COUNCIL JOINT ACTION 2008/132/CFSP

of 18 February 2008

amending and extending the mandate of the European Union Special Representative for the South Caucasus

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Articles 14, 18(5) and 23(2) thereof,

Whereas:

(1) On 15 February 2007, the Council adopted Joint Action 2007/111/CFSP [1] amending and extending the mandate of the European Union Special Representative (EUSR) for the South Caucasus.

(2) On the basis of a review of Joint Action 2007/111/CFSP, the mandate of the EUSR should be amended and extended for a 12-month period.

(3) The EUSR will implement his mandate in the context of a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy as set out in Article 11 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

Article 1

European Union Special Representative

The mandate of Mr Peter Semneby as the European Union Special Representative for the South Caucasus is hereby extended until 28 February 2009.

Article 2

Policy objectives

1. The mandate of the EUSR shall be based on the policy objectives of the European Union in the South Caucasus. These objectives include:

(a) to assist Armenia, Azerbaijan and Georgia in carrying out political and economic reforms, notably in the fields of rule of law, democratisation, human rights, good governance, development and poverty reduction;

(b) in accordance with existing mechanisms, to prevent conflicts in the region, to contribute to the peaceful settlement of conflicts, including through promoting the return of refugees and internally displaced persons;

(c) to engage constructively with main interested actors concerning the region;

(d) to encourage and to support further cooperation between States of the region, in particular between the States of the South Caucasus, including on economic, energy and transport issues;

(e) to enhance the effectiveness and visibility of the European Union in the region.

2. The EUSR shall support the work of the Secretary-General/High Representative (SG/HR) in the region.

Article 3

Mandate

In order to achieve the policy objectives, the mandate of the EUSR shall be to:

(a) develop contacts with governments, parliaments, judiciary and civil society in the region;

(b) encourage Armenia, Azerbaijan and Georgia to cooperate on regional themes of common interest, such as common security threats, the fight against terrorism, trafficking and organised crime;

(c) contribute to the prevention of conflicts and to assist in creating the conditions for progress on settlement of conflicts, including through recommendations for action related to civil society and rehabilitation of the territories without prejudice to the Commission's responsibilities under the EC Treaty;

(d) contribute to the settlement of conflicts and to facilitate the implementation of such settlement in close coordination with the United Nations Secretary-General and his Special Representative for Georgia, the Group of Friends of the United Nations Secretary-General for Georgia, the Organisation for Security and Cooperation in Europe and its Minsk Group, and the conflict resolution mechanism for South Ossetia;

[1] OJ L 46, 16.2.2007, p. 75.

(e) intensify the European Union's dialogue with the main interested actors concerning the region;

(f) assist the Council in further developing a comprehensive policy towards the South Caucasus;

(g) through a support team:

— to provide the European Union with reporting and a continued assessment of the border situation,

— to facilitate confidence-building between Georgia and the Russian Federation, thereby ensuring efficient co-operation and liaison with all relevant actors,

— to establish relevant contacts in the conflict regions, thereby enabling the team to contribute to confidence-building and to assess border-related issues in those regions, after terms of reference have been agreed with the Georgian government and consultations held with all parties concerned (excluding operational field activities in Abkhazia and South Ossetia),

— to assist the Georgian Border Police and other relevant government institutions in Tbilisi in the implementation of the comprehensive integrated border management strategy,

— to work with the Georgian authorities to increase communication between Tbilisi and the border, including mentoring. This shall be done by liaison and by working closely with all levels of the chain of command between Tbilisi and the border (excluding operational field activities in Abkhazia and South Ossetia);

(h) contribute to the implementation of the EU human rights policy and EU Guidelines on Human Rights, in particular with regard to children and women in conflict affected areas, especially by monitoring and addressing developments in this regard.

Article 4

Implementation of the mandate

1. The EUSR shall be responsible for the implementation of the mandate acting under the authority and operational direction of the Secretary-General/High Representative (SG/HR).

2. The Political and Security Committee (PSC) shall maintain a privileged link with the EUSR and shall be the primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate.

