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I

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is obligatory)

REGULATIONS

COMMISSION REGULATION (EC) No 143/2007**of 15 February 2007****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 3223/94 of 21 December 1994 on detailed rules for the application of the import arrangements for fruit and vegetables ⁽¹⁾, and in particular Article 4(1) thereof,

Whereas:

- (1) Regulation (EC) No 3223/94 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the

standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

- (2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 4 of Regulation (EC) No 3223/94 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 337, 24.12.1994, p. 66. Regulation as last amended by Regulation (EC) No 386/2005 (OJ L 62, 9.3.2005, p. 3).

ANNEX

to Commission Regulation of 15 February 2007 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	147,8
	MA	53,5
	SN	37,2
	TN	129,8
	TR	160,4
	ZZ	105,7
0707 00 05	EG	255,9
	MA	96,9
	SN	141,3
	TR	139,2
	ZZ	158,3
0709 90 70	MA	49,3
	TR	115,6
	ZZ	82,5
0805 10 20	EG	47,6
	IL	55,3
	MA	44,7
	TN	47,8
	TR	58,5
	ZZ	50,8
0805 20 10	IL	103,9
	MA	88,3
	ZZ	96,1
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	AR	98,9
	EG	64,3
	IL	67,7
	MA	130,6
	PK	57,2
	TR	60,0
	ZZ	79,8
0805 50 10	EG	53,5
	TR	55,9
	ZZ	54,7
0808 10 80	CN	78,6
	TR	99,7
	US	103,0
	ZZ	93,8
0808 20 50	AR	88,3
	CN	47,5
	US	105,7
	ZA	89,5
	ZZ	82,8

⁽¹⁾ Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 144/2007
of 15 February 2007
fixing the export refunds on milk and milk products

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

- (1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices on the world market for the products listed in Article 1 of that Regulation and prices for those products on the Community market may be covered by an export refund.
- (2) Given the present situation on the market in milk and milk products, export refunds should therefore be fixed in accordance with the rules and certain criteria provided for in Article 31 of Regulation (EC) No 1255/1999.
- (3) The second subparagraph of Article 31(3) of Regulation (EC) No 1255/1999 provides that the world market situation or the specific requirements of certain markets may make it necessary to vary the refund according to destination.

(4) In accordance with the Memorandum of Understanding between the European Community and the Dominican Republic on import protection for milk powder in the Dominican Republic ⁽²⁾ approved by Council Decision 98/486/EC ⁽³⁾, a certain amount of Community milk products exported to the Dominican Republic can benefit from reduced customs duties. For this reason, export refunds granted to products exported under this scheme should be reduced by a certain percentage.

(5) The Management Committee for Milk and Milk Products has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Export refunds as provided for in Article 31 of Regulation (EC) No 1255/1999 shall be granted on the products and for the amounts set out in the Annex to this Regulation subject to the conditions provided for in Article 3(2) of Commission Regulation (EC) No 1282/2006 ⁽⁴⁾.

Article 2

This Regulation shall enter into force on 16 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 218, 6.8.1998, p. 46.

⁽³⁾ OJ L 218, 6.8.1998, p. 45.

⁽⁴⁾ OJ L 234, 29.8.2006, p. 4. Regulation as last amended by Regulation (EC) No 1919/2006 (OJ L 380, 28.12.2006, p. 1).

ANNEX

Export refunds on milk and milk products applicable from 16 February 2007

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0401 30 31 9100	L20	EUR/100 kg	17,02	0402 29 19 9900	L20	EUR/100 kg	—
0401 30 31 9400	L20	EUR/100 kg	26,58	0402 29 99 9100	L20	EUR/100 kg	—
0401 30 31 9700	L20	EUR/100 kg	29,32	0402 29 99 9500	L20	EUR/100 kg	—
0401 30 39 9100	L20	EUR/100 kg	17,02	0402 91 11 9370	L20	EUR/100 kg	—
0401 30 39 9400	L20	EUR/100 kg	26,58	0402 91 19 9370	L20	EUR/100 kg	—
0401 30 39 9700	L20	EUR/100 kg	29,32	0402 91 31 9300	L20	EUR/100 kg	—
0401 30 91 9100	L20	EUR/100 kg	33,42	0402 91 39 9300	L20	EUR/100 kg	—
0401 30 99 9100	L20	EUR/100 kg	33,42	0402 91 99 9000	L20	EUR/100 kg	20,54
0401 30 99 9500	L20	EUR/100 kg	49,11	0402 99 11 9350	L20	EUR/100 kg	—
0402 10 11 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 19 9350	L20	EUR/100 kg	—
0402 10 19 9000	L20 ⁽¹⁾	EUR/100 kg	—	0402 99 31 9300	L20	EUR/100 kg	12,29
0402 10 99 9000	L20	EUR/100 kg	—	0403 90 11 9000	L20	EUR/100 kg	—
0402 21 11 9200	L20	EUR/100 kg	—	0403 90 13 9200	L20	EUR/100 kg	—
0402 21 11 9300	L20	EUR/100 kg	—	0403 90 13 9300	L20	EUR/100 kg	—
0402 21 11 9500	L20	EUR/100 kg	—	0403 90 13 9500	L20	EUR/100 kg	—
0402 21 11 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 13 9900	L20	EUR/100 kg	—
0402 21 17 9000	L20	EUR/100 kg	—	0403 90 33 9400	L20	EUR/100 kg	—
0402 21 19 9300	L20	EUR/100 kg	—	0403 90 59 9310	L20	EUR/100 kg	17,02
0402 21 19 9500	L20	EUR/100 kg	—	0403 90 59 9340	L20	EUR/100 kg	24,90
0402 21 19 9900	L20 ⁽¹⁾	EUR/100 kg	—	0403 90 59 9370	L20	EUR/100 kg	24,90
0402 21 91 9100	L20	EUR/100 kg	—	0404 90 21 9120	L20	EUR/100 kg	—
0402 21 91 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 21 9160	L20	EUR/100 kg	—
0402 21 91 9350	L20	EUR/100 kg	—	0404 90 23 9120	L20	EUR/100 kg	—
0402 21 99 9100	L20	EUR/100 kg	—	0404 90 23 9130	L20	EUR/100 kg	—
0402 21 99 9200	L20 ⁽¹⁾	EUR/100 kg	—	0404 90 23 9140	L20	EUR/100 kg	—
0402 21 99 9300	L20	EUR/100 kg	—	0404 90 23 9150	L20	EUR/100 kg	—
0402 21 99 9400	L20	EUR/100 kg	—	0404 90 81 9100	L20	EUR/100 kg	—
0402 21 99 9500	L20	EUR/100 kg	—	0404 90 83 9110	L20	EUR/100 kg	—
0402 21 99 9600	L20	EUR/100 kg	—	0404 90 83 9130	L20	EUR/100 kg	—
0402 21 99 9700	L20	EUR/100 kg	—	0404 90 83 9150	L20	EUR/100 kg	—
0402 29 15 9200	L20	EUR/100 kg	—	0404 90 83 9170	L20	EUR/100 kg	—
0402 29 15 9300	L20	EUR/100 kg	—	0405 10 11 9500	L20	EUR/100 kg	90,00
0402 29 15 9500	L20	EUR/100 kg	—	0405 10 11 9700	L20	EUR/100 kg	91,00
0402 29 19 9300	L20	EUR/100 kg	—				
0402 29 19 9500	L20	EUR/100 kg	—				

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0405 10 19 9500	L20	EUR/100 kg	90,00	0406 30 39 9500	L04	EUR/100 kg	2,42
0405 10 19 9700	L20	EUR/100 kg	91,00		L40	EUR/100 kg	5,67
0405 10 30 9100	L20	EUR/100 kg	90,00	0406 30 39 9700	L04	EUR/100 kg	3,51
0405 10 30 9300	L20	EUR/100 kg	91,00		L40	EUR/100 kg	8,25
0405 10 30 9700	L20	EUR/100 kg	91,00	0406 30 39 9930	L04	EUR/100 kg	3,51
0405 10 50 9500	L20	EUR/100 kg	88,79		L40	EUR/100 kg	8,25
0405 10 50 9700	L20	EUR/100 kg	91,00	0406 30 39 9950	L04	EUR/100 kg	3,98
0405 10 90 9000	L20	EUR/100 kg	94,35		L40	EUR/100 kg	9,33
0405 20 90 9500	L20	EUR/100 kg	83,24	0406 40 50 9000	L04	EUR/100 kg	21,31
0405 20 90 9700	L20	EUR/100 kg	86,56		L40	EUR/100 kg	26,63
0405 90 10 9000	L20	EUR/100 kg	113,56	0406 40 90 9000	L04	EUR/100 kg	21,89
0405 90 90 9000	L20	EUR/100 kg	90,82		L40	EUR/100 kg	27,36
0406 10 20 9640	L04	EUR/100 kg	18,12	0406 90 13 9000	L04	EUR/100 kg	24,26
	L40	EUR/100 kg	22,66		L40	EUR/100 kg	34,72
0406 10 20 9650	L04	EUR/100 kg	15,11	0406 90 15 9100	L04	EUR/100 kg	25,08
	L40	EUR/100 kg	18,88		L40	EUR/100 kg	35,89
0406 10 20 9830	L04	EUR/100 kg	5,61	0406 90 17 9100	L04	EUR/100 kg	25,08
	L40	EUR/100 kg	7,00		L40	EUR/100 kg	35,89
0406 10 20 9850	L04	EUR/100 kg	6,79	0406 90 21 9900	L04	EUR/100 kg	24,38
	L40	EUR/100 kg	8,49		L40	EUR/100 kg	34,80
0406 20 90 9913	L04	EUR/100 kg	13,46	0406 90 23 9900	L04	EUR/100 kg	21,85
	L40	EUR/100 kg	16,81		L40	EUR/100 kg	31,42
0406 20 90 9915	L04	EUR/100 kg	18,26	0406 90 25 9900	L04	EUR/100 kg	21,43
	L40	EUR/100 kg	22,83		L40	EUR/100 kg	30,67
0406 20 90 9917	L04	EUR/100 kg	19,41	0406 90 27 9900	L04	EUR/100 kg	19,41
	L40	EUR/100 kg	24,26		L40	EUR/100 kg	27,78
0406 20 90 9919	L04	EUR/100 kg	21,68	0406 90 32 9119	L04	EUR/100 kg	17,94
	L40	EUR/100 kg	27,11		L40	EUR/100 kg	25,72
0406 30 31 9730	L04	EUR/100 kg	2,42	0406 90 35 9190	L04	EUR/100 kg	25,55
	L40	EUR/100 kg	5,67		L40	EUR/100 kg	36,75
0406 30 31 9930	L04	EUR/100 kg	2,42	0406 90 35 9990	L04	EUR/100 kg	25,55
	L40	EUR/100 kg	5,67		L40	EUR/100 kg	36,75
0406 30 31 9950	L04	EUR/100 kg	3,51	0406 90 37 9000	L04	EUR/100 kg	24,26
	L40	EUR/100 kg	8,25		L40	EUR/100 kg	34,72
				0406 90 61 9000	L04	EUR/100 kg	27,62
					L40	EUR/100 kg	39,97

