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

COUNCIL JOINT ACTION

of 19 December 2001

appointing the Special Representative of the European Union to act as Coordinator of the Stability Pact for South-Eastern Europe

(2001/915/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

(1) On 14 December 2000 the Council adopted Joint Action 2000/793/CFSP appointing the Special Representative of the European Union to act as Coordinator of the Stability Pact for South-Eastern Europe, and repealing Joint Action 1999/523/CFSP [1]. That Joint Action expires on 31 December 2001.

(2) The mandate of the said Special Representative should be extended and a successor to Mr Bodo Hombach appointed.

(3) On 19 November 2001 the Council adopted conclusions on the European Union's position on the future orientation with regard to the Stability Pact.

(4) On 30 March 2000 the Council adopted guidelines on the procedure for appointing Special Representatives of the European Union (EUSRs) and administrative arrangements concerning them,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mr Erhard BUSEK is hereby appointed Special Representative of the European Union to carry out the functions of Special Coordinator for the Stability Pact for South-Eastern Europe (hereinafter 'Special Coordinator') according to the arrangements provided for in point 13 of the Stability Pact document.

Article 2

1. The Special Representative shall carry out the tasks envisaged by the Stability Pact for South-Eastern Europe, as follows:

— promote achievement of the Pact's objectives within, and between, the individual countries;

— chair the South-Eastern Europe Regional Table;

— establish and maintain close contact with all participants and facilitating States, organisations and institutions of the Pact, as well as pertinent regional initiatives and organisations;

— provide periodic progress reports to the Chairman-in-Office of the Organisation for Security and Cooperation in Europe, according to its procedures, on behalf of the South-Eastern Europe Regional Table;

— participate in the High Level Steering Group of the donors coordination process;

— cooperate closely with all institutions of the European Union in order to promote the role of the European Union in the Pact in accordance with points 18, 19 and 20 of the Stability Pact document;

— meet periodically and as necessary with the Chairmen of the Working Tables to ensure overall coordination;

— provide the secretariat of the South-Eastern Europe Regional Table and the three Working Tables.

2. As part of his duties, and in consultation with the participants in the Pact, the Special Representative shall make an evaluation of the present activities and working methods of the Pact and shall submit a report to the Council not later than March 2002, containing suggestions for improvement. The Special Representative is also asked to establish, within the framework of the priorities adopted by the Regional Table on 28 June 2001, a list of priority actions for all the Working Tables to implement during the course of 2002.

Article 3

The Union shall, by providing its Special Representative with the necessary human and logistical resources, make a contribution to his functions as Special Coordinator in accordance with this Joint Action.

The Union looks to the other participants in the Stability Pact for South-Eastern Europe also to make a contribution to the functioning of the Pact.

Article 4

The Special Representative shall liaise closely with the Office of the High Representative in Bosnia and Herzegovina and with the United Nations Civil Administration in Kosovo.

[1] OJ L 318, 16.12.2000.

Article 5

1. The financial reference amount intended to cover the operational expenditure related to the mission of the Special Representative shall be EUR 1 420 290 for 2002.

2. The amount specified in paragraph 1 shall be allocated to financing the operating expenditure of the Central Office of the Stability Pact for South-Eastern Europe in Brussels over the period in question.

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

4. The management of operational expenditure shall be subject to a contract between the Special Representative and the Commission.

Article 6

1. The Special Representative shall conclude a contract with the Council.

2. The Special Representative shall be responsible for implementing his mandate, including the constitution of his team, in consultation with the Presidency, assisted by the Secretary-General/High Representative, and in full association with the Commission.

3. Member States and institutions of the European Union may propose the secondment of staff to work with the Special Representative. The remuneration of personnel who might be seconded by a Member State or an institution of the European Union to the Special Representative shall be covered respectively by the Member State or the institution of the European Union concerned.

4. All A-type posts shall be published in Member States and in the institutions of the European Union and filled by the best-qualified applicants.

5. The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission of the Special Representative 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.

The equipment, supplies and premises for the Brussels office of the Stability Pact for South-Eastern Europe shall be purchased or rented on behalf of and for the European Communities.

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

Article 7

The Special Representative shall report directly to the Secretary-General/High Representative. He shall be accountable to the Secretary-General/High Representative for administrative expenditure incurred in respect of his activities.

Article 8

1. The Special Representative shall submit regular reports, on his own initiative or when requested, to the Council through the Secretary-General/High Representative. These reports shall also be forwarded to the Commission.

2. The implementation of this Joint Action shall be kept under regular review, taking into account notably the development of, and consistency with, other contributions of the European Union to the region.

Article 9

Positions of the European Union in the context of the Stability Pact for South-Eastern Europe shall be determined in accordance with the guidelines adopted by the Council.

Article 10

This Joint Action shall enter into force on 1 January 2002.

It shall apply until 31 December 2002.

Article 11

This Joint Action shall be published in the Official Journal.

Done at Brussels, 19 December 2001.

For the Council

The President

A. NEYTS-UYTTEBROECK