

COUNCIL JOINT ACTION 2006/121/CFSP**of 20 February 2006****appointing the European Union Special Representative for the South Caucasus**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) The mandate of the European Union Special Representative (EUSR) for the South Caucasus, as set out in Council Joint Action 2003/872/CFSP of 8 December 2003 extending and amending the mandate of the Special Representative of the European Union for the South Caucasus⁽¹⁾, is due to expire on 28 February 2006.
- (2) On the basis of a review of that Joint Action, the mandate of the EUSR should be revised and extended for a 12-month period.
- (3) Following the departure of EUSR Talvitie, the Secretary-General/High Representative (SG/HR) has recommended to appoint Mr Peter Semneby as the new EUSR for the South Caucasus.
- (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,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mr Peter SEMNEBY is hereby appointed European Union Special Representative (EUSR) for the South Caucasus as of 1 March 2006 until 28 February 2007.

Article 2

1. The mandate of the EUSR shall be based on the policy objectives of the European Union in the South Caucasus. These objectives include:

- (a) to assist Armenia, Azerbaijan and Georgia in carrying out political and economic reforms, notably in the fields of rule of law, democratisation, human rights, good governance, development and poverty reduction;
 - (b) in accordance with existing mechanisms, to prevent conflicts in the region, to contribute to the peaceful settlement of conflicts, including through promoting the return of refugees and internally displaced persons;
 - (c) to engage constructively with main interested actors concerning the region;
 - (d) to encourage and to support further cooperation between States of the region, in particular between the States of the South Caucasus, including on economic, energy and transport issues;
 - (e) to enhance the effectiveness and visibility of the European Union in the region.
2. The EUSR shall support the work of the SG/HR in the region.

Article 3

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

- (a) develop contacts with governments, parliaments, judiciary and civil society in the region;
- (b) encourage Armenia, Azerbaijan and Georgia to cooperate on regional themes of common interest, such as common security threats, the fight against terrorism, trafficking and organised crime;
- (c) contribute to the prevention of conflicts and to assist in creating the conditions for progress on settlement of conflicts, including through recommendations for action related to civil society and rehabilitation of the territories without prejudice to the Commission's responsibilities under the EC Treaty;

⁽¹⁾ OJ L 326, 13.12.2003, p. 44. Joint Action as last amended and extended by Joint Action 2005/582/CFSP (OJ L 199, 29.7.2005, p. 92).

- (d) contribute to the settlement of conflicts and to facilitate the implementation of such settlement in close coordination with the United Nations Secretary-General and his Special Representative for Georgia, the Group of Friends of the United Nations Secretary-General for Georgia, the Organisation for Security and Cooperation in Europe and its Minsk Group, and the conflict resolution mechanism for South Ossetia;
- (e) intensify the European Union's dialogue with the main interested actors concerning the region;
- (f) assist the Council in further developing a comprehensive policy towards the South Caucasus;
- (g) through a support team:

- provide the European Union with reporting and a continued assessment of the border situation and to facilitate confidence-building between Georgia and the Russian Federation, thereby ensuring efficient cooperation and liaison with all relevant actors,
- assist the Georgian Border Guard and other relevant government institutions in Tbilisi in preparing a comprehensive reform strategy,
- work with the Georgian authorities to increase communication between Tbilisi and the border, including mentoring. This shall be done by working closely with Regional Border Guard Centres between Tbilisi and the border (excluding Abkhazia and South Ossetia).

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 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 2 960 000.

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. 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 is 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 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 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 shall report in person to the SG/HR and to the PSC and may report also to the relevant Working Group. Regular written reports including on activities of the support team shall be circulated to the SG/HR, Council and Commission. The EUSR may report to the General Affairs and External Relations Council on the recommendation of the SG/HR 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 SG/HR, the Presidency and the Commission. The 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.

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 to the SG/HR, Council and Commission a progress report before the end of June 2006 and a comprehensive mandate implementation 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.

It shall apply as from 1 March 2006.

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