Product code	Destination	Unit of measurement	Refunds	Product code	Destination	Unit of measurement	Refunds
0406 90 63 9100	L04	EUR/100 kg	27,21	0406 90 86 9200	L04	EUR/100 kg	22,02
	L40	EUR/100 kg	39,24		L40	EUR/100 kg	32,63
0406 90 63 9900	L04	EUR/100 kg	26,15	0406 90 86 9400	L04	EUR/100 kg	23,58
	L40	EUR/100 kg	37,90		L40	EUR/100 kg	34,49
0406 90 69 9910	L04	EUR/100 kg	26,54	0406 90 86 9900	L04	EUR/100 kg	24,82
	L40	EUR/100 kg	38,46		L40	EUR/100 kg	35,74
0406 90 73 9900	L04	EUR/100 kg	22,33	0406 90 87 9300	L04	EUR/100 kg	20,50
	L40	EUR/100 kg	31,99		L40	EUR/100 kg	30,29
0406 90 75 9900	L04	EUR/100 kg	22,78	0406 90 87 9400	L04	EUR/100 kg	20,93
	L40	EUR/100 kg	32,74		L40	EUR/100 kg	30,59
0406 90 76 9300	L04	EUR/100 kg	20,22	0406 90 87 9951	L04	EUR/100 kg	22,24
	L40	EUR/100 kg	28,94		L40	EUR/100 kg	31,83
0406 90 76 9400	L04	EUR/100 kg	22,64	0406 90 87 9971	L04	EUR/100 kg	22,24
	L40	EUR/100 kg	32,42		L40	EUR/100 kg	31,83
0406 90 76 9500	L04	EUR/100 kg	20,97	0406 90 87 9973	L04	EUR/100 kg	21,83
	L40	EUR/100 kg	29,76		L40	EUR/100 kg	31,26
0406 90 78 9100	L04	EUR/100 kg	22,18	0406 90 87 9974	L04	EUR/100 kg	23,39
	L40	EUR/100 kg	32,40		L40	EUR/100 kg	33,33
0406 90 78 9300	L04	EUR/100 kg	21,97	0406 90 87 9975	L04	EUR/100 kg	23,19
	L40	EUR/100 kg	31,38		L40	EUR/100 kg	32,78
0406 90 79 9900	L04	EUR/100 kg	18,14	0406 90 87 9979	L04	EUR/100 kg	21,85
	L40	EUR/100 kg	26,08		L40	EUR/100 kg	31,42
0406 90 81 9900	L04	EUR/100 kg	22,64	0406 90 88 9300	L04	EUR/100 kg	18,10
	L40	EUR/100 kg	32,42		L40	EUR/100 kg	26,66
0406 90 85 9930	L04	EUR/100 kg	24,82	0406 90 88 9500	L04	EUR/100 kg	18,66
	L40	EUR/100 kg	35,74		L40	EUR/100 kg	26,67
0406 90 85 9970	L04	EUR/100 kg	22,78				
	L40	EUR/100 kg	32,74				

(¹) As for the relevant products intended for exports to Dominican Republic under the quota 2006/2007 referred to in the Decision 98/486/EC, and complying with the conditions laid down in Chapter III, Section 3 of Regulation (EC) 1282/2006, the following rates should apply:

- (a) products falling within CN codes 0402 10 11 9000 and 0402 10 19 9000 0,00 EUR/100 kg
- (b) products falling within CN codes 0402 21 11 9900, 0402 21 19 9900, 0402 21 91 9200 and 0402 21 99 9200 28,00 EUR/100 kg

The destinations are defined as follows:

L20: All destinations except Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Farøe Islands, the United States of America and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

L04: Albania, Bosnia and Herzegovina, Kosovo, Serbia, Montenegro and the former Yugoslav Republic of Macedonia.

L40: All destinations except L04, Andorra, Gibraltar, Ceuta, Melilla, Iceland, Liechtenstein, Norway, Switzerland, Holy See (Vatican City State), the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Farøe Islands, the United States of America, Croatia, Turkey, Australia, Canada, New Zealand and the areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

COMMISSION REGULATION (EC) No 145/2007**of 15 February 2007****fixing the maximum export refund for butter in the framework of the standing invitation to tender provided for in Regulation (EC) No 581/2004**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular the third subparagraph of Article 31(3) thereof,

Whereas:

- (1) Commission Regulation (EC) No 581/2004 of 26 March 2004 opening a standing invitation to tender for export refunds concerning certain types of butter ⁽²⁾ provides for a permanent tender.
- (2) Pursuant to Article 5 of Commission Regulation (EC) No 580/2004 of 26 March 2004 establishing a tender procedure concerning export refunds for certain milk products ⁽³⁾ and following an examination of the

tenders submitted in response to the invitation to tender, it is appropriate to fix a maximum export refund for the tendering period ending on 13 February 2007.

- (3) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

For the permanent tender opened by Regulation (EC) No 581/2004, for the tendering period ending on 13 February 2007, the maximum amount of refund for the products referred to in Article 1(1) of that Regulation shall be as shown in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on 16 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as last amended by Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 90, 27.3.2004, p. 64. Regulation as last amended by Regulation (EC) No 128/2007 (OJ L 41, 13.2.2007, p. 6).

⁽³⁾ OJ L 90, 27.3.2004, p. 58. Regulation as amended by Regulation (EC) No 1814/2005 (OJ L 292, 8.11.2005, p. 3).

ANNEX

(EUR/100 kg)

Product	Export refund Code	Maximum amount of export refund for export to the destinations referred to in the second subparagraph of Article 1(1) of Regulation (EC) No 581/2004
Butter	ex 0405 10 19 9500	—
Butter	ex 0405 10 19 9700	97,00
Butteroil	ex 0405 90 10 9000	118,35

COMMISSION REGULATION (EC) No 146/2007**of 15 February 2007****amending Regulation (EEC) No 3440/84 as regards conditions for certain trawls for vessels operating pump aboard systems**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 850/98 of 30 March 1998 for the conservation of fishery resources through technical measures for the protection of juveniles of marine organisms ⁽¹⁾, and in particular Article 48 thereof,

Whereas:

- (1) Commission Regulation (EEC) No 3440/84 ⁽²⁾ sets out detailed rules concerning the attachment of devices to trawls, Danish seines and similar nets.
- (2) In order to ensure the safety of the crews, supplementary measures on technical conditions as regards vessels operating pump aboard systems, which do not affect selectivity, should be implemented in 2007.
- (3) Regulation (EEC) No 3440/84 should therefore be amended accordingly.

- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee for Fisheries and Aquaculture,

HAS ADOPTED THIS REGULATION:

Article 1

In Article 8 of Regulation (EEC) No 3440/84 the following paragraph 4 is added:

‘4. By way of derogation of the provisions laid down in paragraph 2, it shall be permitted for vessels operating pump aboard systems to attach a codline at a distance which is no more than 10 m from the rear meshes of the codend, when fishing with trawls with a mesh size of less than 70 mm.’

Article 2

This Regulation shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission

Joe BORG

Member of the Commission

⁽¹⁾ OJ L 125, 27.4.1998, p. 1. Regulation as last amended by Regulation (EC) No 2166/2005 (OJ L 345, 28.12.2005, p. 5).

⁽²⁾ OJ L 318, 7.12.1984, p. 23. Regulation as last amended by Regulation (EEC) No 2122/89 (OJ L 203, 15.7.1989, p. 21).

COMMISSION REGULATION (EC) No 147/2007

of 15 February 2007

adapting certain fish quotas from 2007 to 2012 pursuant to Article 23(4) of Council Regulation (EC) No 2371/2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

has established that they have exceeded the fishing opportunities which were allocated to them.

Having regard to the Treaty establishing the European Community,

(5) According to Article 2 of Regulation (EC) No 2371/2002, the Common Fisheries Policy shall ensure exploitation of living aquatic resources that provides sustainable economic, environmental and social conditions.

Having regard to Council Regulation (EC) No 2371/2002 of 20 December 2002 on the conservation and sustainable exploitation of fisheries resources under the Common Fisheries Policy ⁽¹⁾, and in particular Article 23(4) thereof,

(6) Given the fact that the overfishing has occurred during the course of several years and considering the need to take account of the economic and social situation of the respective fishing sectors of the concerned Member States and to limit as much as possible the negative impact on those sectors, it is appropriate to deduct the quantities fished in excess over a period longer than one year.

Whereas:

(1) The Council adopted regulations fixing for 2001, 2002, 2003, 2004 and 2005 the fishing opportunities and associated conditions for certain fish stocks and groups of fish stocks applicable in Community waters and, for Community vessels, in waters where catch limitations are required ⁽²⁾.

(7) The trend in mackerel quotas from 2001 to 2004 has been downwards. In order to avoid a disproportionate impact of deductions it is necessary to apply a correction factor to the quantities to be deducted from mackerel quotas in respect of amounts overfished from 2001 to 2004.

(2) Following national investigations carried out in 2005 and 2006 by the United Kingdom the Commission has been notified by the United Kingdom and Ireland that they exceeded the fishing opportunities allocated to them in terms of catches of mackerel (United Kingdom and Ireland) and herring (United Kingdom) in certain zones in the years from 2001 to 2004.

(8) The additional quantity of mackerel fished in excess by the UK in 2005 should be deducted from the UK's 2007 quota.

(3) In 2006, following the publication of the regulation ⁽³⁾ adapting certain fish quotas for 2006 pursuant to Council Regulation (EC) No 847/96 ⁽⁴⁾, the United Kingdom also notified the Commission of an additional quantity of mackerel fished in excess in 2005.

(9) The deduction scheme will be compatible with scientific advice since the total allowable catches for mackerel and herring in coming years will be based on scientific advice which will take into account the adjusted catches resulting from reduced quotas.

(4) Article 23(4) of Council Regulation (EC) No 2371/2002 states that the Commission shall operate deductions from future fishing opportunities of the Member States when it

(10) The correction factor should equate to the 2006 total allowable catch for mackerel expressed as a percentage of the average total allowable catch for the years 2001 to 2004.

⁽¹⁾ OJ L 358, 31.12.2002, p. 59.

⁽²⁾ Council Regulation (EC) No 2848/2000 (OJ L 334, 30.12.2000, p. 1); Council Regulation (EC) No 2555/2001 (OJ L 347, 31.12.2001, p. 1); Council Regulation (EC) No 2341/2002 (OJ L 356, 31.12.2002, p. 12); Council Regulation (EC) No 2287/2003 (OJ L 344, 31.12.2003, p. 1); Council Regulation (EC) No 27/2005 (OJ L 12, 14.1.2005, p. 1).

⁽³⁾ Commission Regulation (EC) No 742/2006 (OJ L 130, 18.5.2006, p. 7).

⁽⁴⁾ OJ L 115, 9.5.1996, p. 3.

(11) Additionally, in order to avoid adverse social and economic consequences, the quantities deducted in any one year should not exceed a percentage of the annual quota. It is appropriate to fix this percentage at 15 %.

(12) In a case where the quantity to be deducted in any one year exceeds 15 % of the annual quota, the deduction period will be extended to reduce the quantity equal to or below 15 %.

(13) Taking account of the request of the Member States concerned to have a smaller amount deducted from certain quotas in 2007 than in the following years from 2008 to 2012.

(14) The Committee for fisheries and Aquaculture has not delivered an opinion within the time limit set by its chairman,

HAS ADOPTED THIS REGULATION:

Article 1

Mackerel (*Scomber scombrus*) and herring (*Clupea harengus*) quotas allocated to Ireland and the United Kingdom in the years from 2007 to 2012 shall be reduced as shown in Annex I and Annex II.

Article 2

The quantities deducted in any one year shall not exceed 15 % of the annual quota.

