdam Treaty and its implications for the General Secretariat of the Council in the field of external relations

3. The following provisions of the Treaty of Amsterdam, signed on 2 October 1997, directly affect the work of the General Secretariat of the Council in the field of external relations:

(a) the enhanced role for the Secretary-General of the Council, "who shall exercise the function of High Representative for the common foreign and security policy" (Article 18 of the TFIJ). Article 26 of the TEU provides that in that capacity, the Secretary-General is to

- contribute to the formulation, preparation and implementation of policy decisions;
- assist the Presidency in the new Troika;
- at the request of the Presidency, conduct political dialogue with third parties;

(b) the declaration annexed to the Final Act, stipulating that "a policy planning and early warning unit" is to be "established in the General Secretariat of the Council under the responsibility of its Secretary-General" (see Annex).

4. The General Secretariat of the Council is thus required to take on new CFSP duties, in addition to those it has already. In this connection it may be remembered that a permanent Secretariat for European Political Cooperation was first set up in 1986, when political cooperation was incorporated into the EC Treaty by virtue of the Single Act. This Secretariat was then integrated fully into the General Secretariat of the Council with the Treaty of Maastricht, and the changeover from EPC to the CFSP. Since then the various aspects of Union foreign policy have been handled, in keeping with the Council's conclusions on internal organization of 11 May 1992 ⁽¹⁾, within a single Directorate-General (DGE) overseeing an economic branch and a political branch, the CFSP unit.

(1) 6525/92, Annex I.

The proposals for the PPU contained in this report build on existing structures, with the aim of putting at the EU's disposal a single, efficient instrument, encompassing the General Secretariat's entire external relations capability. Existing structures will need to be fleshed out, particularly in the areas of planning and early warning referred to in the Amsterdam Treaty and the declaration annexed thereto, while also drawing on the capabilities of the Member States, the Commission and the WEU. Setting up a parallel bureaucracy must be avoided at all costs. What is needed is to supplement existing resources and use them effectively for the purposes of a common, consistent foreign policy.

5. The duties of the General Secretariat's CFSP Unit are currently as follows:
- to provide full secretarial support in the CFSP field for Working Parties, the Political Committee and for Coreper and the General Affairs Council (382 meetings in 1997);
 - to assist the Presidency/Troika in the area of political dialogue (154 meetings in 1997, including 49 outside Brussels);
 - to assist the Presidency in its contacts with other institutions and public relations (e.g. statements; drafting speeches and/or positions for the UN General Assembly or international conferences; relations with the European Parliament, particularly assisting the Presidency with parliamentary debates, written questions, etc.).
6. All this will need to continue, but at a qualitatively higher level, with the greater responsibility attributed to the Secretary-General/High Representative under the Treaty. In order to meet the specific demands laid upon him by the Council, especially with regard to the new duties stemming from the declaration annexed to the Final Act, the High Representative will have to call on the services of the new capability created by the Treaty, the PPU.

This initially raises the question whether, given the High Representative's direct responsibility for policy planning and early warning, the PPU could or should work separately or even independently from other General Secretariat departments dealing with EU foreign policy. In this connection it should be borne in mind that the declaration on policy planning and early warning laid particular stress on ensuring that EU foreign policy be fully coherent. It is also important to avoid creating two separate units with the same area of responsibility – the CFSP.

7. For these reasons, and in order to reflect the spirit and the letter of the Treaty as fully as possible, it is suggested that the PPU be integrated into Directorate-General E (External Relations) as a distinct unit, but closely cooperating with the existing CFSP unit and with the external economic relations department. The High Representative must have direct access to the PPU at all times, but also be able to call on all of the rest of the General Secretariat's CFSP staff.

Main functions and working methods of the PPU

8. The PPU must constitute a common (i.e. available to all participants) foreign policy capability in the furtherance of EU interests. Together with the CFSP unit, it should help to remedy certain of the CFSP's shortcomings, in particular
 - its inadequate ability to react quickly to current political events;
 - the difficulty of laying down guidelines which transcend national interests;
 - insufficient use of the (Community and national) instruments available to the Union;
 - lack of forward planning.

The PPU must add real value to the Union's common foreign and security policy by timely political assessment based on a clear identification of the Union's interests, creating, in good time, common ground for decision and action.

It must of course work in close agreement and cooperation with the Presidency, in order to ensure consistency with the Council's other foreign policy activities.

