(Acts adopted pursuant to Title V of the Treaty on European Union)

COUNCIL JOINT ACTION
of 25 November 2002
extending the mandate of the European Union Monitoring Mission

(2002/921/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article 14 thereof,

Whereas:

(1) On 22 December 2000, the Council adopted Joint Action 2000/811/CFSP on the European Union Monitoring Mission [1]. That Joint Action expires on 31 December 2002.

(2) The operation of the European Union Monitoring Mission (hereinafter referred to as 'EUMM') is currently governed by the Agreement between the Union and the Federal Republic of Yugoslavia approved by Decision 2001/352/CFSP [2] and by that between the Union and the Former Yugoslav Republic of Macedonia approved by Decision 2001/682/CFSP [3], and by Memoranda of Understanding and Exchanges of Letters with the other Host Parties of the Western Balkans.

(3) The EUMM's mandate should be extended.

(4) It is necessary to guarantee the safety of the monitors,

HAS ADOPTED THIS JOINT ACTION:

Article 1

The mandate of the EUMM shall be extended.

Article 2

1. The primary objective of the Mission is to contribute, in a flexible manner, through information gathering and analysis in line with directions from the Secretary-General/High Representative and the Council, to the effective formulation of Union policy towards the Western Balkans.

2. To that end, the EUMM shall in particular:

(a) monitor political and security developments in the area of its responsibility;

(b) give particular attention to border monitoring, inter-ethnic issues and refugee return;

(c) provide analytical reports on the basis of tasking received;

(d) contribute to the early warning of the Council and to confidence building, in the context of the policy of stabilisation conducted by the Union in the region.

3. The Council may also initiate specific tasking in coordination with the Secretary-General/High Representative and the Commission.

In the fulfilment of its tasks, the EUMM shall coordinate its activities closely with the European Union Heads of Mission and relevant international organisations in the Western Balkans with a view to contributing to a more effective policy of the European Union in the Western Balkans.

Article 3

1. The Secretary General/High Representative, acting in close coordination with the Presidency, shall define the tasks of the EUMM in accordance with the policy, as adopted by the Council, regarding the Western Balkans.

2. The EUMM shall report to the Council on the accomplishment of its tasks through the Secretary-General/High Representative.

3. The Secretary-General/High Representative shall ensure that the EUMM functions flexibly and in a streamlined manner. In that context, he shall regularly reexamine the functions and the geographical territory covered by the EUMM so as to continue to adapt the internal organisation of the EUMM to the priorities of the Union in the Western Balkans. He shall report to the Council by 30 September 2003 and shall put forward recommendations. The Commission shall be fully associated.

Article 4

The EUMM shall be structured as follows:

(a) headquarters composed of a Head of Mission, a Deputy Head of Mission, a Legal Adviser, an analysis section, a finance and administrative cell, a data base management unit and a communications and logistics cell;

[1] OJ L 328, 23.12.2000, p. 53, as last extended by Joint Action 2001/845/CFSP (JO L 315, 1.12.2001, p. 1).
[2] OJ L 125, 5.5.2001, p. 1.
[3] OJ L 241, 11.9.2001, p. 1.

(b) EUMM offices to maintain essential local contacts, coordinate closely with Union Heads of Mission and relevant international organisations, provide operational feedback to EUMM headquarters and support to mobile teams' rapid redeployment;

(c) mobile teams with rapid deployment capability, tasked to report in accordance with the mandate set out in Article 2(3).

Article 5

1. The Head of Mission shall be appointed by the Council on the basis of proposals submitted by the Secretary-General/High Representative for a period of one year, renewable for up to three years. He shall ensure the day-to-day management of EUMM operations.

The Deputy Head of Mission shall be seconded by the Member State holding the Presidency.

2. The number and competences of the EUMM staff shall be consistent with the objectives and structure set out in Articles 2 and 4.

3. The international staff shall be seconded by Member States for a minimum period of one year. Each Member State shall bear the costs related to the personnel seconded by it, including salaries, allowances, accommodation costs and travel expenses to and from the Western Balkans.

4. Non-European Union Member States participating in the OSCE, currently providing staff to the EUMM, may continue their participation. They shall be asked to bear the cost of sending the staff nominated by them and to contribute to the current expenditure of the EUMM in an appropriate proportion taking into account the size of their participation and their gross national product.

5. The State or Community institution having appointed a staff member shall be responsible for answering any claims linked to the appointment, from or concerning the staff member. The State or Community institution in question shall be responsible for bringing any action against the staff member linked to this appointment.

6. Levels of local staff shall be consistent with the structure set out in Article 4.

Article 6

1. The financial reference amount for the implementation of this Joint Action shall be EUR 5 182,563.

2. The amount specified in paragraph 1 shall be allocated to finance the infrastructure and current expenditure of the EUMM, including expenditure relating to local staff.

The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the European Community rules and procedures applicable to the budget.

3. The Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.

Article 7

The detailed rules governing the EUMM operations in the area of its responsibility shall be laid down in arrangements to be concluded in accordance with the procedure laid down in Article 24 of the Treaty.

Article 8

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

It shall apply until 31 December 2003.

Article 9

This Joint Action shall be published in the Official Journal.

Done at Brussels, 25 November 2002.

For the Council

The President

T. PEDERSEN