Article 3

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission
Joe BORG
Member of the Commission

ANNEX I
QUOTA DEDUCTIONS 2007-2012

Country	Species	Stock code	Zone	2001-2004 overfish	Correction factor n.r. = not relevant	Total deduction	2007	2008	2009	2010	2011	2012
UK	Mackerel (<i>Scomber scombrus</i>)	2CX14	II (non-EC waters), Vb (EC waters), VI, VII, VIIIa, b, d, e, XII, XIV	112 546	0,734	82 609	12 391,3	14 043,5	14 043,5	14 043,5	14 043,5	14 043,5
UK	Herring (<i>Clupea harengus</i>)	5B6ANB	Vb, VIaN (EC waters), VIb	10 349	n.r.	10 349	1 552,4	1 759,3	1 759,3	1 759,3	1 759,3	1 759,3
UK	Herring (<i>Clupea harengus</i>)	4AB	IV north of 53° 30' N	33 485	n.r.	33 485	5 022,8	5 692,5	5 692,5	5 692,5	5 692,5	5 692,5
UK	Herring (<i>Clupea harengus</i>)	1/2	I, II (EC waters and International waters) HER/1/2	127	n.r.	127	127	0	0	0	0	0
IE	Mackerel (<i>Scomber scombrus</i>)	2CX14	II (non-EC waters), Vb (EC waters), VI, VII, VIIIa, b, d, e, XII, XIV	33 486	0,734	24 578,7	3 686,8	4 178,4	4 178,4	4 178,4	4 178,4	4 178,4

ANNEX II

QUOTA DEDUCTIONS 2007-2012

Country	Species	Stock code	Zone	2005 overfish	Correction factor n.r. = not relevant	Total deduction	2007	2008	2009	2010	2011	2012
UK	Mackerel (Scomber scombrus)	2CX14	II (non-EC waters), Vb (EC waters), VI, VII, VIIIa, b, d, e, XII, XIV	5 090	n.r.	5 090	5 090	0	0	0	0	0

COMMISSION REGULATION (EC) No 148/2007

of 15 February 2007

registering certain names in the Register of protected designation of origin and protected geographical indications (Geraardsbergse mattentaart (PGI) — Pataca de Galicia or Patata de Galicia (PGI) — Poniente de Granada (PDO) — Gata-Hurdes (PDO) — Patatas de Prades or Patates de Prades (PGI) — Mantequilla de Soria (PDO) — Huile d'olive de Nîmes (PDO) — Huile d'olive de Corse or Huile d'olive de Corse-Oliu di Corsica (PDO) — Clémentine de Corse (PGI) — Agneau de Sisteron (PGI) — Connemara Hill Lamb or Uain Sléibhe Chonamara (PGI) — Sardegna (PDO) — Carota dell'Altopiano del Fucino (PGI) — Stelvio or Stilsfer (PDO) — Limone Femminello del Gargano (PGI) — Azeitonas de Conserva de Elvas e Campo Maior (PDO) — Chouriça de Carne de Barroso-Montalegre (PGI) — Chouriço de Abóbora de Barroso-Montalegre (PGI) — Sanguieira de Barroso-Montalegre (PGI) — Batata de Trás-os-Montes (PGI) — Salpicão de Barroso-Montalegre (PGI) — Alheira de Barroso-Montalegre (PGI) — Cordeiro de Barroso, Anho de Barroso or Borrego de leite de Barroso (PGI) — Azeite do Alentejo Interior (PDO) — Paio de Beja (PGI) — Linguíça do Baixo Alentejo or Chouriço de carne do Baixo Alentejo (PGI) — Ekstra deviško oljčno olje Slovenske Istre (PDO))

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

(1) In accordance with the first subparagraph of Article 6(2) and pursuant to Article 17(2) of Regulation (EC) No 510/2006, Member States' applications to register certain names were published in the *Official Journal of the European Union* as follows:

— as regards Belgium: 'Geraardsbergse mattentaart'⁽²⁾;

— as regards Spain: 'Pataca de Galicia' or 'Patata de Galicia'⁽³⁾, 'Poniente de Granada'⁽⁴⁾, 'Gata-Hurdes'⁽⁵⁾, 'Patatas de Prades' or 'Patates de Prades'⁽⁶⁾ and 'Mantequilla de Soria'⁽⁷⁾;

— as regards France: 'Huile d'olive de Nîmes'⁽⁸⁾, 'Huile d'olive de Corse' or 'Huile d'olive de Corse-Oliu di Corsica'⁽⁹⁾, 'Clémentine de Corse'⁽¹⁰⁾ and 'Agneau de Sisteron'⁽¹¹⁾;

— as regards Ireland: 'Connemara Hill Lamb' or 'Uain Sléibhe Chonamara'⁽¹²⁾;

— as regards Italy: 'Sardegna'⁽¹³⁾, 'Carota dell'Altopiano del Fucino'⁽¹⁴⁾, 'Stelvio' or 'Stilsfer'⁽¹⁵⁾ and 'Limone Femminello del Gargano'⁽¹⁶⁾;

— as regards Portugal: 'Azeitonas de Conserva de Elvas e Campo Maior'⁽¹⁷⁾, 'Chouriça de Carne de Barroso-Montalegre'⁽¹⁸⁾, 'Chouriço de Abóbora de Barroso-Montalegre'⁽¹⁹⁾, 'Sanguieira de Barroso-Montalegre'⁽²⁰⁾, 'Batata de Trás-os-Montes'⁽²¹⁾, 'Salpicão de Barroso-Montalegre'⁽²²⁾, 'Alheira de Barroso-Montalegre'⁽²³⁾, 'Cordeiro de Barroso' or 'Anho de Barroso' or 'Borrego de leite de Barroso'⁽²⁴⁾, 'Azeite do Alentejo Interior'⁽²⁵⁾, 'Paio de Beja'⁽²⁶⁾ and 'Linguíça do Baixo Alentejo' or 'Chouriço de carne do Baixo Alentejo'⁽²⁷⁾;

— as regards Slovenia: 'Ekstra deviško oljčno olje Slovenske Istre'⁽²⁸⁾.

(2) As no objection under Article 7 of Regulation (EC) No 510/2006 was sent to the Commission, these names should be entered in the 'Register of protected designations of origin and protected geographical indications',

⁽¹⁾ OJ L 93, 31.3.2006, p. 12. Regulation as amended by Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

⁽²⁾ OJ C 3, 6.1.2006, p. 9.

⁽³⁾ OJ C 240, 30.9.2005, p. 28.

⁽⁴⁾ OJ C 274, 5.11.2005, p. 10.

⁽⁵⁾ OJ C 320, 15.12.2005, p. 2.

⁽⁶⁾ OJ C 331, 28.12.2005, p. 2.

⁽⁷⁾ OJ C 32, 8.2.2006, p. 2.

⁽⁸⁾ OJ C 225, 14.9.2005, p. 3.

⁽⁹⁾ OJ C 233, 22.9.2005, p. 9.

⁽¹⁰⁾ OJ C 240, 30.9.2005, p. 32.

⁽¹¹⁾ OJ C 323, 20.12.2005, p. 16.

⁽¹²⁾ OJ C 122, 23.5.2006, p. 9.

⁽¹³⁾ OJ C 224, 3.9.2005, p. 7.

⁽¹⁴⁾ OJ C 240, 30.9.2005, p. 23.

⁽¹⁵⁾ OJ C 251, 11.10.2005, p. 20.

⁽¹⁶⁾ OJ C 314, 10.12.2005, p. 5.

⁽¹⁷⁾ OJ C 288, 19.11.2005, p. 5.

⁽¹⁸⁾ OJ C 323, 20.12.2005, p. 2.

⁽¹⁹⁾ OJ C 329, 24.12.2005, p. 10.

⁽²⁰⁾ OJ C 334, 30.12.2005, p. 59.

⁽²¹⁾ OJ C 3, 6.1.2006, p. 6.

⁽²²⁾ OJ C 30, 7.2.2006, p. 6.

⁽²³⁾ OJ C 32, 8.2.2006, p. 8.

⁽²⁴⁾ OJ C 32, 8.2.2006, p. 11.

⁽²⁵⁾ OJ C 128, 1.6.2006, p. 15.

⁽²⁶⁾ OJ C 128, 1.6.2006, p. 18.

⁽²⁷⁾ OJ C 132, 7.6.2006, p. 36.

⁽²⁸⁾ OJ C 127, 31.5.2006, p. 16.

HAS ADOPTED THIS REGULATION:

Article 1

The names in the Annex to this Regulation are hereby entered in the 'Register of protected designations of origin and protected geographical indications'.

Article 2

This Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

ANNEX

1. **Agricultural products intended for the human consumption listed in Annex I of the Treaty***Class 1.1. Fresh meat (and offal)*

FRANCE

Agneau de Sisteron (PGI)

IRELAND

Connemara Hill Lamb or Uain Sléibhe Chonamara (PGI)

PORTUGAL

Cordeiro de Barroso, Anho de Barroso or Borrego de leite de Barroso (PGI)

Class 1.2. Meat products (cooked, salted, smoked, etc.)

PORTUGAL

Paio de Beja (PGI)

Linguíça do Baixo Alentejo or Chouriço de carne do Baixo Alentejo (PGI)

Salpicão de Barroso-Montalegre (PGI)

Alheira de Barroso-Montalegre (PGI)

Chouriça de Carne de Barroso-Montalegre (PGI)

Chouriço de Abóbora de Barroso-Montalegre (PGI)

Sangueira de Barroso-Montalegre (PGI)

Class 1.3. Cheeses

ITALY

Stelvio or Stilsfer (PDO)

Class 1.5. Oils and fats (butter, margarine, oils, etc.)

SPAIN

Poniente de Granada (PDO)

Mantequilla de Soria (PDO)

Gata-Hurdes (PDO)

FRANCE

Huile d'olive de Nîmes (PDO)

Huile d'olive de Corse or Huile d'olive de Corse-Oliu di Corsica (PDO)

ITALY

Sardegna (PDO)

PORTUGAL

Azeite do Alentejo Interior (PDO)

SLOVENIA

Ekstra deviško oljčno olje Slovenske Istre (PDO)

Class 1.6. Fruit, vegetables and cereals fresh or processed

SPAIN

Pataca de Galicia or Patata de Galicia (PGI)

Patatas de Prades or Patates de Prades (PGI)

FRANCE

Clémentine de Corse (PGI)

ITALY

Carota dell'Altopiano del Fucino (PGI)

Limone Femminello del Gargano (PGI)

PORTUGAL

Azeitonas de Conserva de Elvas e Campo Maior (PDO)

Batata de Trás-os-Montes (PGI)

2. Foodstuffs referred to in Annex I of the Regulation

Class 2.4. Bread, pastry, cakes, confectionery, biscuits and other baker's wares

BELGIUM

Geraardsbergse mattentaart (PGI).

COMMISSION REGULATION (EC) No 149/2007**of 15 February 2007****entering a designation in the register of traditional specialities guaranteed — Boerenkaas (TSG)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the first subparagraph of Article 9(4) thereof,

Whereas:

- (1) In accordance with the first subparagraph of Article 8(2) of Regulation (EC) No 509/2006 and Article 19(3) of the same Regulation, the application submitted by the Netherlands to enter the designation 'Boerenkaas' in the register was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) As no objections within the meaning of Article 9 of Regulation (EC) No 509/2006 were received by the Commission, this designation should be entered in the register.

- (3) The application also requested protection under Article 13(2) of Council Regulation (EEC) No 2082/92 of 14 July 1992 on certificates of specific character for agricultural products and foodstuffs ⁽³⁾, corresponding to Article 13(2) of Regulation (EC) No 509/2006. Since no objections were received, there is no evidence that the name is already in lawful use, is renowned and is economically significant for similar agricultural products or foodstuffs. Thus the application should be approved,

HAS ADOPTED THIS REGULATION:

Article 1

The designation contained in the annex to this Regulation shall be entered in the register.

