

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/748/CFSP

of 19 November 2007

amending Joint Action 2007/87/CFSP amending and extending the mandate of the European Union Special Representative in Bosnia and Herzegovina

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 7 February 2007, the Council adopted Joint Action 2007/87/CFSP ⁽¹⁾.
- (2) On 18 June 2007, the Council adopted Decision 2007/427/CFSP ⁽²⁾ appointing Mr Miroslav Lajčák as the European Union Special Representative (EUSR) in Bosnia and Herzegovina.
- (3) On 19 December 2006, the Political and Security Committee endorsed recommendations aimed at achieving optimal coordination and coherence in situations where at least two EU actors in the field of crisis management are active in the same country, notably through closer consultation between an EU Force Commander and the EUSR and, respectively, between an EU Force Commander and a Head of an EU Police Mission.
- (4) On 18 June 2007 the Council approved the above recommendations for the purpose of the European Union military operation ALTHEA.
- (5) On 19 November 2007, the Council adopted Joint Action 2007/749/CFSP on the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH) ⁽³⁾, reflecting inter alia the new command and control structure for EU civilian crisis management operations, as approved by the Council on 28 June 2007.

- (6) The mandate of the EUSR in BiH should be amended to reflect his role in relation to the EU military operation ALTHEA, in line with the recommendations approved by the Council on 18 June 2007, and to the EUPM in BiH, in line with the new command and control structure for EU civilian crisis management operations,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2007/87/CFSP shall be amended as follows:

1. Article 3 shall be replaced by the following:

*'Article 3***Mandate**

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

- (a) offer the EU's advice and facilitation in the political process;
- (b) promote overall EU political coordination in BiH;
- (c) promote overall EU coordination of, and give local political direction to, EU efforts in tackling organised crime, without prejudice to the European Union Police Mission (EUPM)'s leading role in the coordination of policing aspects of these efforts and to the ALTHEA (EUFOR) military chain of command;
- (d) without prejudice to the military chain of command, offer the EU Force Commander political guidance on military issues with a local political dimension, in particular concerning sensitive operations, relations with local authorities and relations with the local media;

⁽¹⁾ OJ L 35, 8.2.2007, p. 35.

⁽²⁾ OJ L 159, 20.6.2007, p. 63.

⁽³⁾ See page 40 of this Official Journal.

- (e) consult with the EU Force Commander before taking political action that may have an impact on the security situation;
- (f) consult with the Head of the EUPM before taking political action that may have an impact on the police and security situation;
- (g) contribute to reinforcement of internal EU coordination and coherence in BiH, including through briefings to EU Heads of Mission and through participation in, or representation at, their regular meetings, through chairing a coordination group composed of all EU actors present in the field with a view to coordinating the implementation aspects of the EU's action, and through providing them with guidance on relations with the BiH authorities;
- (h) ensure consistency and coherence of EU action towards the public. The EUSR spokesperson shall be the main EU point of contact for BiH media on Common Foreign and Security Policy/European Security and Defence Policy (CFSP/ESDP) issues;
- (i) maintain an overview of the whole range of activities in the field of the rule of law and in this context provide the Secretary-General/High Representative (SG/HR) and the Commission with advice as necessary;
- (j) provide the Head of Mission of the EUPM with local political guidance. The EUSR and the Civilian Operation Commander will consult each other as required;
- (k) as part of the international community's and the BiH authorities' broader approach to the rule of law, and drawing upon the EUPM's provision of technical policing expertise and assistance in this respect, support the preparation and implementation of police restructuring;
- (l) provide support for a reinforced and more effective BiH criminal justice/police interface, in close liaison with the EUPM;
- (m) as far as activities under Title VI of the Treaty, including Europol, and related Community activities are concerned, provide the SG/HR and the Commission with advice as necessary, and take part in the required local coordination;
- (n) with a view to coherence and possible synergies, continue to be consulted on priorities for Instrument of Pre-accession Assistance;
- (o) support planning for a reinforced EUSR office in the context of the closure of the Office of the High Representative (OHR), including advice on public information aspects of the transition, in close coordination with the Commission;
- (p) contribute to the development and consolidation of respect for human rights and fundamental freedoms in BiH, in accordance with EU human rights policy and EU Guidelines on Human Rights;
- (q) engage with relevant BiH authorities on their full cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY);
- (r) provide political advice and facilitation in the process of constitutional reform;
- (s) without prejudice to the applicable chains of command, help to ensure that all EU instruments in theatre act coherently to attain the political objectives set out by the Council.;

2. point (v) of Article 8(2) shall be deleted.

Article 2

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

Article 3

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

Done at Brussels, 19 November 2007.

For the Council
The President
L. AMADO