

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/106/CFSP

of 15 February 2007

extending the mandate of the Special Representative of the European Union for Afghanistan

THE COUNCIL OF THE EUROPEAN UNION,

*Article 2***Policy objectives**

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

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

Whereas:

- (1) On 20 February 2006, the Council adopted Joint Action 2006/124/CFSP extending the mandate of the Special Representative of the European Union for Afghanistan ⁽¹⁾ until 28 February 2007.
- (2) On 7 June 2006, the Council approved the Policy of the European Union on the Security of Personnel deployed outside the European Union in an operational capacity under Title V of the Treaty on European Union.
- (3) On the basis of a review of Joint Action 2006/124/CFSP, the mandate of the Special Representative of the European Union (EUSR) should be extended for a 12-month period.
- (4) The EUSR will implement his mandate in the context of a situation which may deteriorate and could harm the Common Foreign and Security Policy objectives set out in Article 11 of the Treaty,

1. contribute to the implementation of the EU-Afghanistan Joint Declaration and the Afghanistan Compact as well as the relevant United Nations (UN) Security Council Resolutions 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;
3. support the pivotal role played by the UN, notably the Special Representative of the Secretary-General; and
4. support work of the Secretary-General/High Representative (SG/HR) in the region.

Article 3

HAS ADOPTED THIS JOINT ACTION:

Mandate*Article 1***European Union Special Representative**

The mandate of Mr Francesc VENDRELL as the European Union Special Representative (EUSR) for Afghanistan is hereby extended until 29 February 2008.

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

- (a) convey the European Union's views on the political process while drawing on the key principles agreed between Afghanistan and the international community, in particular the EU-Afghanistan Joint Declaration and the Afghanistan Compact;

⁽¹⁾ OJ L 49, 21.2.2006, p. 21.

- (b) establish and maintain close contact with, and give support to, the Afghan representative institutions, in particular the government and Parliament. Contact should also be maintained with other Afghan political figures and other relevant actors inside as well as outside the country;
- (c) 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 and the development of cooperation between these countries and Afghanistan are taken into account in European Union policy;
- (e) advise on the progress achieved in meeting the objectives of the EU-Afghanistan Joint Declaration and the Afghanistan Compact, in particular in the following areas:
- good governance and the establishment of rule of law institutions,
 - security sector reforms, including establishment of judicial institutions, a national army and police force,
 - 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,
 - facilitation of humanitarian assistance and the orderly return of refugees and internally displaced persons;
- (f) in consultation with representatives of Member States and the Commission, assist in ensuring that the European Union's political approach is reflected in its action for the development of Afghanistan;
- (g) jointly with the Commission, actively participate in the Joint Coordination and Monitoring Board established under the Afghanistan Compact;
- (h) advise on the participation and the positions of the European Union in international conferences on Afghanistan.

Article 4

Implementation of the mandate

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

Article 5

Financing

1. The financial reference amount intended to cover the expenditure related to the mandate of the EUSR in the period from 1 March 2007 to 29 February 2008 shall be EUR 2 450 000.
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 2007.

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

Article 6

Constitution of the team

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 institutions of the European Union may propose the secondment of staff to work with the EUSR. The remuneration of personnel who are 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

Security

1. The EUSR and the members of his team shall respect security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations⁽¹⁾, in particular when managing EU classified information.

2. The EUSR shall, in accordance with the policy of the European Union on the security of personnel deployed

outside the European Union in an operational capacity under Title V of the Treaty on European Union, take all reasonably practicable measures, in conformity with his mandate and the security situation in his geographical area of responsibility, for the security of all personnel under his direct authority, notably by:

- (a) establishing a mission-specific security plan based on guidance from the General Secretariat of the Council, including mission-specific physical, organisational and procedural security measures, governing management of the secure movement of personnel to, and within, the mission area, the management of security incidents and a mission contingency and evacuation plan;
- (b) ensuring that all personnel deployed outside the European Union are covered by high risk insurance as required by the conditions in the mission area;
- (c) ensuring that all members of his team to be deployed outside the European Union, including locally contracted personnel, have received appropriate security training before or upon arriving in the mission area, based on the risk ratings assigned to the mission area by the General Secretariat of the Council;
- (d) ensuring that all agreed recommendations made following regular security assessments are implemented and providing the SG/HR, the Council and the Commission with written reports on their implementation and on other security issues within the framework of the mid-term and mandate implementation reports;
- (e) ensuring, as necessary and within his responsibilities as part of the chain of command, that a coherent approach is taken with regard to the security of personnel across all EU elements present in a crisis management operation or operations in his geographical area of responsibility.

Article 8

Reporting

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.

⁽¹⁾ OJ L 101, 11.4.2001, p. 1. Decision as last amended by Decision 2005/952/EC (OJ L 346, 29.12.2005, p. 18).

*Article 9***Coordination**

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 Member States' missions and Commission delegations with regular briefings. 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 the EUSR for Central Asia and with international and regional actors in the field.

*Article 10***Review**

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 the SG/HR, the Council and the Commission with a progress report before the end of June 2007 and a comprehensive mandate implementation report by mid-November 2007. 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 11***Entry into force**

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

*Article 12***Publication**

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

Done at Brussels, 15 February 2007.

For the Council

The President

W. SCHÄUBLE