Protection as referred to in Article 13(2) of Regulation (EC) No 509/2006 shall apply.

Article 2

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission
Mariann FISCHER BOEL
Member of the Commission

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.

⁽²⁾ OJ C 316, 13.12.2005, p. 16.

⁽³⁾ OJ L 208, 24.7.1992, p. 9. Regulation repealed by Regulation (EC) No 509/2006.

ANNEX

Boerenkaas

TSG

1.3. Cheeses

NETHERLANDS

List: The use of the designation is reserved.

COMMISSION REGULATION (EC) No 150/2007

of 15 February 2007

fixing the rates of the refunds applicable to certain milk products exported in the form of goods not covered by Annex I to the Treaty

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1255/1999 of 17 May 1999 on the common organisation of the market in milk and milk products ⁽¹⁾, and in particular Article 31(3) thereof,

Whereas:

(1) Article 31(1) of Regulation (EC) No 1255/1999 provides that the difference between prices in international trade for the products listed in Article 1(a), (b), (c), (d), (e), and (g) of that Regulation and prices within the Community may be covered by an export refund.

(2) Commission Regulation (EC) No 1043/2005 of 30 June 2005 implementing Council Regulation (EC) No 3448/93 as regards the system of granting export refunds on certain agricultural products exported in the form of goods not covered by Annex I to the Treaty, and the criteria for fixing the amount of such refunds ⁽²⁾, specifies the products for which a rate of refund is to be fixed, to be applied where these products are exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999.

(3) In accordance with the first paragraph of Article 14 of Regulation (EC) No 1043/2005, the rate of the refund per 100 kilograms for each of the basic products in question is to be fixed each month.

(4) However, in the case of certain milk products exported in the form of goods not covered by Annex I to the Treaty, there is a danger that, if high refund rates are fixed in advance, the commitments entered into in relation to

those refunds may be jeopardised. In order to avert that danger, it is therefore necessary to take appropriate precautionary measures, but without precluding the conclusion of long-term contracts. The fixing of specific refund rates for the advance fixing of refunds in respect of those products should enable those two objectives to be met.

(5) Article 15(2) of Regulation (EC) No 1043/2005 provides that, when the rate of the refund is being fixed, account is to be taken, where appropriate, of production refunds, aids or other measures having equivalent effect applicable in all Member States in accordance with the Regulation on the common organisation of the market in the product in question to the basic products listed in Annex I to Regulation (EC) No 1043/2005 or to assimilated products.

(6) Article 12(1) of Regulation (EC) No 1255/1999 provides for the payment of aid for Community-produced skimmed milk processed into casein if such milk and the casein manufactured from it fulfil certain conditions.

(7) Commission Regulation (EC) No 1898/2005 of 9 November 2005 laying down detailed rules for implementing Council Regulation (EC) No 1255/1999 as regards measures for the disposal of cream, butter and concentrated butter ⁽³⁾, lays down that butter and cream at reduced prices should be made available to industries which manufacture certain goods.

(8) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Milk and Milk Products,

HAS ADOPTED THIS REGULATION:

Article 1

The rates of the refunds applicable to the basic products listed in Annex I to Regulation (EC) No 1043/2005 and in Article 1 of Regulation (EC) No 1255/1999, and exported in the form of goods listed in Annex II to Regulation (EC) No 1255/1999, shall be fixed as set out in the Annex to this Regulation.

⁽¹⁾ OJ L 160, 26.6.1999, p. 48. Regulation as amended by Commission Regulation (EC) No 1913/2005 (OJ L 307, 25.11.2005, p. 2).

⁽²⁾ OJ L 172, 5.7.2005, p. 24. Regulation as last amended by Commission Regulation (EC) No 1713/2006 (OJ L 321, 21.11.2006, p. 11).

⁽³⁾ OJ L 308, 25.11.2005, p. 1. Regulation as amended by Regulation (EC) No 2107/2005 (OJ L 337, 22.12.2005, p. 20).

Article 2

This Regulation shall enter into force on 16 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission
Günter VERHEUGEN
Vice-President

ANNEX

Rates of the refunds applicable from 16 February 2007 to certain milk products exported in the form of goods not covered by Annex I to the Treaty ⁽¹⁾

(EUR/100 kg)

CN code	Description	Rate of refund	
		In case of advance fixing of refunds	Other
ex 0402 10 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content not exceeding 1,5 % by weight (PG 2):		
	(a) on exportation of goods of CN code 3501	—	—
	(b) on exportation of other goods	0,00	0,00
ex 0402 21 19	Powdered milk, in granules or other solid forms, not containing added sugar or other sweetening matter, with a fat content of 26 % by weight (PG 3):		
	(a) where goods incorporating, in the form of products assimilated to PG 3, reduced-price butter or cream obtained pursuant to Regulation (EC) No 1898/2005 are exported	21,82	22,99
	(b) on exportation of other goods	0,00	0,00
ex 0405 10	Butter, with a fat content by weight of 82 % (PG 6):		
	(a) where goods containing reduced-price butter or cream which have been manufactured in accordance with the conditions provided for in Regulation (EC) No 1898/2005 are exported	68,83	72,50
	(b) on exportation of goods of CN code 2106 90 98 containing 40 % or more by weight of milk fat	88,42	93,13
	(c) on exportation of other goods	86,40	91,00

⁽¹⁾ The rates set out in this Annex are not applicable to exports to Andorra, Gibraltar, Ceuta, Melilla, Holy See (Vatican City State), Liechtenstein, the Communes of Livigno and Campione d'Italia, Heligoland, Greenland, the Faerøe Islands and the United States of America and to the goods listed in Tables I and II to Protocol 2 to the Agreement between the European Community and the Swiss Confederation of 22 July 1972 exported to the Swiss Confederation.

COMMISSION REGULATION (EC) No 151/2007**of 15 February 2007****fixing the import duties in the cereals sector applicable from 16 February 2007**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1249/96 of 28 June 1996 on rules of application (cereal sector import duties) for Council Regulation (EEC) No 1766/92 ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 10(2) of Regulation (EC) No 1784/2003 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation and increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.
- (2) Article 10(3) of Regulation (EC) No 1784/2003 lays down that, for the purposes of calculating the import

duty referred to in paragraph 2 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EC) No 1249/96, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 4 of that Regulation.
- (4) Import duties should be fixed for the period from 16 February 2007, and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 February 2007, the import duties in the cereals sector referred to in Article 10(2) of Regulation (EC) No 1784/2003 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 16 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 161, 29.6.1996, p. 125. Regulation as last amended by Regulation (EC) No 1816/2005 (OJ L 292, 8.11.2005, p. 5).

ANNEX I

Import duties on the products referred to in Article 10(2) of Regulation (EC) No 1784/2003 applicable from 16 February 2007

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
1007 00 90	Grain sorghum other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Community via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EC) No 1249/96, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 2(5) of Regulation (EC) No 1249/96 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

Period from 1-14 February 2007

1. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

	<i>EUR/t</i>					
	Common wheat (*)	Maize	Durum wheat, high quality	Durum wheat, medium quality (**)	Durum wheat, low quality (***)	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	153,17	121,79	—	—	—	—
Fob price USA	—	—	189,29	179,29	159,29	155,23
Gulf of Mexico premium	28,22	13,14	—	—	—	—
Great Lakes premium	—	—	—	—	—	—

(*) Premium of 14 EUR/t incorporated (Article 4(3) of Regulation (EC) No 1249/96).

(**) Discount of 10 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

(***) Discount of 30 EUR/t (Article 4(3) of Regulation (EC) No 1249/96).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EC) No 1249/96:

Freight costs: Gulf of Mexico–Rotterdam: 25,87 EUR/tonne

Freight costs: Great Lakes–Rotterdam: — EUR/tonne

COMMISSION REGULATION (EC) No 152/2007**of 15 February 2007****concerning tenders notified in response to the invitation to tender for the export of common wheat issued in Regulation (EC) No 936/2006**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 1784/2003 of 29 September 2003 on the common organisation of the market in cereals ⁽¹⁾, and in particular Article 13(3) thereof,

Whereas:

- (1) An invitation to tender for the refund for the export of common wheat to certain third countries was opened pursuant to Commission Regulation (EC) No 936/2006 ⁽²⁾.
- (2) Article 7 of Commission Regulation (EC) No 1501/95 of 29 June 1995 laying down certain detailed rules for the application of Council Regulation (EEC) No 1766/92 on the granting of export refunds on cereals and the measures to be taken in the event of disturbance on

the market for cereals ⁽³⁾, and in particular Article 13(3) thereof,

- (3) On the basis of the criteria laid down in Article 1 of Regulation (EC) No 1501/95, a maximum refund should not be fixed.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Management Committee for Cereals,

HAS ADOPTED THIS REGULATION:

Article 1

No action shall be taken on the tenders notified from 9 to 15 February 2007 in response to the invitation to tender for the refund for the export of common wheat issued in Regulation (EC) No 936/2006.

Article 2

This Regulation shall enter into force on 16 February 2007.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 15 February 2007.

For the Commission

Jean-Luc DEMARTY

*Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 270, 21.10.2003, p. 78. Regulation as amended by Commission Regulation (EC) No 1154/2005 (OJ L 187, 19.7.2005, p. 11).

⁽²⁾ OJ L 172, 24.6.2006, p. 6.

⁽³⁾ OJ L 147, 30.6.1995, p. 7. Regulation as last modified by Regulation (EC) No 777/2004 (OJ L 123, 27.4.2004, p. 50).

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COMMISSION

COMMISSION DECISION

of 12 February 2007

adopting the work plan for 2007 for implementation of the programme of Community action in the field of public health (2003-2008), including the annual work programme for grants

(Text with EEA relevance)

(2007/102/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 152(1) thereof,

Having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽¹⁾, and in particular Article 110 thereof,

Having regard to Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽²⁾, and in particular Article 166 thereof, as amended by Commission Regulation (EC, Euratom) No 1261/2005 of 20 July 2005 ⁽³⁾,

Having regard to Decision No 1786/2002/EC of the European Parliament and of the Council of 23 September 2002 adopting a programme of Community action in the field of public health (2003-2008) ⁽⁴⁾, and in particular Article 8(1), thereof,

⁽¹⁾ OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

⁽²⁾ OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1248/2006 (OJ L 227, 19.8.2006, p. 3).

⁽³⁾ OJ L 201, 2.8.2005, p. 3.

⁽⁴⁾ OJ L 271, 9.10.2002, p. 1. Decision as amended by Decision No 786/2004/EC (OJ L 138, 30.4.2004, p. 7).

Having regard to Commission Decision 2004/858/EC of 15 December 2004 setting up an executive agency, the 'Executive Agency for the Public Health Programme', for the management of Community action in the field of public health — pursuant to Council Regulation (EC) No 58/2003 ⁽⁵⁾, and in particular Article 6 thereof,

Whereas:

- (1) Article 110 of Regulation (EC, Euratom) No 1605/2002 provides that grants are to be subject to an annual programme, to be published at the start of the year.
- (2) Pursuant to Article 166 of Regulation (EC, Euratom) No 2342/2002, the annual work programme for grants must specify the basic act, the objectives, the schedule of calls for proposals with the indicative amount and the results expected.
- (3) Article 8 of Decision No 1786/2002/EC provides for adoption by the Commission of an annual work plan for implementation of the programme, setting out the priorities and action to be undertaken, including allocation of resources. The work plan for 2007 should therefore be adopted.

⁽⁵⁾ OJ L 369, 16.12.2004, p. 73.

