

**COUNCIL JOINT ACTION 2003/871/CFSP  
of 8 December 2003**

**extending and amending the mandate of the Special Representative of the European Union in  
Afghanistan**

THE COUNCIL OF THE EUROPEAN UNION,

*Article 3*

Having regard to the Treaty on European Union and, in particular, Articles 14, 18(5) and 23(2) thereof,

Whereas:

- (1) On 10 December 2002 the Council adopted Joint Action 2002/961/CFSP<sup>(1)</sup> amending and extending the mandate of the Special Representative of the European Union in Afghanistan.
- (2) By Council Joint Action 2003/448/CFSP the mandate of the Special Representative was extended until 31 December 2003.
- (3) On the basis of a review of Joint Action 2002/961/CFSP, the mandate of the Special Representative should be extended.
- (4) On 17 November 2003 the Council adopted Guidelines on the appointment, mandate and financing for European Union Special Representatives,

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

- (a) convey the Union's views on the political process while drawing on the key principles agreed between the Afghan parties and the international community, including the Bonn Agreement, the Tokyo document and Security Council Resolution 1419. These principles include the intention to establish a broad-based, gender-sensitive, multi-ethnic and fully representative government;
- (b) establish and maintain close contact with and give support to the Afghan Transitional Administration. Contact should also be established and maintained with other Afghan leaders inside as well as outside the country;
- (c) establish and maintain close contact with relevant international and regional organisations, notably with the local representatives of the UN;
- (d) stay in close contact with neighbouring and other interested countries in the region so that their views on the situation in Afghanistan are taken into account in Union policy;
- (e) advise on the progress of the Bonn process, in particular in the following areas:
  - progress towards a broad-based, gender-sensitive, multi-ethnic and fully representative government committed to peace with Afghanistan's neighbours,
  - preparation of a new constitution and the constitutional Loya Jirga,
  - preparation for elections scheduled for 2004,
  - respect for human rights of all Afghan people, regardless of gender, ethnicity or religion,
  - respect of democratic principles, the rule of law, the rights of persons belonging to minorities, the rights of women and children and the principles of international law,
  - fostering participation by women in public administration and civil society,
  - respect for Afghanistan's international obligations, including cooperation in international efforts to combat terrorism, illicit drug trafficking and trafficking in human beings,

HAS ADOPTED THIS JOINT ACTION:

*Article 1*

The mandate of Mr Francesc VENDRELL as the European Union Special Representative (EUSR) in Afghanistan is hereby extended.

*Article 2*

The mandate of the EUSR will be based on the policy objectives of the European Union in Afghanistan. In particular the EUSR shall:

1. contribute to the integrity and full implementation of the Bonn Agreement as well as the United Nations (UN) Security Council Resolution 1378, 1419 and other relevant UN Resolutions;
2. encourage positive contributions from regional actors in Afghanistan and from neighbouring countries to the peace process in Afghanistan and thereby contribute to the consolidation of the Afghan State; and
3. support the pivotal role played by the UN, notably the Special Representative of the Secretary-General;
4. support work of the High Representative in the region.

<sup>(1)</sup> OJ L 334, 11.12.2002, p. 3. Joint Action as amended by Joint Action 2003/448/CFSP (OJ L 150, 18.6.2003, p. 73).

- facilitation of humanitarian assistance and the orderly return of refugees and internally displaced persons,
  - security sector reforms, including establishment of judicial institutions, a national army and police force;
- (f) in consultation with representatives of Member States and the Commission, contribute to ensure that the Union's political approach is reflected in its action for the reconstruction of Afghanistan, including to encourage a process undertaken by the Afghan Transitional Government in partnership with the international community leading to the development of verifiable benchmarks and monitoring systems on how to achieve the key principles agreed between the Afghan parties and the international community;
- (g) advise on the participation and the positions of the Union in international conferences on Afghanistan.

#### 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.
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 496 000.
2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union 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, will provide logistical support in the region.

#### Article 6

1. Within the limits of his/her mandate and the corresponding financial means made available, the EUSR is responsible for constituting his/her 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-grade posts which are not covered by secondment will be advertised as appropriate by the General Secretariat of the Council and also notified to Member States and institutions 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 will report in person to the High Representative and to the PSC and may report also to the relevant working group. Regular written reports will be circulated to the High Representative, to the Council and to the Commission. The EUSR may report to the General Affairs and External Relations Council on the recommendation of the High Representative and the PSC.

#### 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. EUSRs will provide regular briefings to Member States' missions and Commission delegations. In the field, close liaison shall be maintained with the Presidency, the Commission 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, which shall form a basis for evaluation of the 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

This Joint Action shall enter into force on 1 January 2004.

It shall apply until 30 June 2004.

*Article 11*

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

Done at Brussels, 8 December 2003.

*For the Council*

*The President*

F. FRATTINI

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