9. The declaration annexed to the Final Act of the Treaty assigns three main functions to the PPU. These functions, which are described in greater detail below, should also be reflected in organizational terms, by dividing the unit into three sections:

- (a) *"providing timely assessments and early warning of events or situations which may have significant repercussions for the Union's foreign and security policy, including potential political crises;"*; the unit should thus function as a **crisis management centre**, providing the Presidency and the High Representative with a rapid assessment capability to help them deal with crisis situations and important current events (this would include collecting and synthesizing information for rapid processing in the General Secretariat).

The EU does not at present possess this type of rapid assessment capability for the CFSP, and so it ought to be created when the unit is set up.

If the unit is to achieve this goal, it will be essential to effect a considerable improvement in **the flow and the quality of information available to the General Secretariat**. The following measures might be envisaged to this end:

- *The General Secretariat should enter into agreements (with the Member States, the Commission and the WEU) setting out the details of the forwarding, processing⁽¹⁾, use, classification and storage, etc. of sensitive information in the field of CFSP; the question of how the information would be kept confidential would have to be solved. It may also perhaps be necessary for Member States to set up contact points for passing on information.*

(1) Quick summary translations would need to be provided for information from Member States in languages other than English or French; normally only resumés or excerpts from documents would be translated.

- *Every Member State – and likewise the Commission and the WEU – could appoint a CFSP liaison officer within the General Secretariat, to whom sensitive material (e.g. diplomatic telegrams) would be sent. Such information should normally be accessible to the Secretariat officials dealing with the matter, subject to conditions to be laid down in the agreements. Certain particularly sensitive information would be given to only one official from the unit – from the Member State from which the information came – and to the High Representative and the Director-General of DG E.*
- *The unit should have all the relevant technical equipment at its disposal, for example the CORTESY network, secure telephone links (including encrypted fax) and an audio-conferencing system (and, as soon as technically feasible, a video-conferencing system) linking the General Secretariat, the Foreign Ministries, the Commission and the WEU; in case of emergency, these systems would also be available for coordination between Ministers and Political Directors.*

(b) *"producing, at the request of either the Council or the Presidency or on its own initiative, argued policy options papers to be presented under the responsibility of the Presidency as a contribution to policy formulation in the Council, and which may contain analyses, recommendations and strategies for the CFSP." These papers would focus debate in the General Affairs Council on the crucial questions to be decided, by setting out options based on an assessment of Union interests. This, the PPU's most important, central task, must be seen in close conjunction with the High Representative's task of contributing to the formulation, preparation and implementation of policy.*

In its present form, at present staffing levels, the CFSP unit is unable to get to grips with all of these demands, since the daily workload and the nature of the work (Working Parties, political dialogue, etc.) usually prevent it from focusing on analytical, strategic matters. There should therefore be a special team within the PPU, consisting of a number of experienced officials, able to contribute to policy formulation ("policy options team").

It should be pointed out here that the officials in this team would not be working on an issue on their own. The High Representative would (if necessary at the request of the Council or the Presidency) order an ad hoc task force to be set up or a team leader (chef de file) to be deployed, depending on the merits of the case, its urgency and how important it was to the Council. The PPU would usually be in charge. The remit of the task force or team leader would be to take stock of all aspects that could influence the Union's stance on a particular question, and set out options for the Council.

- (c) *"monitoring and analysing developments in areas relevant to the CFSP; providing assessments of the Union's foreign and security policy interests and identifying areas where the CFSP could focus in future;"* this is primarily a planning function that would enable the Union to make a contribution to conflict prevention. Priorities would have to be chosen in the light of the Union's immediate interests and of the operational utility of the result.

At present, this function is performed in only rudimentary fashion by the General Secretariat of the Council, and should be built up when the new unit is set up. The Commission's experience with its Conflict Prevention Network could be evaluated in this regard.

The function should correspond only in part to the "traditional" role of a planning unit in a national Foreign Ministry. Although, like national units, the unit would have the task of preparing long-term study papers, maintaining contact with academic institutions, etc., its working methods should be innovative. The unit should function primarily as a network, linking the planning staffs of the Foreign Ministries, the Union institutions, as well as other organizations and personalities who could contribute to formulating CFSP study papers. On this basis, the unit would ultimately be in a position to take on the role of a catalyst, covering national Foreign Ministries' planning on CFSP questions as well.