- (4) The decision adopting the annual work programme referred to in Article 110 of the Financial Regulation may be considered to be the financing decision provided for by Article 75 of the Financial Regulation and Article 90 of the detailed rules for implementation of the Financial Regulation, provided this constitutes a sufficiently detailed framework.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Committee on the programme of Community action in the field of public health (2003-2008).
- (6) According to Article 6 of Decision 2004/858/EC the Executive Agency for Public Health Programme carries out certain activities for implementation of the programme on public health and should receive the necessary appropriations for that purpose,

HAS DECIDED AS FOLLOWS:

Article 1

The 2007 work plan for implementation of the programme of Community action in the field of public health (2003-2008), as set out in Annex I, is hereby adopted.

The Director-General for Health and Consumer Protection shall ensure overall implementation of this programme.

Article 2

The budget allocations necessary for the management of the programme of Community action in the field of public health (2003-2008) shall be transferred to the Executive Agency for the Public Health Programme.

Done at Brussels, 12 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

ANNEX I

COMMUNITY ACTION IN THE FIELD OF PUBLIC HEALTH WORK PLAN FOR 2007**1. GENERAL CONTEXT****1.1. Policy and legal context**

Decision 1786/2002/EC of the European Parliament and of the Council established a programme of Community action in the field of public health (2003-2008) (hereinafter referred to as the Programme Decision). The programme is implemented through an annual work plan setting out the priorities and actions to be undertaken, including the allocation of resources.

The first four years of programme implementation have laid the foundations for a comprehensive and coherent approach, concentrating on three priorities (strands): health information, health threats, and health determinants. Together, these strands contribute to a high level of physical and mental health and well-being throughout the EU. In particular, 267 projects have already been selected for financing ⁽¹⁾ from the previous calls for proposals.

In May 2006, the Commission adopted an amended proposal ⁽²⁾ for a new health programme which is expected to be approved in 2007. As a consequence, 2007 should be the last year of implementation of the 'Programme Decision'.

An analysis of the implementation of the work plans for 2003-2006 has led to activities being streamlined in 2007 to ensure coverage of areas which have not been dealt with previously and hence to attempt to complete as much as possible of the current programme.

In 2007, the Executive Agency for the Public Health Programme will be fully operational and will be a key actor in the work plan's implementation.

1.2. Resources

Budget lines will be respectively 17 03 01 01 and 17 01 04 02 in 2007. After entry into force of the new Programme proposed by the Commission, foreseen in 2008, budget lines will be respectively 17 03 06 and 17 01 04 02.

In 2007 final budget, item 17 03 01 01 does not have the necessary commitment allocation. Therefore, the relevant amount available under budget article 17 03 06 will be transferred to item 17 03 01 01 at the beginning of the budget year and the expenditure on administrative management of this programme will be covered by budget item 17 01 04 06.

Nevertheless, the creation of a new budget item 17 01 04 02 is proposed by the Commission in the amending budget no 1/2007. This new item will finance the expenditure on administrative management of the programme once the amending budget is approved by the Budget Authority.

The budget line for administrative appropriations related to the Executive Agency for Public Health is 17 01 04 30.

NB: The legal acts cited in this document are, when appropriate, the latest amended version.

⁽¹⁾ See http://europa.eu.int/comm/health/ph_projects/project_en.htm

⁽²⁾ COM(2006) 234 final of 24.5.2006.

The budget available for 2007 (commitments) is estimated at EUR 40 000 000 ⁽³⁾.

The budget for operating appropriations is EUR 38 800 000. The budget for administrative appropriations is EUR 1 200 000.

To this budget should be added:

— the contribution of EEA/EFTA countries: estimated at EUR 912 000 ⁽⁴⁾;

— the contribution of one Applicant Country (Turkey): estimated at EUR 958 000 ⁽⁵⁾;

The total budget for 2007 is therefore estimated at EUR 41 870 000 ⁽⁶⁾. This includes both resources for the operating budget and resources for technical and administrative assistance:

— the total for the operating budget is estimated at EUR 40 638 000 ⁽⁶⁾,

— the total for the administrative budget is estimated at EUR 1 232 000 ⁽⁶⁾.

It is proposed that up to 10 % of the operating budget be spent on calls for tenders, and up to 5 % on direct grants for international organisations.

The total indicative amount for the call for proposals is estimated at EUR 33 888 000 ⁽⁶⁾.

As far as the allocation of grants for the call for proposal is concerned, a balance between the programme's different strands will be pursued, while taking into account the quality and quantity of proposals received, unless particular public health emergencies (e.g. pandemic influenza) arise to justify any reallocation of resources.

2. FINANCIAL INSTRUMENTS

2.1. Call for proposals

New areas for action and key priorities have been identified in the 2007 work plan. These are based on the actions and supporting measures mentioned in the Programme Decision together with those areas which had not been covered by proposals submitted under previous calls.

As a result, priorities for the 2007 call for proposals will refocus certain key actions that have already been initiated and also cover a number of new areas, as described in detail below.

The grants should be financed under Budget line 17 03 01 01.

The total indicative amount for the call for proposals is estimated at EUR 33 888 000 ⁽⁶⁾.

A single call for proposals Public Health — 2007 will be published in the Official Journal in February 2007 (indicative date) and executed under the responsibility of the Executive Agency for the Public Health Programme ⁽⁷⁾.

Projects for co-funding should be innovative in nature and should not exceed a maximum of three years in duration.

Given the complementary and motivational nature of Community grants, at least 40 % of the project costs must be funded from other sources. Consequently, normal financial contribution can be up to 60 % per beneficiary of the eligible costs for the projects considered. In each individual case the maximum percentage to be awarded will be determined.

⁽³⁾ Indicative amount, subject to approval of the Budget Authority.

⁽⁴⁾ See page 27 of this Official Journal, footnote 3.

⁽⁵⁾ Indicative amount: this figure is the maximum amount and depends on the actual amount of the contribution paid by the Applicant Country.

⁽⁶⁾ See page 27 of this Official Journal, footnotes 3 and 4.

⁽⁷⁾ Commission Decision 2004/858/EC (OJ L 369, 16.12.2004, p. 73).

A maximum co-financing per beneficiary (i.e. per main and per associated beneficiary) of 80 % of eligible costs could be envisaged where a project has a significant European added value. No more than 10 % of the number of funded projects should receive co-financing of over 60 %.

It should be noted that the indicative amount for Community financial participation in the retained projects during the opening of the negotiations can vary from – 20 % to + 5 % as a result of the latter.

The general principles and criteria for the selection and funding of actions under the Public Health Programme are set out in a separate document.

Details concerning eligibility of travel and subsistence expenses are provided in an annex to this work plan.

Priorities for 2007

For the sake of clarity, the actions are grouped in sections corresponding to the strands referred to in section 1.1.: Health Information, Health Threats and Health Determinants. Each action refers to the corresponding Article/Annex point of the Programme Decision.

All proposals, where relevant, should include information on how a gender perspective will be taken into account and must demonstrate that synergies can be developed with the relevant research activities funded under the scientific support to policies' activities of the 6th Framework Programme of the European Community for Research ⁽⁸⁾ e and its follower ⁽⁹⁾.

2.1.1. *Health Information — Articles 2(2)(a) and 3(2)(a)*

Activities under this section aim to:

- develop and operate a sustainable health monitoring system;
- improve the system for the transfer and sharing of information and health data including public access;
- develop and use mechanisms for analysis and reporting of information and consultation with Member States and stakeholders on health issues at Community level;
- improve analysis and knowledge of the impact of health policy developments, other Community policies and activities on health;
- support the exchange of information on health technologies assessment, including new information technologies and experiences on good practices.

The project proposals should focus on:

2.1.1.1. *Developing and coordinating the health information and knowledge system (Annex — point 1.1)*

- Development and implementation of indicators and collection of data on socio-economic determinants of health, inequalities in health, gender health, health of specific population groups (including feasibility and costing). Breakdown of the Healthy Life Years Indicator by socioeconomic categories using the standard EU methodology ⁽¹⁰⁾. This topic shall be done in close collaboration with Eurostat activities, without duplication of efforts, in particular the activities of its Task Force on 'Life Expectancy by Socio-economic groups';

⁽⁸⁾ Council Decision 2002/834/EC (OJ L 294, 29.10.2002, p. 1). Sixth Framework Programme public health related projects under Scientific Support to Policies — CORDIS web page: <http://www.cordis.lu/lifescihealth/ssp.htm>

⁽⁹⁾ It should be noted that under calls to be published early 2007 under the forthcoming Seventh Framework Programme of the European Community for Research, there will be topics with particular reference to public health in the section 'Optimising the Delivery of Health Care to European Citizens'.

⁽¹⁰⁾ See http://ec.europa.eu/health/ph_information/indicators/lifeyears_calcul_en.htm for details.

- development of indicators and collection of data on public health, prevention and health promotion policies in the Member States, and indicators for EU policy and legislation with a health impact (including feasibility and costing);

- promotion of health indicators systems and reporting in the Member States using the European Community health indicators list and the Healthy Life Years Indicator, focusing in particular on integrating their use in the Member States joining the EU after 1 May 2004 and candidate countries.

2.1.1.2. Operating the health information and knowledge system (Annex — point 1.1)

- Pilot studies on health examination surveys as part of the feasibility study⁽¹⁾. Creation or improvement of morbidity registers covering all Member States on major and chronic diseases (including feasibility and costing) for which a solid indicators base definition exists⁽²⁾ and for those not yet covered by existing projects⁽³⁾;

- identification and evaluation, from existing or recently developed health interview surveys instruments, of sets of *ad hoc* questions for the health part of the European System of Social Statistical Survey Modules;

- further development and implementation of the language independent system for automated coding of causes of death (IRIS);

- implementation of the Injury Data Base (IDB)⁽⁴⁾ in all Member States, in particular data collection and processing of data on all injuries (including home and leisure accidents), in accordance with the new harmonised coding system.

2.1.1.3. Developing mechanisms for reporting and analysis of health issues and producing public health reports (Annex — point 1.4)

- Providing evidence and reports on the impact of Community policies on health, health and economic growth and sustainable development;

- production of reports on selected population groups (i.e. women and children), on the impact and risk factors for disabilities (e.g. visual impairment), on the protection of the public against the risks of exposure to electromagnetic fields (EMF), on the selection of relevant EMF indicators and guidelines and on links between environmental factors and health outcomes;

- support for in-depth analyses of causes of death statistics in order to gain new insights into mortality patterns and to monitor changes across the EU as well as analyses of avoidable causes of death (including work towards an agreeable definition of avoidable causes of death).

⁽¹⁾ http://ec.europa.eu/health/ph_projects/2005/action1/action1_2005_full_en.htm#20

⁽²⁾ This is the case for diabetes, mental diseases, oral health, asthma and chronic obstructive respiratory diseases, musculoskeletal diseases (with particular focus on osteoporosis and arthritic and rheumatic disorders) and cardiovascular diseases.

⁽³⁾ This includes Parkinson's disease, Multiple Sclerosis, Epilepsy, Amyotrophic lateral sclerosis, Attention Deficit Hyperactivity Disorders, Cognitive retardation and disruption of motor, perceptual, language and socio-emotional functions, haematological diseases (including haemophilia), immunological disorders, allergies except asthma, genito-urinary diseases, gastroenterological diseases, endocrinological diseases, ear, nose and throat disorders, ophthalmology disorders and dermatology diseases as well as diseases related to environmental factors. It will also include strokes, headache disorders and chronic pain (e.g. Chronic Fatigue Syndrome and Fibromyalgia).

