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COUNCIL DECISION (CFSP) 2016/610

of 19 April 2016

on a European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA)

(OJ L 104, 20.4.2016, p. 21)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Decision (EU) 2017/971 of 8 June 2017	L 146	133	9.6.2017
►**M2**	Council Decision (CFSP) 2018/1082 of 30 July 2018	L 194	140	31.7.2018
►**M3**	Council Decision (CFSP) 2018/1941 of 10 December 2018	L 314	54	11.12.2018
►**M4**	Council Decision (CFSP) 2020/1133 of 30 July 2020	L 247	22	31.7.2020
►**M5**	Council Decision (CFSP) 2022/1334 of 28 July 2022	L 201	27	1.8.2022
►**M6**	Council Decision (CFSP) 2023/1600 of 3 August 2023	L 196	35	4.8.2023

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COUNCIL DECISION (CFSP) 2016/610

of 19 April 2016

on a European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA)

Article 1

Mission

1. The Union shall conduct a CSDP Military Training Mission in the Central African Republic (EUTM RCA) in order to contribute to the Defence Sector Reform in the CAR within the Central African Security Sector Reform process coordinated by MINUSCA.

▼M5

2. Working towards the goal of modernised, effective and democratically accountable Central African Armed Forces (FACA), EUTM RCA shall provide:

(a) strategic advice to the Central African Republic's Ministry of Defence and to the FACA General Staff in support of the creation of capable security forces under democratic control that respect human rights, international humanitarian law and international standards regarding gender issues, the protection of civilians, the Women, Peace and Security (WPS) agenda and the Children and Armed Conflict (CAAC) agenda, as well as advice to training establishments for commissioned and non-commissioned officers of the FACA in order to create a capable leadership education system;

(b) education to the FACA in non-operational domains, including human rights, international humanitarian law, gender issues, the protection of civilians, the Women, Peace and Security (WPS) agenda and the Children and Armed Conflict (CAAC) agenda;

(c) if the Political and Security Committee decides that conditions are met, training to the FACA;

(d) support for the strategic communication efforts to foster Union values, promote Union action and expose violations and abuses of human rights and international humanitarian law by foreign forces in the Central African Republic.

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3. EUTM RCA shall provide within its means and capabilities military, security and rule-of-law expertise to the Union delegation to the Central African Republic.

▼M4

4. EUTM RCA shall coordinate with the European Union CSDP Advisory Mission in the Central African Republic (EUAM RCA) and other international actors, in particular MINUSCA, with a view to ensuring the provision of a coherent integrated support to the Government and security forces of the Central African Republic.

▼B

5. EUTM RCA shall operate in accordance with the political and strategic objectives set out in the Crisis Management Concept approved by the Council on 14 March 2016.

Article 2

Appointment of the EU Mission Commander

▼M1

1. The Director of the Military Planning and Conduct Capability (MPCC) shall be EUTM RCA mission commander.

2. Brigadier General Herman Ruys is hereby appointed EU Mission Force Commander of EUTM RCA.

▼B

Article 3

Designation of the Mission Headquarters

▼M1

1. The MPCC shall be the static command and control structure at the military strategic level outside the area of operations, which is responsible for the operational planning and conduct of EUTM RCA.

2. The Mission Force Headquarters of EUTM RCA shall be located in Bangui and shall operate under the command of the Mission Force Commander.

3. A support cell in Brussels of the Mission Force Headquarters shall be included in the MPCC until the MPCC has reached full operational capacity.

▼B

Article 4

Planning and launch of EUTM RCA

1. The Rules of Engagement applicable to EUMAM RCA shall be applicable to EUTM RCA in its planning phase in the Bangui province.

2. EUTM RCA shall be launched by a Council Decision on the date recommended by the EU Mission Commander following approval of the Mission Plan and of the Rules of Engagement.

