

EN

EN

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 14.10.2009
COM(2009) 550 final

**COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE
EUROPEAN PARLIAMENT**

**EXTENSION OF THE EXTERNAL SERVICE: OPENING OF A DELEGATION IN
ICELAND AND AN OFFICE IN LIBYA**

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

EXTENSION OF THE EXTERNAL SERVICE: OPENING OF A DELEGATION IN ICELAND AND AN OFFICE IN LIBYA

1. INTRODUCTION

In a communication adopted on 23 December 2008, the Commission announced its decision to open a new delegation to the Council of Europe and a new delegation in Uzbekistan. The same communication arranged for upgrading of the regionalised delegations in Djibouti, Kyrgyzstan, Liberia, Nepal, Tajikistan, Togo and Yemen. These actions should be finalised by the end of the year.

The development and consolidation of the network mentioned in the communication of 23 December 2008 required 16 redeployments of officials' posts within the External Service or from Relex family Directorates-General to the delegations. Any further development of the External Service can only be achieved with additional resources and therefore only the most urgent actions can be undertaken.

Against this background, the present communication addresses, on the one hand, the fact that Iceland applied on 23 July 2009 for membership in conformity with Article 49 of the Treaty on European Union and, on the other hand, the prospect of a new contractual basis for relations with Libya.

2. RATIONALE FOR OPENING A NEW DELEGATION IN ICELAND AND AN OFFICE IN LIBYA

2.1 Iceland

So far, Iceland has not been part of the enlargement agenda. However, the country is closely linked to the European Union as a member of the European Economic Area. Bilateral relations between the Commission and Iceland are currently followed by the Delegation in Norway.

Following Iceland's application for membership, the Council at its meeting of 27 July 2009 decided to implement the procedure laid down in Article 49 of the Treaty on European Union and, accordingly, requested the Commission to submit its opinion on the application. The Commission's opinion is based *inter alia* on the replies provided by the applicant country to a detailed questionnaire covering all aspects of the *acquis communautaire*.

Already during this preparatory phase, regular contacts take place between the Commission departments and the competent authorities of the applicant country in order to ensure a good mutual understanding: such contacts are of particular importance for drafting the Commission's opinion on Iceland's application. These contacts are further intensified if and when the Council decides on opening formal

accession negotiations and therefore it is standard practice for the Commission to be present on the ground in all applicant countries.

In line with this usual policy, there is a strong case for opening a delegation in Iceland at short notice. Pending the opening of a fully fledged delegation in Reykjavik, the Delegation in Oslo is ready to open an antenna in Reykjavik and/or send a member of staff to Iceland on long-term mission. For this purpose, following the framework detailed in the communication of 23 December 2008, Reykjavik is designated a place of employment distinct from delegations, allowing the assignment of external staff prior to the opening of the delegation.

2.2 Libya

Libya is a key country in such areas as the fight against terrorism, peace and security in Africa, illegal immigration across the Mediterranean Sea and energy. It is also playing an increasingly active role in the region, including in the African Union, in the Sahel, in the CEN-SAD organisation and in the Arab Maghreb Union. As political relations and dialogue with Libya are developing rapidly, a permanent presence on the spot is necessary.

Since the lifting of international sanctions on Libya in 2003, the European Union has developed a policy of gradual engagement with Libya. The main milestones of this process have been the October 2004 Council conclusions announcing numerous steps towards a policy of engagement with Libya and the October 2007 Council decision to start the process of negotiating a Framework Agreement with Libya, given that relations between the European Community and Libya are currently taking place outside a bilateral legal framework.

It is envisaged that this agreement will establish mechanisms for political dialogue and cooperation in the field of foreign and security policy, as well as for dialogue and cooperation on economic issues. It will contain provisions for a deep and comprehensive free trade area (FTA) covering trade in goods and services, investment issues and other key trade rules (intellectual property rights, competition, public procurement, etc.). The agreement will also provide for close cooperation on justice, freedom and security issues as well as on many sectoral issues, such as energy, transport, the environment, agriculture and rural development, fisheries and maritime governance, social issues, science and technology. The ongoing negotiations on the Framework Agreement require a constant flow of information among the two parties and a direct presence in Tripoli would greatly facilitate the negotiation process and the subsequent implementation of the Agreement, when it enters into force.

Until 2004, Libya did not benefit from any European Union financial assistance. Since then, financial assistance has been provided through direct contracts with European or international service providers. The Commission intends to provide more substantial financial assistance to Libya as of 2011, mainly through the European Neighbourhood and Partnership Instrument (ENPI). The development of our financial cooperation also requires a presence on the ground, namely for the efficient and sound management of the future cooperation projects, including day-to-day contacts in order to support the Libyan public administrations, as well as external contractors, that will prepare and implement this assistance.

Taking into account this background, it is proposed to establish in Tripoli a place of employment distinct from delegations. This office should be attached to the delegation in Tunis. In the future, it could be envisaged to convert this office into a regionalized delegation, according to the availability of the required resources.

3. HUMAN AND BUDGETARY RESOURCES

The human resources required and available to implement the openings programmed in this communication are shown in the table below. This does not preclude the possibility of adding to the strength of these delegations/offices if further resources become available.

As regards Iceland, 5 officials' posts should be granted on the basis of the final 2010 allocation. One additional local staff post was earmarked in the PDB 2010. As regards Libya, establishing a place of employment as the first step on the way to opening a delegation requires the availability of 2 contract staff and 4 local staff, already provided for in the PDB 2010.

