JOINT ACTION

of 29 April 1997

adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the establishment of a European Union assistance programme to support the Palestinian Authority in its efforts to counter terrorist activities emanating from the territories under its control

(97/289/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles J.3 and J.11 thereof,

Having regard to the declarations adopted by the European Council in Florence on 21 and 22 June 1996 and in Dublin on 13 and 14 December 1996,

Whereas the Council declaration adopted on 1 October 1996 states that the European Union is ready to play an active part in promoting the Middle East Peace Process, commensurate with its interests in the region and on the basis of its major contribution to the Peace Process so far;

Whereas the Council, on 20 January 1997, reiterated that the European Union would continue its active role in promoting and strengthening the said Peace Process,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. A European Union assistance programme (hereinafter referred to as 'the programme') is hereby established, for a duration of three years, in order to support the Palestinian Authority (PA) in its efforts to counter terrorist activities emanating from the territories under its control and to assist in the establishment of related Palestinian administrative structures.

2. The objective of the programme is to support the PA's capacity to counter terrorism and help sustain the Middle East Peace Process and to provide the relevant security and police services with a comprehensive understanding of the principles of human rights in the implemenation of their activities in the territories under the control of the PA.

3. The programme shall include the following elements: training in surveillance, search and interview techniques; the establishment of a technical investigation bureau with forensic capability; training of management personnel of the security and police agencies involved to bring about cooperation and effective reaction concerning acts of terrorism; assistance to senior management of the various services for effective administration. The programme will be complemented by measures in the fields of human rights training, procurement of equipment and services, information technology, secure communications and explosive ordnance disposal, in accordance with Article 3 (6).

4. Periodic independent evaluations shall be conducted at agreed stages, depending on progress.

5. The programme shall be suspended if the PA fails:

— to cooperate fully in the implementation of the programme,

— to take appropriate measures to ensure respect for human rights in the implementation of the programme,

— to allow European Union monitoring and/or periodic external evaluations to that effect.

6. The operational, administrative and financial aspects of the programme shall be reviewed on a yearly basis.

Article 2

1. A European Union adviser (hereinafter referred to as the 'EU adviser') is hereby appointed to oversee the implementation of the programme, to monitor the proper use of European Union-provided capabilities for the purposes of implementing Article 1 (3). The EU adviser and the Commission, within the scope of their respective competences, shall ensure appropriate coordination between the programme, Community assistance and the bilateral assistance provided by the Member States and shall cooperate to this end.

2. The EU adviser shall be appointed for the duration of the programme, subject to the review mentioned in Article 1 (6).

3. The EU adviser shall be guided by the Presidency and shall report, under the Presidency's authority, to the Council or its designated instances on a regular basis and as the need arises.

Article 3

1. In order to cover the costs related to the establishment of the programme, a sum of ECU 3,6 million shall be charged to the general budget of the European Communities as follows: ECU 1,2 million to the budget for 1997, ECU 1,8 million to the budget for 1998 and ECU 0,6 million to the budget for 1999. The sum charged to the budget for 1997 shall be available to finance the expenditure related to the programme with effect from the date of adoption of this Joint Action.

2. 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.

3. The European Union shall finance the infrastructure and current expenditure of the EU adviser, including his salary and the cost of his staff.

4. The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the programme and of the EU adviser and his international staff shall be defined with the parties. The Member States and the Commission shall grant all necessary support to that effect.

5. The Council notes that the Presidency, the Commission and Member States, as appropriate, shall provide support in the region.

6. The Council takes note of the measures which the Commission intends to propose as Community action in support of the objectives of this Joint Action, in particular in the fields of human rights training, procurement of equipment and services, information technology, secure communications and explosive ordnance disposal.

Article 4

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

It shall apply until 29 April 2000.

Article 5

This Joint Action shall be published in the Official Journal.

Done at Luxembourg, 29 April 1997.

For the Council

The President

H. VAN MIERLO