⁽⁴⁾ <https://webgate.cec.eu.int/idb/>

2.1.1.4. Developing strategies for information exchange and responding to non-communicable health threats (Annex — point 1.2)

- Support for disease knowledge projects relating to their occurrence, treatments, risk factors, risk reduction strategies, costs of illness and social support in terms of developing best practice recommendations;
- development of strategies and mechanisms for exchange of information among people affected by rare diseases and promotion of better epidemiological studies, codification, classification and definition;
- support for European networks of reference for rare diseases in an effort to establish guidelines for best practice on treatment, and to share knowledge on these diseases, together with evaluation of performance;
- feasibility studies to develop mechanisms for comprehensive data collection on the volume and impact of cross border health care, integrated into existing data collections systems within Member States and without undue additional administrative burden.

2.1.1.5. eHealth (Annex — points 1.6, 1.8)

- improving linkages between national and regional websites and websites of non-governmental organisations and the EU health portal ⁽¹⁵⁾; improvement of EU listing and access to relevant sources of medical information;
- promotion of projects that improve health information flows within and among health institutions (improving patient safety and public health reporting, contributing to effective networking and/or illustrating cost-quality scenarios);
- development of reporting on patients' and health professionals' behavioural and perception changes resulting from introducing eHealth solutions, modelling of the safety and risk implications of information and communication technology-related changes.

In cooperation with other EU policy areas:

- Promotion and dissemination of pilot projects, undertaken under the Community and Innovation Programme and other relevant Community instruments ⁽¹⁶⁾, on patient summaries, patient, staff and object identifiers, ePrescription, emergency data sets and development of semantic interoperability;
- analysis of legal, medical and ethical issues of confidentiality; ownership and access to data arising from the use of eHealth tools and electronic health monitoring, in particular in relation to exchange of electronic health records in cross border settings; surveillance and reporting systems; prevention and promotion, palliative care and home care.

2.1.1.6. Information on the environment and health (Annex — point 1.1)

- Development of an environment and health information system through increased linkage of data, pilot studies for joint surveillance of environment and health variables; local environment and health intervention studies that include socio-economic characterisation; studies on possible environmental causes of (respiratory and cardiovascular) disease, studies on the health effects of long-term and combined low-level exposure to environmental stressors; improvement of the quality of mortality and morbidity data related to respiratory and cardiovascular disease; exposure-response functions, co-morbidity and early warning based on pattern detection;

⁽¹⁵⁾ <http://ec.europa.eu/health-eu/>

⁽¹⁶⁾ <http://cordis.europa.eu/innovation/en/policy/cip.htm#adoption> and the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions e-Health — making healthcare better for European citizens: An action plan for a European e-Health Area (COM(2004) 356 final of 30.4.2004).

- reporting on urban planning guidelines relevant for health, especially for health prevention and promotion;
- providing further studies on electromagnetic field (EMF) as per the gaps identified by the EU Scientific Committees, relevant projects and the WHO (namely on the long-term effects of low-level exposure to EMF, including Radio Frequency Identification — RFID) and feasibility study on alert indicators and EMF-related monitoring needs; promotion of studies on risk perception and communication best practices, support for the development of EMF dosimetry guidelines and installation guidelines for electric and mobile phone companies;

2.1.1.7. Supporting the exchange of information and experience on good practice (Annex — point 1.7)

- Promoting patient safety and quality of health services by helping to develop European cooperation and collaboration between competent authorities and relevant stakeholders. Actions in this area cover exchange of best practice on improving patient safety, including involving health professionals and coordination of related training and information; developing a better understanding of patient safety interventions and the economic implications of unsafe services and medical errors; helping national and regional bodies to implement injury prevention strategies;
- networking of public health advisory bodies in the Member States;
- supporting initiative and partnership to assess and improve health literacy.

2.1.1.8. Health impact and health technology assessment (Annex — point 1.5)

- Development of tools to monitor the cost effectiveness of health policies and their impact on the economy;
- development of awareness, networking and liaison activities designed to raise strategic health investment supported by EU structural funds;
- support for the EU Health Technology Assessment Network by way of work completed through existing project activities⁽¹⁷⁾ and links with the work of the Pharmaceutical Forum.

2.1.1.9. Actions to improve health information and knowledge for the development of public health (Article (3)(2)(c) and (d), Annex — points 1.7; 1.4; 1.5)

- Creation of a network of lawyers working on legislation pertinent to health in EU Member States (EU health law). The network should provide information on how law can be used to promote health and give input for policy development and impact assessments. It could also serve as a platform for sharing and transferring knowledge on health law.

2.1.2. *Responding to health threats rapidly and in a coordinated manner — Articles 2(2)(b) and 3(2)(a)*

Activities under this section aim to strengthen preparedness and to ensure a rapid response to public health threats and emergencies. This will be of particular assistance to cooperation undertaken under the Community network on communicable diseases⁽¹⁸⁾ and other EC legislation in public health and may complement European Research Framework Programme activities.

⁽¹⁷⁾ http://ec.europa.eu/health/ph_projects/2005/action1/action1_2005_full_en.htm#13

⁽¹⁸⁾ Decision No 2119/98/EC of the European Parliament and of the Council. (OJ L 268, 3.10.1998, p. 1).
Commission Decision 2000/57/EC (OJ L 21, 26.1.2000, p. 32).
Commission Decision 2000/96/EC (OJ L 28, 3.2.2000, p. 50).
Commission Decision 2002/253/EC (OJ L 86, 3.4.2002, p. 44).

Risk assessment activities fall under the remit of the European Centre for Disease Prevention and Control (ECDC)⁽¹⁹⁾, e.g. surveillance, which became operational during 2005. Activities aimed to promote national management of risks and threats have been established in consultation with the ECDC in order to strengthen EU wide cooperation, thus ensuring that there is no duplication or overlapping.

Activities countering the threat of deliberate release of biological agents will be undertaken in tandem with on-going activities on communicable diseases. These and activities on deliberate releases of chemical agents are being developed in the light of the conclusions of the Health Ministers of 15 November 2001 and the consequent 'Programme of cooperation on preparedness and response to biological and chemical attacks' (Health security)⁽²⁰⁾.

2.1.2.1. Capacity to deal with a pandemic influenza and tackle particular health threats (Annex — points 2.1, 2.2, 2.3, 2.4, 2.8)

This action aims to develop capacities and strategies to assist Member States, Candidate Countries, EEA/EFTA Countries, and the Community as a whole, in dealing with health threats. Priority is given to the threat of pandemic influenza and activities on influenza prevention/management, shared emergency communication strategies and preparedness and high quality tools and information on health and the socio-economic impact of pandemic and related counter-measures, in coordination with European Research Framework Programme activities⁽²¹⁾.

Other priorities are:

- non-communicable disease threats such as those related to chemical and environmental issues requiring rapid intervention;
- further development of an early warning system on chemical agents and traceability activities on cross-border transportation of dangerous substances relevant to public health;
- communicable disease management aspects of migrant health and cross-border issues, including screening and contact tracing issues;
- assisting in dealing with logistical priorities (e.g. procurement, stocking, distribution of medicine) and non medical intervention (e.g. measures to increase the social distance, entry and exit screening, disinfection measures, etc.) during emergency situations.

2.1.2.2. Generic preparedness and response (Annex — points 2.1, 2.2, 2.3, 2.4)

Actions should aim to improve health sector preparedness for crisis situations and foster intersectoral collaboration (e.g. with civil protection, food and animal sectors) to ensure a coherent response to a crisis. Activities should focus on supporting risk and crisis management and risk communication aspects.

The following are of particular interest:

- activities that support the implementation of generic preparedness planning, as linking different health institutions (e.g. hospitals and crisis centres at national/regional level) to prepare for mass gathering and develop the capacity to mitigate the impact of mass emergencies (e.g. casualties and migration waves/floods, vulnerable groups, displaced persons and refugees). Activities are also needed to support business continuity during emergency situations (e.g. providing services of public health utility during an event of major impact);

⁽¹⁹⁾ Regulation (EC) No 851/2004 of the European Parliament and of the Council (OJ L 142, 30.4.2004 p. 1).

⁽²⁰⁾ See: http://europa.eu/health/ph_threats/Bioterrorisme/bioterrorism01_en.pdf

⁽²¹⁾ Refer also to Sixth Framework Programme Scientific Support to Policies, Fifth call, SSP-5B INFLUENZA.

- activities that increase the use of existing or new tools and instruments, including legal ones, to support the traceability of international passengers (e.g. tracing of air flight passengers in the event of potential contamination by pathogenic micro-organisms) and contact tracing;
- activities that support capacity building for joint law enforcement and health authority operations;
- activities in support of capacity building and implementation needed to comply with the International Health Regulations adopted by the World Health Assembly ⁽²²⁾ (e.g. mechanisms to trigger and implement tracing of international travellers when needed);
- the use of innovative information technology tools for health threat analysis, such as geographical information systems (GIS), spatial-temporal analysis, novel early warning and forecasting schemes, automated analysis and exchange of diagnostic data;
- way to address issues relating to transportation (e.g. exercise for mailing samples) and application of new diagnostics (e.g. ring tests on new/emerging pathogens).

2.1.2.3. Health security and strategies relevant to communicable diseases control (Annex — points 2.2, 2.4, 2.5, 2.9)

There are still gaps in information and knowledge concerning the review, development and evaluation of policies and plans to cope with the hazards arising in the different health care settings, from the cabinet of generalist through the first line emergency rooms to the most sophisticated specialised hospital, including those habilitated to manage high risk patients.

Improvement in patient safety and quality of health care can be supported in the Member States by networking at European level and adopting appropriate strategies and structures to respond to health security emergencies and control of communicable diseases. This action aims to promote activities relating to preparedness (such as pre-event vaccinations and stockpiling), control/elimination of communicable diseases and patient safety. Actions would be promoted that support inter-disciplinary communication (e.g. general practitioners, pharmacists, veterinarians, and relevant non-medical disciplines) and facilitate cooperation through platforms and networking.

Other priorities are activities that support:

- control and prevention programmes for childhood infectious diseases (including activities that foster the exchange of best practise on vaccination and immunisation strategies, e.g. vaccine preventable diseases under Decision 2119/98/EC ⁽²³⁾). Activities on controlling adverse effects (from vaccines, chemicals, antiviral, other medicines and medical devices), in cooperation with the European Medicines Agency (EMA);
- networking and sharing information between Member States in order to improve patient safety and quality of care, in particular management and control of healthcare-associated infections and antimicrobial resistance, including other exposures related to hospital or health care environment (chemical exposure, drugs, disinfectant, indoor air quality, etc). Activities relating to issues such as exchange of best practices in the field of patient safety (reporting and learning systems, training and education), developing mechanisms and tools to improve information for patients, citizens and health professionals on patient safety, to develop a better understanding of patient safety interventions and the economic implications of unsafe services and medical errors, and to support underpin national policies and programmes.

⁽²²⁾ See: http://www.who.int/gb/ebwha/pdf_files/WHA58/WHA58_3-en.pdf

⁽²³⁾ See footnote 11.

2.1.2.4. Safety of blood, tissues and cells, organs (Annex — points 2.6, 2.7)

This action aims to promote the quality, safety and availability of substances of human origin (organs, tissues, cells, blood and blood components) used for therapeutic purposes associated with their collection, processing, distribution and use. These activities should help to implement existing EU legislation.

Priority will be given to activities that:

- develop tools providing practical guidance on risk assessment and validation methodology in procurement, processing, storage and distribution of substances of human origin;
- conduct a detailed risk assessment of the different types of procedures with the aim of producing specific guidelines for each type of process and substance. They should take into account the type of processing and the route of application of the substances into the human body;
- gear to promoting voluntary unpaid donations of substances of human origin. Actions should be directed towards sharing data on the routine practices of compensation offered to donors of substances of human origin at hospitals or procurement organisations.