<i>Additional human resources under Heading 5 of the budget</i>			
Delegation Office	Officials	Contract staff	Local staff
Iceland	5		1
Libya		2	4

The budgetary resources to be used are presented in the table below, broken down into start-up expenditure (one-off expenses directly linked to programmed openings) and annual expenditure (which is recurrent, and linked to the running costs of new delegations).

<i>Budgetary resources</i>		
Delegation Office	Start-up expenditure	Annual expenditure
Iceland	€36 250	€1 572 110
Libya	€298 650	€793 992
Total	€34 900	€ 366 102

LEGISLATIVE FINANCIAL STATEMENT FOR PROPOSALS HAVING A BUDGETARY IMPACT EXCLUSIVELY LIMITED TO THE REVENUE SIDE

1. NAME OF THE PROPOSAL:

POLICY AREA(S): EXTERNAL RELATIONS

ACTIVITY (-IES): EXTERNAL SERVICE – ADMINISTRATIVE EXPENDITURE OF THE DELEGATIONS

Title of draft decision: COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT – EXTENSION OF THE EXTERNAL SERVICE : OPENING OF DELEGATIONS IN ICELAND AND LIBYA

1. BUDGET LINE(S) + HEADING(S)

XX.010102: Expenditure related to staff in active employment of the delegations of the Commission of the European Communities

XX.010202: Expenditure related to external staff of the delegations of the Commission of the European Communities

XX.010212: Other management expenditure of the delegations of the Commission of the European Communities

XX.010302: Buildings and related expenditure of the delegations of the Commission of the European Communities

2. LEGAL BASIS

Administrative autonomy of the Commission

3. DESCRIPTION AND GROUNDS

It is proposed to open a new delegation in Iceland and an office in Libya.

Following Iceland's application for membership, regular contacts between the Commission services and the competent authorities of the applicant country are necessary for the elaboration of the Commission's opinion on Iceland's application. These contacts are further intensified as of the date the Council decides on opening formal accession negotiations and it is therefore standard practice for the Commission to be present on the ground in all applicant countries.

Libya is a key country in such areas as the fight against terrorism, peace and security in Africa, illegal immigration in the Mediterranean Sea and energy. It also has an increasingly active role in the region, including in the African Union, in the Sahel, in the CEN-SAD organisation and in the Arab Maghreb Union. Because the political

relations and dialogue with Libya is developing rapidly, a permanent presence on the spot is necessary.

4. DURATION AND ADDITIONAL COSTS

4.1 Period of application

Decision with a limited duration: decision in force from *[starting date]* to *[expiry date]*

Decision with an indefinite duration: decision in force from the beginning of 2010. In the case of Libya it will be of indefinite duration and in Iceland it will continue until such time as Iceland becomes a Member State (after which it will become a Representation office).

4.2 Estimated budgetary impact

The draft decision entails:

Savings

Additional costs related to salary and other costs of the statutory and external personnel required for the correct functioning of the proposed new delegation in Iceland and the new office in Libya.

4.3 Explanation of figures

The additional costs relate to the salary and associated infrastructure costs of the personnel, both statutory and external, required for the opening of the proposed two new places of employment. Detailed calculations specifying the precise nature of the estimated expenditure in each case are attached.

5. IMPACT ON FINANCIAL PROGRAMMING

The proposal is compatible with existing financial programming.

The proposal will entail reprogramming of the relevant heading in the financial perspective without requiring application of the provisions of the Inter-institutional Agreement.

The proposal will entail reprogramming of the relevant heading in the financial perspective and require application of the provisions of the Inter-institutional Agreement.

6. IMPACT OF SAVINGS OR ADDITIONAL COSTS ON THE ALLOCATION OF RESOURCES

Resources already allocated to the department(s) concerned

Resources already allocated under the APS/PDB exercise for year **2010**.

The APB 2010 foresees the allocation of credits for the creation of 2 contract agent posts and 4 local agents for the proposed office in Libya

- Resources to be requested during the next APS/PDB procedure
- Resources to be obtained by means of internal redeployment within departments
- Resources needed for year 2010 but not planned under the APS/PDB exercise for the year concerned

The opening of the delegation in Iceland will require the immediate allocation of 5 statutory posts (officials) and 1 local. These resources will be made available through an internal Commission redeployment of existing resources.

7. FORESEEABLE SCHEDULE OF ADDITIONAL REQUIREMENTS FOR ADMINISTRATIVE APPROPRIATIONS AND HUMAN RESOURCES

Figures in € FTE in persons/year	Year 2010		Year 2011		Year 2012		Year 2013		Year 2014		Total/annual cost	
	FTE	approp.	FTE	approp.	FTE	approp.	FTE	approp.	FTE	approp.	FTE	approp.
a) Statutory staff (all establishment plans)												
XX 01 01 02	5	1.007.000	5	825.000	5	825.000	5	825.000	5	825.000	5	4.307.000
b) External staff⁽¹⁾												
XX 01 02 02 (CS, SNE, INT and technical assistance in the overall allocation)	7	366.000	7	302.000	7	302.000	7	302.000	7	302.000	7	1.574.000
c) Other administrative expenditure⁽²⁾												
XX 01 02 12 (other appropriations in the overall allocation)		143.000		143.000		143.000		143.000		143.000		715.000
Other: XX 01 03 02		1.686.000		1.097.000		1.097.000		1.097.000		1.097.000		6.074.000
TOTAL	12	3.202.000	12	2.367.000	12	2.367.000	12	2.367.000	12	2.367.000	12	12.670.000

⁽¹⁾ CS = Contract staff; SNE = Seconded national experts; INT = agency staff (intérimaires)

⁽²⁾ ATA = Administrative and technical assistance