10. The work of the PPU and the CFSP unit must be organized so as to promote maximum efficiency and synergy. The declaration makes clear that the function of policy planning and early warning falls first and foremost to the PPU, but this does not preclude the CFSP unit's operational sections, with their relevant experience and detailed expertise, from contributing to planning and early warning. Conversely, the preparation (in the sense of guidance through the Council machinery) and implementation of policy decisions would fall first and foremost to the CFSP unit's operational sections, but the PPU will also as necessary have a contribution to make, whether by proposing ideas or initiatives on follow-up or by assessment and review. Joint teams and other flexible arrangements should always be possible at the discretion of the High Representative. It will be for the High Representative and the Director-General for External Relations under his authority to manage this with maximum efficiency and minimum overlap, ensuring clear lines of responsibility.

Council special representatives

11. The work of special representatives should be coordinated by the High Representative on the Council's behalf. Special representatives should be involved in the work of the General Secretariat, particularly in preparing for meetings of the Political Committee and the Council.

Cooperation with the Commission

12. In accordance with the declaration annexed to the Final Act, appropriate cooperation is to be established with the Commission in order to ensure full coherence with the Union's external economic and development policies. One of the forms to be taken by such cooperation is the secondment of a number to be determined of Commission officials to the unit. In order for full benefit to be derived from this arrangement, however, it needs to be accompanied by close cooperation in day-to-day business, particularly by way of involvement of Commission officials in task forces established by the High Representative or their cooperation with a designated team leader.

There is no question that the success of work as a whole depends on close cooperation and coordination between the High Representative and the prospective Commission Vice-President with responsibility for external relations.

Organization and staffing of the policy planning and early warning unit

13. The PPU is conceived as a common tool performing tasks which cannot be carried out in that form at national level. Nor is it intended to take over work done by the Member States collectively in CFSP bodies.

The staffing of the PPU should depend on the ambitions on which Member States have their sights in appointing a CFSP High Representative and establishing the unit.

As stipulated in the declaration annexed hereto from the Final Act of the Amsterdam Treaty, the unit is to consist of personnel drawn from the General Secretariat, the Member States, the Commission and the WFU. It has already become clear that many, if not all, Member States are very interested in contributing to the unit's work with an official from their Foreign Ministry. A number of the unit's officials should also be drawn from the General Secretariat of the Council and the Commission. Lastly, it would be desirable for the WEU to provide an official with a military background. A decision is therefore sought from the Council on the number of staff to be available to assist the High Representative.

14. In the Secretary-General's view, staff should be recruited on the responsibility of the High Representative and on the basis of candidates' qualifications, not in terms of national quotas. Under the Staff Regulations, the Secretary-General has to direct his efforts to "securing for the institution the services of officials of the highest standard of ability, efficiency and integrity, recruited on the broadest possible geographical basis from among nationals of Member States of the Communities". This should also apply to officials temporarily made available to the Council from Member States' Foreign Ministries. The period served by temporary officials should as a rule not exceed three to five years; an extension should, however, be possible if the situation so requires.

In other respects the High Representative has to have the necessary freedom and flexibility to deploy staff within the CFSP area as work requires.

15. The unit would have to bring together a combination of the following necessary skills:

- a thorough knowledge of issues relating to European integration, in particular the CFSP;
- political, economic and politico-military experience;
- experience of diplomatic service abroad;
- an ability to draft at speed and present complex issues clearly;
- experience in compiling and summarizing information;
- information technology know-how.

Even though the unit's officials should not be strictly broken down by subject area, it still needs to be ensured that the capabilities and expertise available in the unit cover all of the Union's priority areas.

ANNEX**Declaration annexed to the Final Act**

1. A policy planning and early warning unit shall be established in the General Secretariat of the Council under the responsibility of its Secretary-General and High Representative for the CFSP. Appropriate cooperation shall be established with the Commission in order to ensure full coherence with the Union's external economic and development policies.
2. The tasks of the unit shall include the following:
 - (a) monitoring and analysing developments in areas relevant to the CFSP;
 - (b) providing assessments of the Union's foreign and security policy interests and identifying areas where the CFSP could focus in future;
 - (c) providing timely assessments and early warning of events or situations which may have significant repercussions for the Union's foreign and security policy, including potential political crises;
 - (d) producing, at the request of either the Council or the Presidency or on its own initiative, argued policy options papers to be presented under the responsibility of the Presidency as a contribution to policy formulation in the Council, and which may contain analyses, recommendations and strategies for the CFSP.
3. The unit shall consist of personnel drawn from the General Secretariat, the Member States, the Commission and the WEU.
4. Any Member State or the Commission may make suggestions to the unit for work to be undertaken.
5. Member States and the Commission shall assist the policy planning process by providing, to the fullest extent possible, relevant information, including confidential information.