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 March 2008 to 28 February 2009 shall be EUR 2 800 000.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be eligible as from 1 March 2008. The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the European Communities with the exception that any pre-financing shall not remain the property of the Community.

3. The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Article 6

Constitution and composition of the team

1. Within the limits of his mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting his team in consultation with the Presidency, assisted by the SG/HR, and in full association with the Commission. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the SG/HR, the Presidency and the Commission informed of the composition of his team.

2. Member States and institutions of the European Union may propose the secondment of staff to work with the EUSR. The salary of personnel who are seconded by a Member State or an institution of the EU to the EUSR shall be covered by the Member State or the institution of the EU concerned respectively. Experts seconded by Member States to the General Secretariat of the Council may also be posted to the EUSR. International contracted staff shall have the nationality of an EU Member State.

3. All seconded personnel shall remain under the administrative authority of the sending Member State or EU institution and shall carry out their duties and act in the interest of the mandate of the EUSR.

Article 7

Privileges and immunities of the EUSR and his staff

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the EUSR and the members of his staff shall be agreed with the host party/parties as appropriate. Member States and the Commission shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of his team shall respect security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations [1], in particular when managing EU classified information.

Article 9

Access to information and logistical support

1. Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.

2. The Presidency, the Commission and/or Member States, as appropriate, shall provide logistical support in the region.

Article 10

Security

In accordance with the EU's policy on the security of personnel deployed outside the EU in an operational capacity under Title V of the Treaty, the EUSR shall take all reasonably practicable measures, in conformity with his mandate and the security situation in his geographical area of responsibility, for the security of all personnel under his direct authority, notably by:

(a) establishing a mission-specific security plan based on guidance from the General Secretariat of the Council, including mission-specific physical, organisational and procedural security measures, governing management of the secure movement of personnel to, and within, the mission area, as well as management of security incidents and including a mission contingency and evacuation plan;

(b) ensuring that all personnel deployed outside the EU are covered by high risk insurance as required by the conditions in the mission area;

(c) ensuring that all members of his team to be deployed outside the EU, including locally contracted personnel, have received appropriate security training before or upon arriving in the mission area, based on the risk ratings assigned to the mission area by the General Secretariat of the Council;

(d) ensuring that all agreed recommendations made following regular security assessments are implemented and providing the SG/HR, the Council and the Commission with written reports on their implementation and on other security issues within the framework of the mid-term and mandate implementation reports.

Article 11

Reporting

The EUSR shall regularly provide the SG/HR and the PSC with oral and written reports. The EUSR shall also report as necessary to working groups. Regular written reports shall be circulated through the COREU network. Upon recommendation of the SG/HR or the PSC, the EUSR may provide the General Affairs and External Relations Council with reports.

Article 12

Coordination

The EUSR shall promote overall EU political coordination. He shall help to ensure that all EU instruments in the field are engaged coherently to attain the EU's policy objectives. The activities of the EUSR shall be coordinated with those of the Presidency and the Commission, as well as those of other EUSRs active in the region as appropriate. The EUSR shall provide Member States' missions and Commission's delegations with regular briefings.

In the field, close liaison shall be maintained with the Presidency, Commission and Member States' Heads of Mission who shall make best efforts to assist the EUSR in the implementation of the mandate. The EUSR shall also liaise with other international and regional actors in the field.

Article 13

Review

The implementation of this Joint Action and its consistency with other contributions from the European Union to the region shall be kept under regular review. The EUSR shall present the SG/HR, the Council and the Commission with a progress report before the end of June 2008 and a comprehensive mandate implementation report by mid-November 2008. These reports shall form a basis for evaluation of this Joint Action in the relevant working groups and by the PSC. In the context of overall priorities for deployment, the SG/HR shall make recommendations to the PSC concerning the Council's decision on renewal, amendment or termination of the mandate.

[1] OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2007/438/EC (OJ L 164, 26.6.2007, p. 24).

Article 14

Entry into force

This Joint Action shall enter into force on the date of its adoption.

Article 15

Publication

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 18 February 2008.

For the Council
The President
D. RUPEL