Article 5

Political control and strategic direction

1. Under the responsibility of the Council and of the HR, the PSC shall exercise the political control and strategic direction of EUTM RCA. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 38 TEU. This authorisation shall include the powers to amend the planning documents, including the Mission Plan and the Rules of Engagement. It shall also include the powers to take decisions on the appointment of subsequent ►M1 the EU Mission Force Commanders ◄. The powers of decision with respect to the objectives, scope and the termination of EUTM RCA, as well as the general conditions for the implementation of its tasks, shall remain vested in the Council.

2. The PSC shall report to the Council at regular intervals.

3. The PSC shall, at regular intervals, receive reports from the chairman of the EU Military Committee (EUMC) regarding the conduct of EUTM RCA. The PSC may invite the EU Mission Commander ►M1 and the EU Mission Force Commander ◄ to its meetings, as appropriate.

▼B

Article 6

Military direction

1. The EUMC shall monitor the proper execution of EUTM RCA conducted under the responsibility of the EU Mission Commander.

2. The EUMC shall, at regular intervals, receive reports from the EU Mission Commander. It may invite the EU Mission Commander ►M1 and the EU Mission Force Commander ◄ to its meetings, as appropriate.

3. The chairman of the EUMC shall act as the primary point of contact with the EU Mission Commander.

Article 7

Consistency of the Union's response and coordination

1. The HR shall ensure the implementation of this Decision and its consistency with the Union's external action as a whole, including the Union's development programmes and its humanitarian assistance.

▼M1

2. Without prejudice to the chain of command, the EU Mission Force Commander shall receive local political guidance from the Head of the Union Delegation to the Central African Republic.

▼B

3. The HR, assisted by the European External Action Service (EEAS), shall act as the primary point of contact with the UN, the CAR authorities and neighbouring countries, the African Union (AU), the Economic Community of Central African States (ECCAS), as well as with other relevant international and bilateral actors.

▼M4

4. The coordination arrangements between the EU Mission Force Commander, the Union actors, in particular EUAM RCA, and local key strategic partners relevant to the operation shall be defined in the Mission Plan.

▼B

Article 8

Participation by third States

1. Without prejudice to the Union's decision-making autonomy and its single institutional framework, and in accordance with the relevant guidelines of the European Council, third States may be invited to participate in EUTM RCA.

2. The Council hereby authorises the PSC to invite third States to offer contributions and to take the relevant decisions on the acceptance of proposed contributions, upon the recommendation of the EU Mission Commander ►M1 in consultation with the EU Mission Force Commander, ◄ and the EUMC.

3. Detailed arrangements for the participation by third States shall be the subject of agreements concluded pursuant to Article 37 TEU and in accordance with the procedure laid down in Article 218 TFEU. Where the Union and a third State have concluded an agreement establishing a framework for the latter's participation in crisis management missions of the Union, the provisions of such an agreement shall apply in the context of EUTM RCA.

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4. Third States making significant military contributions to EUTM RCA shall have the same rights and obligations in terms of the day-to-day management of EUTM RCA as Member States taking part in EUTM RCA.

5. The Council hereby authorises the PSC to take relevant decisions on the setting up of a Committee of Contributors should third States provide significant military contributions.

Article 9

Status of EU-led personnel

The status of EU-led units and personnel, including the privileges, immunities and further guarantees necessary for the fulfilment and smooth functioning of their mission, shall be the subject of an agreement concluded pursuant to Article 37 TEU and in accordance with the procedure laid down in Article 218 TFEU.

Article 10

Financial arrangements

1. The common costs of EUTM RCA shall be administered in accordance with Decision (CFSP) 2015/528.

▼M2

2. The financial reference amount for the common costs of EUTM RCA for the period until 19 September 2018 shall be EUR 18 180 000. The percentage of this reference amount referred to in Article 25(1) of Decision (CFSP) 2015/528 shall be 15 % and the percentage referred to in Article 34(3) of that Decision shall be 60 % for commitment and 15 % of payment.

