

COUNCIL JOINT ACTION 2006/120/CFSP**of 20 February 2006****extending the mandate of the European Union Special Representative for Moldova**

THE COUNCIL OF THE EUROPEAN UNION,

and territorial integrity of the Republic of Moldova within its internationally recognised borders;

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

(b) to contribute to the strengthening of democracy, rule of law and respect for human rights and fundamental freedoms for all citizens of the Republic of Moldova;

Whereas:

(1) The mandate of the European Union Special Representative (EUSR) for Moldova as set out in Council Joint Action 2005/265/CFSP of 23 March 2005 appointing a Special Representative of the European Union for Moldova ⁽¹⁾ is due to expire on 28 February 2006.

(c) to promote good and close relations between the Republic of Moldova and the EU on the basis of common values and interests and as set out in the European Neighbourhood Policy (ENP) Action Plan;

(2) On 20 September 2005, the Political and Security Committee (PSC) agreed to the establishment of an EU Border Mission for Moldova-Ukraine including through the reinforcement of the team of the EUSR for Moldova.

(d) to assist in the fight against the trafficking of human beings and of weapons and other goods, from and through Moldova;

(3) On the basis of a review of Joint Action 2005/265/CFSP, the mandate of the EUSR should be extended for a 12-month period.

(e) to contribute to strengthening stability and cooperation in the region;

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

(f) to enhance EU effectiveness and visibility in the Republic of Moldova and the region;

(g) to enhance the effectiveness of border and customs controls and border surveillance activities in Moldova and Ukraine along their common border, with a particular focus on the Transnistrian section, notably through an EU Border Mission.

HAS ADOPTED THIS JOINT ACTION:

Article 1

The mandate of Mr Adriaan JACOBOWITS de SZEGED as the European Union Special Representative (EUSR) for Moldova is hereby extended until 28 February 2007.

2. The EUSR shall support the work of the Secretary General/High Representative (SG/HR) in the Republic of Moldova and the region, and work in close cooperation with the Presidency, EU Heads of Missions and the Commission.

Article 2

1. The EUSR's mandate shall be based on the EU's policy objectives in Moldova. These objectives include:

(a) to contribute to a peaceful settlement of the Transnistria conflict and to the implementation of such a settlement on the basis of a viable solution, respecting the sovereignty

Article 3

1. In order to achieve the policy objectives, the EUSR's mandate shall be to:

(a) strengthen the EU contribution to the resolution of the Transnistria conflict in accordance with agreed EU policy objectives and in close coordination with the OSCE, representing the EU through appropriate channels and in agreed fora and by developing and maintaining close contacts with all relevant actors;

⁽¹⁾ OJ L 81, 30.3.2005, p. 50. Joint Action as last amended by Joint Action 2005/776/CFSP (OJ L 292, 8.11.2005, p. 13).

- (b) assist in the preparation, as appropriate, of EU contributions to the implementation of an eventual conflict settlement;
- (c) follow closely political developments in the Republic of Moldova, including in the Transnistrian region, by developing and maintaining close contacts with the Government of the Republic of Moldova and other domestic actors, and offer as appropriate the EU's advice and facilitation;
- (d) assist in the further development of the EU's policy towards the Republic of Moldova and the region, in particular regarding conflict prevention and conflict resolution;
- (e) through a support team led by a Senior Political Adviser to the EUSR:
- (i) assure political overview of developments and activities related to the Moldovan-Ukrainian state border;
 - (ii) analyse the political commitment of Moldova and Ukraine to improving border management;
 - (iii) promote cooperation on border issues between the Moldovan and Ukrainian sides, also in view of building preconditions for a settlement to the Transnistrian conflict.

2. For the purpose of the fulfilment of his mandate, the EUSR shall maintain an overview of all EU activities, notably the relevant aspects of the ENP Action Plan.

Article 4

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

2. The 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 input within the framework of the mandate.

Article 5

1. The financial reference amount intended to cover the expenditure related to the EUSR's mandate shall be EUR 1 030 000.

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. The expenditure shall be eligible as from 1 March 2006.

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 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 EUSR shall inform the Presidency and the Commission of the final composition of his team.

2. Member States and EU institutions may propose the secondment of staff to work with the EUSR. The remuneration of staff who might be seconded by a Member State or an EU institution to the EUSR shall be covered by the Member State or the EU institution 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 notified to Member States and EU 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 shall report in person to the SG/HR and to the PSC and may report also to the relevant working group. Regular written reports shall be circulated to the SG/HR, the Council and the Commission. On the recommendation of the SG/HR and the PSC, the EUSR may report to the General Affairs and External Relations Council.

Article 8

1. To ensure the consistency of the external action of the EU, the activities of the EUSR shall be coordinated with those of the SG/HR, the Presidency and the Commission. EUSR shall 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.

2. The Council and the Commission shall, each within their respective powers, ensure consistency between the implementation of this Joint Action and external activities of the Community in accordance with the second subparagraph of Article 3 of the Treaty. The Council and the Commission shall cooperate to this end.

Article 9

The implementation of this Joint Action and its consistency with other contributions from the EU to the region shall be kept under regular review. The EUSR shall present to the SG/HR, Council and Commission a progress report before the end of June 2006 and a comprehensive mandate implementa-

tation report by mid-November 2006. 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 10

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

Article 11

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

Done at Brussels, 20 February 2006.

For the Council
The President
J. PRÖLL