2.1.3. Health Determinants — Articles 2(1)(c) and 3(2)(b)

Activities under this section are designed to:

- underpin EU policies and activities regarding health determinants,
- support actions to provide and exchange good practice,
- promote cross-cutting and integrative approaches across several health determinants and maximise countries' efforts.

In 2007, priority will be given to projects linked to and in support of EU policies and strategies on health determinants, notably on mental health, nutrition and physical activity, tobacco, alcohol, drugs and environment and health. A specific focus will be on projects addressing good practice in conveying health-related life skills, in particular for children and young people, covering both risk and protective factors with an impact on lifestyles and behaviours. Projects should also show awareness of wider socio-economic considerations and contribute to reduce health inequalities.

The priorities identified for 2007 are as follows:

2.1.3.1. Supporting key Community strategies on addictive substances (Annex — point 3.1)

Actions to support tobacco control activities

The projects proposals should focus on:

- development of innovative strategies and best practices concerning prevention and cessation methods focusing on young people and working population;
- passive smoking; evaluation of the impact of smoke-free policies in Member States on exposure to second-hand smoke and tobacco consumption;

- Tobacco Products control: work on the effectiveness, enforcement and development of EU and Member States measures on tobacco control, in particular on tobacco ingredients, emissions control and public information in relation to the implementation of Framework Convention on Tobacco Control (FCTC) at EU level.

Alcohol related activities will be linked to the overall strategic approach to reduce alcohol-related harm, as set out in the Commission communication on an EU strategy to support Member States in reducing alcohol-related harm ⁽²⁴⁾.

The projects proposals should focus on:

- development of a standardised methodology of cost-benefit analyses of alcohol policies to evaluate the economic impact of existing alcohol policies in the EU;
- development of standardised comparative surveys on heavy drinking, binge-drinking (episodic heavy drinking), drunkenness, context of drinking, alcohol dependence and unrecorded consumption;
- collection of best practices in work-place strategies to reduce the impact of harmful and hazardous alcohol consumption on the economy (e.g. reduce absenteeism, drinking during working hours, working with a hangover and unemployment);
- networking, evaluation and collection of best practises on well-resourced community mobilisation and intervention projects, involving different sectors and partners to create safer drinking environments;
- supporting development of best practice in advertising, self regulation and monitoring.

Drug-related activities

In line with the EU Drugs Strategy and Action Plan and the Council Recommendation on Drugs ⁽²⁵⁾, the projects proposals should focus on:

- development and improvement of prevention programmes, taking into account gender differences and targeting specific settings (e.g. work-places);
- implementation and sustainability of harm reduction programmes among vulnerable groups to prevent transmission of infectious diseases (e.g. tuberculosis, hepatitis, HIV/AIDS) among prisoners, injection drug users (IDUs) and their sexual partners and from mother to child;
- development of best practices to improve access to social, psychological and medical services for drug users, with the focus on young people;
- development and improvement of training for professionals working on the front-line with drug users (e.g. emergency services).

⁽²⁴⁾ COM(2006) 625 of 24.10.2006.

⁽²⁵⁾ Council Recommendation 2003/488/EC (OJ L 165, 3.7.2003, p. 31).

2.1.3.2. Integrative approaches on lifestyles (Articles 2(1)(c) and 3(2)(b); Annex — point 3.1)

Regarding nutrition and physical activity in preparation and support of the forthcoming 'White Paper on nutrition and physical activity' and the 'Report on Contributions to the Green Paper' published on 11 September 2006, projects proposals should focus on:

- good practices in education programmes on nutrition and physical activity, including schools;
- pilot support for collaborative multi-stakeholder initiatives on healthy lifestyle in communities focusing on specific vulnerable groups, in particular children;
- effectiveness of actions to change consumer behaviour with respect to food choice and physical activity;
- evaluation (health impact assessments/cost-benefit analyses) of policies and measures;
- evidence or tools to support policy-making in the area of marketing foods for children;
- enhancement of physical activity by creating healthy environments and involving other sectors (e.g. urban planning, transport, architecture).

HIV/AIDS and sexual and reproductive health activities, in line with the Commission communication on combating HIV/AIDS⁽²⁶⁾, the projects proposals should focus on issues around:

- ongoing HIV transmission among men having sex with men (MSM) in Europe by building up networks, in close collaboration with the ECDC and other relevant European bodies, in support of a communication strategy for prevention using targeted, innovative mechanisms;
- ways for the exchange and dissemination of both national and international experiences in raising awareness on HIV/AIDS and sexual health;
- identifying good practice and guidance on voluntary counselling and testing of HIV, taking into account the diversity of specific vulnerable groups (such as youth, migrant populations, injecting drug users);
- identifying and disseminating good practice related to harm reduction activities (prevention, treatment, care and support) focussing on vulnerable groups in particular on IDUs;
- innovative strategies to promote safer sex among adolescents and high risk populations, including access to targeted services, and improved awareness of sexually transmitted infections and their prevention.

⁽²⁶⁾ Communication from the Commission to the Council and the European Parliament (COM(2005) 654 final of 15.12.2005).

Mental health activities based on the orientations set out in the EU mental health strategy ⁽²⁷⁾; projects proposals should focus on:

- developing a mechanism for identifying and reviewing good practice, which integrates knowledge from existing projects, and includes measures fostering the visible recognition of leadership practice in mental health promotion, mental disorder prevention, combating stigma, promoting inclusion of people with mental health problems and their human rights;
- supporting leadership and networking for the broad integration of mental health promotion and mental disorder prevention at the workplace, enhancing positive mental health and work life balance;
- mapping the evidence-base for the cost-effectiveness of investment into promoting mental health and prevent mental disorders.

2.1.3.3. Public health actions to address wider determinants of health (Annex — points 3.2 and 3.3)

Social determinants of health activities will concentrate on policy development, innovative approaches and evaluation and will focus on:

- sharing good practice on awareness raising, including the development of platforms/networks or similar comprehensive multi-stakeholder mechanisms;
- documentation and evaluation of good practice in tackling issues of access to health care and differences in the outcomes of health care by social group;
- innovative approaches to addressing migrant health issues;
- exchanging and developing recommendations for good practice in workplace health promotion, with a focus on older employees and on prolonging working careers. This would be pursued in close cooperation with health and safety at work policy.

Environmental determinants activities, in line with the Environment and health action plan ⁽²⁸⁾; will focus on public health actions developing networks for the collection of best practices, guidelines and remedial measures at national and local level, concerning indoor air quality including cost/benefits analyses. In particular, they will target:

- preventive and remedial measures to reduce exposure to radon;
- remedial measures aimed at improving ventilation, in particular in schools;
- use and maintenance of combustion appliances;
- dampness and moisture in buildings.

⁽²⁷⁾ Green paper 'Promoting the mental health of the population. Towards a strategy on mental health for the EU' (COM(2005) 484 final of 14.10.2005).

⁽²⁸⁾ Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee — The European Environment & Health Action Plan 2004-2010 (COM(2004) 416 final of 9.6.2004).

2.1.3.4. Disease and injuries prevention (Articles 2(1)(c) and 3(2)(b))

The project proposals on disease prevention should focus on developing guidelines and best practice recommendations for addressing the main public health diseases, such as cancer, diabetes and respiratory diseases, building on existing work.

Projects on injury should prioritise:

- develop and implement safety management schemes for high risks sports activities in collaboration with European sports associations;
- develop action-oriented tools, in close cooperation with the European Agency for Safety and Health at Work ⁽²⁹⁾; to address injury prevention among young employees;
- support implementation actions towards the development of national action plans on child safety, with an emphasis on advocacy and intensive communication;
- promote information and knowledge exchange through expert panels, consultation and by providing a sustainable 'clearing house' type of activity on good practices.

2.1.3.5. Capacity building

Priority will be given to:

- promoting cooperation between educational institutions on the content of common European training courses and modules in key areas of public health and to the development of tailor-made training curricula for health care personnel and other professionals involved in mental health services;
- short-term support for the development of the capacity of selected European networks with high public health importance and significant European wide out reaching to overcome specific geographical or developmental weaknesses. Specific attention will be paid to the capacity of non-governmental organisations active in the field of HIV/AIDS to support the integration on and adherence of People Living with HIV and AIDS (PLWHA) in anti-retroviral treatment programmes.

2.2. Calls for tenders

Services procurements should be financed under budget items 17 03 01 01 and 17 01 04 02. The overall indicative amount for the call for tenders would be up to EUR 4 064 000 ⁽³⁰⁾.

An additional financing decision for procurement contracts should be adopted by February 2007 (indicative date).

The following areas of work have been identified:

HEALTH INFORMATION

(1) revising and updating the Implementation Report on Council Recommendation 1999/519/EC of 12 July 1999 on the limitation of exposure of the general public to electromagnetic fields (0 Hz to 300 GHz) ⁽³¹⁾;

(2) supporting *ad hoc* pilot surveys using the Eurobarometer survey;

⁽²⁹⁾ Council Regulation (EC) No 2062/94 (OJ L 216, 20.8.1994, p. 1).

⁽³⁰⁾ See page 27 of this Official Journal, footnotes 3 and 4.

⁽³¹⁾ OJ L 199, 30.7.1999, p. 59.

- (3) reporting on the integration of health protection requirements into the different titles of Community policies, including the methodologies for health impact assessment already developed at Community level;
- (4) management, editing, updating and development of the EU health portal;
- (5) communication on the Public Health Programme;
- (6) support for setting up scientific secretariats;
- (7) patient safety: establishing an integrated umbrella network to improve cooperation in the field of patient safety, focusing on cultures, leadership and clinical governance, reporting and learning mechanisms, sharing of best practices and stakeholders' involvement.

HEALTH THREATS

- (1) establishing platforms for the preparation, running and evaluation of exercises, the organisation of training on decision-making tools and team building, the development of IT tools in the field of preparedness and the organisation of specialised workshops;
- (2) mapping and characterising of the current situation relating to reference laboratories, including feasibility studies, to improve reliable and in time identification of influenza virus strains and EU standards on particularly relevant pathogens, including provision of essential technical and diagnostic resources;
- (3) development of a Guide on good practice for establishments working in the quality in the field of substances of human origin.

HEALTH DETERMINANTS

- (1) evaluation of the result of health textual warnings and pictorial warnings in use in the Member States and the development of further sets of textual and pictorial warnings;
- (2) support for services to set up and implement stakeholder networking and consultation processes in health determinants, notably on nutrition and physical activity, alcohol, mental health and HIV/AIDS;
- (3) mental health: Study — The evidence-base for the cost-effectiveness of investment into promoting mental health and preventing mental disorders;
- (4) mapping and evaluation of national and sub-national strategies on health determinants (notably HIV/AIDS and nutrition and physical activity);
- (5) environment and health: development of a web-based information tool on indoor air quality.

In addition to the above-mentioned priorities, a cross cutting need has been identified for the coordination of the input of Non-Governmental Organisations into health initiatives at the EU level; both in established platforms, as well as in other initiatives, on topics such as nutrition and physical activity, alcohol, health services, mental health, pharmaceuticals and health, etc.

2.3. Cooperation with international organisations

2.3.1. Areas for cooperation in 2007

In accordance with Article 11 of the Programme Decision, cooperation with international organisations competent in the sphere of public health and the European Economic Area (EEA) States will be pursued in the course of the programme in coordination within Commission services dealing with the same subjects.

