COUNCIL JOINT ACTION 2008/108/CFSP

of 12 February 2008

amending and extending the mandate of the European Union Special Representative for the African Great Lakes Region

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 2007/112/CFSP [1] appointing Mr Roeland VAN DE GEER European Union Special Representative (EUSR) for the African Great Lakes Region for the period from 1 March 2007 to 29 February 2008.

(2) On 12 June 2007, the Council adopted Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo) [2], and Joint Action 2007/406/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (EUSEC RD Congo) [3].

(3) On 20 December 2007, the Council adopted Joint Action 2008/38/CFSP [4] amending Joint Action 2007/405/CFSP (EUPOL RD Congo) to reflect the new command and control structure for EU civilian crisis management operations as approved by the Council on 18 June 2007.

(4) The mandate of the EUSR should be adjusted to the role he has been assigned in relation to these two European Union SSR missions in the Democratic Republic of the Congo and, on the basis of a review of Joint Action 2007/112/CFSP, be extended for a 12-month period.

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

[1] OJ L 46, 16.2.2007, p. 79.
[2] OJ L 151, 13.6.2007, p. 46.
[3] OJ L 151, 13.6.2007, p. 52.
[4] OJ L 9, 12.1.2008, p. 18.

HAS ADOPTED THIS JOINT ACTION:

Article 1

European Union Special Representative

The mandate of Mr Roeland VAN DE GEER as the European Union Special Representative (EUSR) for the African Great Lakes Region is hereby extended until 28 February 2009.

Article 2

Policy objectives

The mandate of the EUSR shall be based on the policy objectives of the European Union regarding the further stabilisation and consolidation of the post-conflict situation in the African Great Lakes Region, paying particular attention to the regional dimension of the developments in the countries concerned. Promoting, in particular, compliance with the basic norms of democracy and good governance, including respect for human rights and the rule of law, these objectives include:

(a) active and effective contribution to a consistent, sustainable and responsible policy of the European Union in the African Great Lakes Region, promoting a coherent overall European Union approach in the region. The EUSR shall support the work of the Secretary-General/High Representative (SG/HR) in the region;

(b) ensuring the continued commitment of the European Union to the stabilisation and reconstruction processes in the region, through an active presence on the ground and in relevant international fora, staying in touch with key players and contributing to crisis management;

(c) contributing to the post-transition phase in the Democratic Republic of the Congo (DRC), in particular as regards the political process of consolidating the new institutions and defining a broader international framework for political consultation and coordination with the new government;

(d) contributing, in close cooperation with the United Nations/MONUC, to the international support efforts to pursue a comprehensive Security Sector Reform in the DRC, in particular in view of the coordinating role the European Union is ready to assume in this context;

(e) contributing to appropriate follow-up measures to the International Conference of the Great Lakes Region, in particular by establishing close contacts with the Great Lakes Secretariat and its Executive Secretary as well as with the Troika of the follow-up mechanism and by promoting good neighbourly relations in the region;

(f) addressing the still considerable problem of armed groups operating across the borders with the risk of destabilising the countries in the region and aggravating their internal problems;

(g) contributing to the post-conflict stabilisation in Burundi, Rwanda and Uganda, in particular through accompanying peace negotiations with armed groups like FNL and LRA.

Article 3

Mandate

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

(a) establish and maintain close contact with the countries of the Great Lakes Region, the United Nations, the African Union, key African countries and main partners of the DRC and the European Union, as well as regional and sub-regional African organisations, other relevant third countries and other key regional leaders;

(b) advise and report on the possibilities for European Union supporting the stabilisation and consolidation process and on how best to pursue European Union initiatives;

(c) provide advice and assistance for security sector reform (SSR) in the DRC;

(d) contribute to the follow-up to the International Conference of the Great Lakes Region, in particular by supporting policies defined in the region pursuing the objectives of non-violence and mutual defence in the resolution of conflicts as well as, regarding the regional cooperation, by promoting human rights and democratisation, good governance, combating impunity, judicial cooperation, and the fight against the illegal exploitation of natural resources;

(e) contribute to a better understanding of the European Union's role among opinion leaders in the region;

(f) contribute, where requested, to the negotiation and implementation of peace and cease-fire agreements between the parties and engage with them diplomatically in the event of non-compliance with the terms of these agreements; in the context of the ongoing LRA negotiations, such activities should be pursued in close coordination with the EUSR for Sudan;

(g) contribute to the implementation of the European Union human rights policy and European Union Guidelines on human rights, in particular the European Union Guidelines on Children and Armed Conflict, and the European Union policy regarding UN Security Council Resolution 1325(2000) on Women, Peace and Security, including by monitoring and reporting on 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 1 370 000.

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.

[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 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

1. The EUSR shall promote coherence between CFSP/ESDP actors and 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.

2. In the field, close liaison shall be maintained with 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.

3. The EUSR shall ensure consistency between the activities of the EUSEC and EUPOL RD Congo missions and provide the Heads of these missions with local political guidance. The EUSR shall contribute to coordination with the other international players involved in security sector reform in the DRC. The EUSR and the Civilian Operation Commander shall consult each other as required.

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 2009 and a comprehensive mandate implementation report by mid-November 2009. 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 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, 12 February 2008.

For the Council
The President
A. BAJUK