COUNCIL JOINT ACTION 2005/822/CFSP

of 21 November 2005

amending and extending Joint Action 2004/847/CFSP on the European Union Police Mission in Kinshasa (DRC) regarding the Integrated Police Unit (EUPOL 'Kinshasa')

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular Article 14, Article 25, third subparagraph, thereof,

Whereas:

(1) Joint Action 2004/847/CFSP [1] establishing EUPOL Kinshasa expires on 31 December 2005.

(2) On 6 October 2005, the President of the Democratic Republic of Congo (DRC), Mr Joseph Kabila, sent a letter to the Secretary-General/High Representative (SG/HR), inviting the EU to extend EUPOL Kinshasa.

(3) On 7 November 2005, the Council agreed to extend EUPOL Kinshasa for another 12 months after the expiration of the current mandate. This Joint Action covers the first phase of this extension until 30 April 2006.

(4) Third States should participate in the operation in accordance with the guidelines laid down by the Nice European Council.

(5) The current security situation in the DRC may deteriorate, with potentially serious repercussions on the process of strengthening democracy, the rule of law and international and regional security. A continued commitment of EU political effort and resources will help to embed stability in the region.

(6) On 9 December 2004, the Political and Security Committee appointed Superintendent Adilio Custodio as Head of Mission for EUPOL Kinshasa, whose mandate should be extended for the duration of the Mission,

[1] OJ L 367, 14.12.2004, p. 30.

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2004/847/CFSP is hereby amended as follows:

1. Article 2 shall be replaced by the following:

'*Article 2*

Planning phase

The General Secretariat of the Council shall develop all technical instruments necessary to execute EUPOL Kinshasa. The Head of Mission shall elaborate an Operation Plan (OPLAN) which shall take into account a comprehensive risk assessment. The Council shall approve the OPLAN.';

2. Article 3 shall be replaced by the following:

'*Article 3*

Mission statement

The European Union shall conduct a police mission in Kinshasa (DRC) in order to monitor, mentor and advise the setting up and the initial running of the IPU in order to ensure that the IPU acts following the training received in the Academy Centre and according to international best practices in this field. These actions shall be focused on the IPU chain of command to enhance the management capability of the IPU and to monitor, mentor and advise the operational Units in the execution of its tasks.

EUPOL Kinshasa shall continue to monitor, mentor and advise on the setting up and the development of the IPU, including more extensive advice to the chain of command of IPU regarding the execution of missions and further advice on other issues complementary to the effective conduct of policing in DRC, and shall enhance liaison with EUSEC RD CONGO in the field of security sector reform.';

3. Article 4 shall be replaced by the following:

'*Article 4*

Structure of the Mission

The Mission will be composed of a Head quarter (HQ) and police monitors. The HQ will consist of the office of the Head of the Mission and an administration support branch. All monitors, mentors and advisors, as well as the trainers, will be co-located in the IPU operational base.';

4. Article 10(1) shall be replaced by the following:

'1. The financial reference amount intended to cover the expenditure related to the mission shall be a maximum amount of EUR 4 370 000 for the period from 9 December 2004 until 30 April 2006.';

5. Article 10(2)(b) shall be replaced by the following:

'(b) the Police Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.';

6. In Article 14, the second subparagraph, shall be replaced by the following:

'It shall expire on 30 April 2006.'

Article 2

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

Article 3

This Joint Action shall be published in the *Official Journal of the European Union*.

Done at Brussels, 21 November 2005.

For the Council
The President
J. STRAW