COUNCIL JOINT ACTION 2006/124/CFSP

of 20 February 2006

extending the mandate of the Special Representative of the European Union for Afghanistan

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) The mandate of the European Union Special Representative for Afghanistan (EUSR), as set out in Council Joint Action 2003/871/CFSP [1] expires on 28 February 2006.

(2) On the basis of a review of Joint Action 2003/871/CFSP, the mandate of the EUSR should be revised 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

The mandate of Mr Francesc VENDRELL as the EUSR in Afghanistan is hereby extended until 28 February 2007.

Article 2

The mandate of the EUSR shall be based on the policy objectives of the EU in Afghanistan. In particular the EUSR shall:

1. contribute to the implementation of the EU-Afghanistan Joint Declaration and the Afghanistan Compact as well as the relevant United Nations (UN) Security Council Resolutions and other relevant UN Resolutions;

2. encourage positive contributions from regional actors in Afghanistan and from neighbouring countries to the peace process in Afghanistan and thereby contribute to the consolidation of the Afghan state;

3. support the pivotal role played by the UN, notably the Special Representative of the Secretary-General; and

4. support work of the Secretary General/High Representative (SG/HR) in the region.

Article 3

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

(a) convey the EU's views on the political process while drawing on the key principles agreed between Afghanistan and the international community, in particular the EU-Afghanistan Joint Declaration and the Afghanistan Compact;

(b) establish and maintain close contact with and give support to the Afghan representative institutions, in particular the government and Parliament. Contact should also be maintained with other Afghan political figures and other relevant players inside as well as outside the country;

(c) maintain close contact with relevant international and regional organisations, notably with the local representatives of the UN;

(d) stay in close contact with neighbouring and other interested countries in the region, so that their views on the situation in Afghanistan and the development of cooperation between these countries and Afghanistan are taken into account in EU policy;

(e) advise on the progress achieved in meeting the objectives of the EU-Afghanistan Joint Declaration and the Afghanistan Compact, — in particular in the following areas:

— good governance and the establishment of rule of law institutions,

— security sector reforms, including establishment of judicial institutions, a national army and police force,

— respect for human rights of all Afghan people, regardless of gender, ethnicity or religion,

[1] OJ L 326, 13.12.2003, p. 41. Joint Action as last amended by Joint Action 2005/585/CFSP (OJ L 199, 29.7.2005, p. 96).

— respect of democratic principles, the rule of law, the rights of persons belonging to minorities, the rights of women and children and the principles of international law,

— fostering participation by women in public administration and civil society,

— respect for Afghanistan's international obligations, including cooperation in international efforts to combat terrorism, illicit drug trafficking and trafficking in human beings,

— facilitation of humanitarian assistance and the orderly return of refugees and internally displaced persons;

(f) in consultation with representatives of Member States and the Commission, assist in ensuring that the EU's political approach is reflected in its action for the development of Afghanistan;

(g) jointly with the Commission, actively participate in the Monitoring Mechanism established under the Afghanistan Compact;

(h) advise on the participation and the positions of the EU in international conferences on Afghanistan.

Article 4

1. The EUSR shall be responsible for the implementation of the mandate acting under the authority and operational direction of the SG/HR. The EUSR shall be accountable to the Commission for all expenditure.

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 strategic guidance and political input to the EUSR within the framework of the mandate.

Article 5

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR shall be EUR 1 330 000.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union 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. Expenditure shall be eligible as from 1 March 2006.

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

Article 6

1. Within the limits of his mandate and the corresponding financial means made available, the EUSR is responsible for constituting his team in consultation with the Presidency, assisted by the SG/HR, and in full association with the Commission. The EUSR shall inform the Presidency and the Commission of the final composition of his team.

2. Member States and institutions of the EU may propose the secondment of staff to work with the EUSR. The remuneration of personnel who might be 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.

3. All A-type posts which are not covered by secondment will be advertised as appropriate by the General Secretariat of the Council and also notified to Member States and institutions of the EU in order to recruit the best-qualified applicants.

4. 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 defined with the parties. Member States and the Commission shall grant all necessary support to such effect.

Article 7

As a rule, the EUSR will report in person to the SG/HR and to the PSC and may report also to the relevant Working Group. Regular written reports will be circulated to the SG/HR, Council and Commission. The EUSR may report to the General Affairs and External Relations Council on the recommendation of the SG/HR and the PSC.

Article 8

To ensure the consistency of the external action of the EU, the activities of the EUSR shall be coordinated with those of the SG/HR, the Presidency and the Commission. The EUSR shall provide regular briefings to Member States' missions and Commission delegations. In the field, close liaison shall be maintained with the Presidency, the Commission and 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 9

The implementation of this Joint Action and its consistency with other contributions from the EU to the region shall be kept under regular review. The EUSR shall present to the SG/HR, Council and Commission a progress report before the end of June 2006 and a comprehensive mandate implementation report by mid-November 2006. 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.

Article 10

This Joint Action shall enter into force on the day of its adoption. It shall apply as from 1 March 2006.

Article 11

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

Done at Brussels, 20 February 2006.

For the Council
The President
J. PRÖLL