▼M3

3. The financial reference amount for the common costs of EUTM RCA for the period from 20 September 2018 until 19 September 2020 shall be EUR 26 131 485. The percentage of this reference amount referred to in Article 25(1) of Decision (CFSP) 2015/528 shall be 0 % and the percentage referred to in Article 34(3) of that Decision shall be 0 % for commitments and 0 % for payments.

▼M4

4. The financial reference amount for the common costs of EUTM RCA for the period from 20 September 2020 until 19 September 2022 shall be EUR 36 960 000. The percentage of this reference amount referred to in Article 25(1) of Decision (CFSP) 2015/528 shall be 0 % and the percentage referred to in Article 34(3) of that Decision shall be 10 % for commitments and 0 % for payments.

▼M5

5. The financial reference amount for the common costs of EUTM RCA for the period from 20 September 2022 until 20 September 2023 shall be EUR 7 813 000. The percentage of the reference amount referred to in Article 51(2) of Council Decision (CFSP) 2021/509 ([1]) shall be 15 % in commitments and 0 % for payments.

([1]) Council Decision (CFSP) 2021/509 of 22 March 2021 establishing a European Peace Facility, and repealing Decision (CFSP) 2015/528 (OJ L 102, 24.3.2021, p. 14).

▼M6

6. The financial reference amount for the common costs of EUTM RCA for the period from 20 September 2023 until 19 September 2024 shall be EUR 5 212 000. The percentage of the reference amount referred to in Article 51(2) of Decision (CFSP) 2021/509 shall be 15 % in commitments and 0 % for payments.

▼B

Article 11

Project cell

1. EUTM RCA shall have a project cell for identifying and implementing projects, to be financed by the Union, Member States or third States, which are consistent with its objectives and contribute to the delivery of the mandate.

2. Athena may manage the financial contributions linked to the projects referred to in paragraph 1 of this Article in accordance with Article 30 of Decision (CFSP) 2015/528.

3. Under no circumstances shall the Union or the HR be held liable by contributing States for acts or omissions by EUTM RCA in the use of the funds provided by those States.

Article 12

Release of information

1. The HR shall be authorised to release to the third States associated with this Decision, as appropriate and in accordance with the needs of EUTM RCA, EU classified information generated for the purposes of EUTM RCA, in accordance with Council Decision 2013/488/EU ([1]), as follows:

(a) up to the level provided in the applicable Security of Information Agreements concluded between the Union and the third State concerned; or

(b) up to 'CONFIDENTIEL UE/EU CONFIDENTIAL' level in other cases.

2. The HR shall also be authorised to release to the UN and the AU, in accordance with the operational needs of EUTM RCA, EU classified information up to 'RESTREINT UE/EU RESTRICTED' level which is generated for the purposes of EUTM RCA, in accordance with Decision 2013/488/EU. Arrangements between the HR and the competent authorities of the UN and the AU shall be drawn up for that purpose.

3. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State any EU classified information up to 'RESTREINT UE/EU RESTRICTED' level which is generated for the purposes of EUTM RCA, in accordance with Decision 2013/488/EU. Arrangements between the HR and the competent authorities of the host State shall be drawn up for that purpose.

([1]) Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information (OJ L 274, 15.10.2013, p. 1).

▼B

4. The HR shall be authorised to release to the third States associated with this Decision any EU non-classified documents connected with the deliberations of the Council relating to EUTM RCA and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure ([1]).

5. The HR may delegate such authorisations, as well as the ability to conclude the arrangements referred to in this Article, to EEAS officials and/or to the EU Mission Commander ►M1 and/or to the EU Mission Force Commander. ◄.

Article 13

Entry into force and termination

1. This Decision shall enter into force on the date of its adoption.

▼M6

2. Subject to a strategic assessment to be conducted by the PSC no later than March 2024, EUTM RCA shall end on 19 September 2024.

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3. This Decision shall be repealed as from the date of closure of the Mission Headquarters of EUTM RCA in accordance with the plans approved for the termination of EUTM RCA, and without prejudice to the procedures regarding the audit and presentation of the accounts of EUTM RCA, as laid down in Decision (CFSP) 2015/528.

([1]) Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).