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

COUNCIL JOINT ACTION 2005/724/CFSP

of 17 October 2005

appointing the European Union Special Representative in the former Yugoslav Republic of Macedonia and repealing Joint Action 2005/589/CFSP

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 28 July 2005 the Council adopted Joint Action 2005/589/CFSP [1] extending the mandate of Mr Michael SAHLIN as the European Union Special Representative in the former Yugoslav Republic of Macedonia until 15 November 2005.

(2) It has been agreed to appoint Mr Erwan FOUÉRÉ as the new European Union Special Representative in the former Yugoslav Republic of Macedonia, as of 1 November 2005.

(3) Joint Action 2005/589/CFSP should be repealed.

(4) The European Union Special Representative will implement his mandate in the context of a situation which may deteriorate and harm the objectives of the Common Foreign and Security Policy as set out in Article 11 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mr Erwan FOUÉRÉ is appointed European Union Special Representative (EUSR) in the former Yugoslav Republic of Macedonia from 1 November 2005 until 28 February 2006.

Article 2

The mandate of the EUSR shall be based on the policy objective of the European Union in the former Yugoslav Republic of Macedonia, which shall be to contribute to the consolidation of the peaceful political process and the full implementation of the Ohrid Framework Agreement, thereby facilitating further progress towards European integration through the Stabilisation and Association Process.

The EUSR shall support the work of the High Representative in the region.

Article 3

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

(a) maintain close contact with the Government of the former Yugoslav Republic of Macedonia and with the parties involved in the political process;

(b) offer the European Union's advice and facilitation in the political process;

(c) ensure coordination of the international community's efforts to help in the implementation and sustainability of the provisions of the Framework Agreement of 13 August 2001, as set out in the Agreement and its Annexes;

(d) follow closely and report on security and interethnic issues and liaising with all relevant bodies to that end;

(e) provide local political guidance to the Head of Mission/Police Commissioner of the European Union Police Mission (EUPOL/Proxima), ensure coordination between the Police Mission and other EU actors, and assume responsibility for relations between the Police Mission and host party authorities and media;

(f) together with the Head of Mission/Police Commissioner of EUPOL/Proxima and in coordination with the presidency, conduct a regular dialogue with the authorities of the former Yugoslav Republic of Macedonia on the progress of EUPOL/Proxima.

Article 4

1. The EUSR shall be responsible for the implementation of the mandate acting under the authority and operational direction of the High Representative. The EUSR shall be accountable to the Commission for all expenditure.

[1] OJ L 199, 29.7.2005, p. 103.

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 strategic guidance and political input to the EUSR within the framework of the mandate.

Article 5

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR shall be EUR 215 000.

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 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.

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

Article 6

1. Within the limits of his mandate and the corresponding financial means made available, the EUSR is responsible for constituting his team in consultation with the Presidency, assisted by the Secretary General/High Representative, and in full association with the Commission. The EUSR shall inform the Presidency and the Commission of the final 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 remuneration of personnel who might be seconded by a Member State or an institution of the European Union to the EUSR shall be covered by the Member State or the institution of the European Union concerned respectively.

3. All A-type posts which are not covered by secondment shall be advertised as appropriate by the General Secretariat of the Council and also notified to Member States and institutions of the European Union in order to recruit the best-qualified applicants.

4. 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 defined with the parties. Member States and the Commission shall grant all necessary support to such effect.

Article 7

As a rule, the EUSR shall report in person to the High Representative and to the PSC and may report also to the relevant Working Group. Regular written reports shall be circulated to the High Representative, the Council and the Commission. On the recommendation of the High Representative and the PSC, the EUSR may report to the General Affairs and External Relations Council.

Article 8

To ensure the consistency of the external action of the European Union, the activities of the EUSR shall be coordinated with those of the High Representative, the Presidency and the Commission. The EUSR shall provide regular briefings to Member States' missions. In the field, close liaison shall be maintained with the Presidency and 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.

Article 9

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 a comprehensive written report on the implementation of the mandate to the High Representative, the Council and the Commission two months before the mandate expires. The report 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 High Representative shall make recommendations to the PSC concerning the Council's decision on renewal, amendment or termination of the mandate.

Article 10

Joint Action 2005/589/CFSP is hereby repealed with effect from 31 October 2005.

Article 11

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

Article 12

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

Done at Luxembourg, 17 October 2005.

For the Council
The President
M. BECKETT