

(Acts adopted under Title V of the Treaty on European Union)

## COUNCIL JOINT ACTION 2006/439/CFSP

of 27 June 2006

regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 14 thereof,

Whereas:

(1) On 18 July 2005, the Council adopted Joint Action 2005/561/CFSP <sup>(1)</sup> regarding a further contribution of the European Union to the conflict settlement process in Georgia/South Ossetia, which expires on 30 June 2006.

(2) The EU contribution under that Joint Action to the OSCE Mission to Georgia has been effective in ensuring the functioning of permanent Secretariats for the Georgian and the South Ossetian sides, under the aegis of the OSCE, and in facilitating meetings within the framework of the Joint Control Commission (JCC) which is the main forum of the conflict settlement process.

(3) The OSCE and the co-Chairs of the JCC have appealed for follow-up assistance from the EU, and the EU has agreed to offer further financial assistance to the conflict settlement process.

(4) The EU considers that its assistance has reinforced the effectiveness of its role, as well as that of the OSCE, in the settlement of the conflict and that it should be continued.

(5) The EU recalls its support for the initiatives taken towards peaceful resolution of the conflict and expects the JCC to play a positive role in this respect.

(6) The EU notes that the JCC has a role in the activities related to the OSCE-Led Needs Assessment Study in the zone of the Georgian-Ossetian conflict and adjacent areas.

(7) Adequate visibility of the EU contribution to the project should be ensured.

(8) On 20 February 2006, the Council adopted Joint Action 2006/121/CFSP <sup>(2)</sup> appointing the European Union Special Representative for the South Caucasus. Pursuant to this Joint Action, the mandate of the EUSR for the South Caucasus should be, *inter alia*, to contribute to the prevention of conflicts, to assist in conflict resolution and to intensify the European Union's dialogue with the main interested actors concerning the region,

HAS ADOPTED THIS JOINT ACTION:

### Article 1

1. The European Union shall contribute to strengthening the conflict settlement process in South Ossetia.

2. For this purpose, the European Union shall provide a contribution to the OSCE to finance meetings of the JCC and other mechanisms within the JCC framework, to provide for organisation of conferences under the aegis of the JCC as well as to provide for certain costs for the running of the two Secretariats for one year.

### Article 2

The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP, shall be responsible for the implementation of this Joint Action, with a view to the fulfilment of its objectives as set out in Article 1.

### Article 3

1. Disbursement of financial aid provided under this Joint Action shall be conditional upon the holding of regular meetings of the JCC and the other mechanisms in the JCC framework within 12 months of the starting date of the financing agreement to be concluded between the Commission and the OSCE Mission to Georgia. Both the Georgian and South Ossetian sides should make demonstrable efforts to achieve real political progress towards a lasting and peaceful settlement of their differences.

<sup>(1)</sup> OJ L 189, 21.7.2005, p. 69.

<sup>(2)</sup> OJ L 49, 21.2.2006, p. 14.

2. The Commission shall be entrusted with the task of controlling and evaluating the implementation of the EU's financial contribution, in particular with regard to the conditions set out in paragraph 1. To that end, the Commission shall conclude a financing agreement with the OSCE Mission to Georgia on the use of the EU contribution, which shall take the form of a grant. The Commission shall also ensure the correct use of the grant for the purposes set out in Article 1(2).

3. The OSCE Mission to Georgia shall be responsible for reimbursing mission expenses, for the organisation of conferences under the aegis of the JCC, and for the correct purchase and handing over of the equipment. The financing agreement will stipulate that the OSCE Mission to Georgia shall ensure visibility of the EU contribution to the project and shall provide the Commission with regular reports on its implementation.

4. The Commission, in close cooperation with the EUSR for South Caucasus, shall liaise closely with the OSCE Mission to Georgia in order to monitor and evaluate the impact of the EU contribution.

5. The Commission shall report in writing on the implementation of this Joint Action to the Council, under the responsibility of the Presidency, assisted by the Secretary General of the Council/High Representative for the CFSP. This report will in particular be based on regular reports to be provided by the OSCE Mission to Georgia, as stipulated in paragraph 3.

#### Article 4

1. The financial reference amount for the EU contribution referred to in Article 1(2) shall be EUR 140 000.

2. The management of the expenditure financed by the amount specified in paragraph 1 shall be subject to the European Community 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 European Community.

3. Expenditure shall be eligible as of 1 July 2006.

#### Article 5

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

It shall apply from 1 July 2006 to 30 June 2007.

2. This Joint Action shall be reviewed 10 months after entering into force. To that end, the EUSR for the South Caucasus, in association with the Commission, shall assess the need for further support to the settlement process in Georgia/South Ossetia and make recommendations to the Council, as appropriate.

#### Article 6

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

Done at Luxembourg, 27 June 2006.

For the Council  
The President  
J. PRÖLL