Cooperation with the Organisation for Economic Co-operation and Development (OECD)

The Commission is to conclude direct grant agreements with the OECD covering areas of the Public Health Programme compatible with the OECD Public Health Work Plan for 2007-08, in particular in the areas relating to:

- refinement of the System of Health Accounts and collection of data not covered by the Community Statistical Programme, in particular the incorporation of input, output and productivity measurement;
- incentives for information and communication technologies (ICT) implementation in health and related policy options not already covered by existing EU actions.

Cooperation with the World Health Organisation (WHO), including the International Agency for Research on Cancer (IARC), affiliated to the WHO

Cooperation with the WHO in 2007 will build on existing initiatives between the two organisations and may be extended to additional areas set out in this work plan, where these can most appropriately be taken forward through the WHO.

2.3.2. Financing

Funding for actions with the international organisations mentioned above can be allocated only through direct grant agreements. These should be financed under budget item 17 03 01 01; the indicative amount for direct grants is estimated to be up to EUR 2 032 000 (5 % of the operating budget). This amount could be increased depending on budget availability.

2.4. Scientific Committees

The Scientific Committees relevant to the Public Health Programme should be financed under budget item 17 03 01 01.

An overall amount of EUR 254 000 will be earmarked for the payment of allowances to participants in meetings relating to the work of the scientific committees and of rapporteurs for completion of scientific committee opinions, in the framework of the Scientific Committees ⁽³²⁾ These allowances will cover all fields relevant to the Public Health Programme, i.e. 100 % of costs for the SCHER (Scientific Committee on Health and Environmental Risks) and 50 % (as an indicative percentage) of costs for the SCENIHR (Scientific Committee on Emerging and Newly Identified Health Risks) and for Coordination.

2.5. Sub-delegation to Directorate-General Eurostat

A sub-delegation for a maximum amount of EUR 400 000, under budget item 17 03 01 01, will be given to the Directorate-General Eurostat (Eurostat) for the purposes of supporting:

- (1) national statistical authorities in the implementation in 2007-2008 of the European Health Interview Survey core modules (as defined in the Statistical Programme for 2007);
- (2) national statistical authorities in the implementation and further expansion of the System of Health Accounts in the EU (in cooperation with the OECD and the WHO).

⁽³²⁾ Commission Decision 2004/210/EC (OJ L 66, 4.3.2004, p. 45).

ANNEX II

Eligibility of travel and subsistence expenses

These guidelines apply to the reimbursement of travel and subsistence expenses:

- of staff employed by the beneficiary (main and associated beneficiaries) of grants and experts invited by the beneficiary to participate in working groups;
 - when explicitly provided for in service contracts.
- (1) Flat-rate subsistence allowances cover all subsistence expenses during missions, including hotels, restaurants and local transport (taxis and/or public transport). They apply in respect of each day of a mission at a minimum distance of 100 km from the normal place of work. The subsistence allowance varies depending on the country in which the mission is carried out. The daily rates correspond to the sum of the daily allowance and the maximum hotel price set out in Commission Decision C(2004) 1313 ⁽¹⁾ as amended.
- (2) Missions in countries other than EU 27, Acceding and Applicant countries and EFTA-EEA countries will be subject to the prior agreement of the Commission. This agreement will relate to the objectives of the mission, its costs and the reasons therefore.
- (3) Travel expenses are eligible under the following conditions:
- travel by the most direct and most economic route;
 - distance of at least 100 km between the place of the meeting and the normal place of work;
 - travel by rail: first class;
 - travel by air: economy class, unless a cheaper fare can be used (e.g. Apex); air travel is allowed only for return journeys of more than 800 km;
 - travel by car: reimbursed on the basis of the equivalent first class rail fare.

⁽¹⁾ Commission Decision of 7 April 2004 concerning general implementing provisions adopting the Guide to missions for officials and other servants of the European Commission.

COMMISSION DECISION**of 12 February 2007****laying down general principles and criteria for the selection and funding of actions under the Public Health Programme****(Text with EEA relevance)**

(2007/103/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to Decision No 1786/2002/EC of the European Parliament and of the Council of 23 September 2002 adopting a programme of Community action in the field of public health (2003-2008) ⁽¹⁾, and in particular Article 8(1), thereof,

Whereas:

- (1) Article 8(1) of Decision No 1786/2002/EC provides for the adoption by the Commission of an annual plan of work for the implementation of the programme of public health, setting out priorities and actions to be undertaken, including allocation of resources, and for adoption of the arrangements, criteria and procedures for selecting and financing the actions of the programme.
- (2) By Commission Decision 2007/102/EC ⁽²⁾ the work plan for 2007 has been adopted.
- (3) Article 115 of Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽³⁾ and Article 167 of Commission Regulation (EC, Euratom) No 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, Euratom) No 1605/2002 ⁽⁴⁾ require that the eligibility, selection and award criteria are specified in advance in the call for proposals with the aim of making it possible to assess the quality of the proposals submitted in the light of the objectives and priorities set out in the annual work programme.

(4) The 'General principles and criteria for the selection and funding of actions under the Public Health Programme' referred to in the Annex of this decision should therefore be adopted. Annex II of Decision C(2005) 29 of 14 January 2005 adopting the work plan for 2005 for the implementation of the programme of Community action in the field of public health (2003-2008), including the annual work programme for grants and the general principles and criteria for the selection and funding of actions under the Public Health Programme is therefore replaced by the Annex to this Decision.

(5) The 'General principles and criteria for the selection and funding of actions under the Public Health Programme', as set out in the Annex are in accordance with the opinion of the Committee on the programme of Community action in the field of public health,

HAS DECIDED AS FOLLOWS:

Sole Article

The 'General principles and criteria for the selection and funding of actions under the Public Health Programme (2003-2008)', as set out in Annex, are hereby adopted.

Done at Brussels, 12 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 271, 9.10.2002, p. 1. Decision as amended by Decision No 786/2004/EC (OJ L 138, 30.4.2004, p. 7).

⁽²⁾ See page 27 of this Official Journal.

⁽³⁾ OJ L 248, 16.9.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1995/2006 (OJ L 390, 30.12.2006, p. 1).

⁽⁴⁾ OJ L 357, 31.12.2002, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 1248/2006 (OJ L 227, 19.8.2006, p. 3).

ANNEX

GENERAL PRINCIPLES AND CRITERIA FOR THE SELECTION AND FUNDING OF ACTIONS UNDER THE PUBLIC HEALTH PROGRAMME

This document replaces in all its effects the previous document 'General principles and criteria for the selection and funding of actions under the Public Health Programme', appended to Decision C(2005) 29. It applies only to co-funding of individual actions under the Public Health Programme through grants after calls for proposals. It can under no circumstances be understood as replacing the applicable legal rules.

1. GENERAL PRINCIPLES

1. The Financial Regulation and its Implementing Rules are the reference documents for the implementation of the Public Health Programme.

2. Grants must comply with the following principles:

- co-financing rule: external co-financing from a source other than Community funds is required, either by way of the beneficiary's own resources or the financial resources of third parties. Contributions in kind from third parties may be considered as co-financing if considered necessary or appropriate (Articles 113 of the Financial Regulation and 172 of the Implementing Rules);
- no-profit rule: the grant may not have the purpose or effect of producing a profit for the beneficiary (Articles 109(2) of the Financial Regulation and 165 of the Implementing Rules);
- no-retroactivity rule: expenditure eligible for financing must be incurred after the agreement is signed. In exceptional cases, it may be acceptable to consider expenditure that was incurred from the date of submission of the grant application, but not earlier (Article 112 of the Financial Regulation);
- no-cumulation rule: only one grant may be awarded for a specific action carried out by a given beneficiary per financial year (Article 111 of the Financial Regulation) ⁽¹⁾.

3. Proposals for actions (projects) will be evaluated on the basis of three categories of criteria:

- exclusion criteria, to assess the applicant's eligibility — Article 114 of the Financial Regulation;
- selection criteria, to assess the applicant's financial and operational capacity to complete the proposed action — Article 176 of the Implementing Rules;
- award criteria, to assess the quality of the proposal taking into account its cost.

These three categories of criteria will be considered consecutively during the evaluation procedure. A project which fails to meet the requirements of one category will not be considered at the next evaluation stage and will be rejected.

4. In respect of the Public Health Programme, priority will be given to projects which:

- have an innovative character in relation to the existing situation and are not of a recurrent nature;
- provide added value at European level in the field of public health: projects are to yield relevant economies of scale, involve as many eligible countries in relation to the scope of the project and are capable of being replicated elsewhere;
- contribute to and support the development of Community policies in the field of public health;

⁽¹⁾ This means that a specific action, submitted by one applicant for a grant, can be approved for co-financing by the Commission only once a year, regardless of the length of this action.

- devote adequate attention to an efficient management structure, a clear evaluation process and a precise description of the expected results;

- include a plan for using and disseminating the results at European level to appropriate target audiences.

2. EXCLUSION CRITERIA

1. Applicants will be excluded from participation in an award procedure of the Public Health Programme if they:
 - (a) are bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are the subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
 - (b) have been convicted of an offence concerning their professional conduct by a judgment which has the force of *res judicata*;
 - (c) have been guilty of grave professional misconduct proven by any means which the contracting authority can justify;
 - (d) have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Authorizing Officer or those of the country where the contract is to be performed;
 - (e) have been the subject of a judgment which has the force of *res judicata* for fraud, corruption, involvement in a criminal organisation or any other illegal activity detrimental to the Communities' financial interests;
 - (f) have been declared to be in serious breach of contract for failure to comply with their contractual obligations, following another procurement or grant award procedure financed by the Community budget.

Evidence: candidates shall provide a declaration on their honour, duly signed and dated, stating that they are not in one of the situations listed above.

2. Any proposals received after the deadline for receipt, any incomplete proposals or failing to meet the formal requirements laid down in the call for proposals will be excluded from participation in the Public Health Programme.

Each application must be complete and contain at least the following documents:

- Administrative data on the main partner and associated partners;
- Technical description of the project;
- Global budget of the project and the requested level of Community co-financing;
- Evidence: global budget of the project and the requested level of Community co-financing;
- Evidence: application content.

3. Actions which have already commenced by the date on which the grant application is registered will be excluded from participation in the Public Health Programme.

Evidence: the scheduled commencement date and duration of the action must be specified in the grant application.

3. SELECTION CRITERIA

Only proposals which have satisfied the requirements of the exclusion criteria will be eligible to be evaluated. All the following selection criteria have to be fulfilled.

1. Legal status

Applicants must provide evidence of their organisation's legal status.

Evidence: applicants must supply the organisation's articles of association and the official registration certificate.

2. Financial capacity

Applicants must have stable and sufficient sources of funding to maintain their activity throughout the period during which the activity is being carried out and to participate in its co-funding.

Evidence: applicants must supply the profit and loss account and the balance sheets for the past two complete financial years.

The verification of financial capacity will not apply to public bodies, or to international public organisations created by inter-governmental agreements or to specialist agencies created by the latter.

3. Operational capacity

The applicant must have the professional resources, competences and qualifications required to complete the proposed action.

Evidence: applicants must supply the organisation's most recent annual activity report including operational, financial and technical details and the curricula vitae of all relevant professional staff in all the organisations involved in the project.

4. Additional documents to be supplied at the request of the Commission

If so requested, applicants must supply an external audit report produced by an approved auditor, certifying the accounts for the last financial year available and giving an assessment of the applicant's financial viability.

4. AWARD CRITERIA

Only projects which have satisfied the requirements of the exclusion and the selection criteria will be eligible for further evaluation on the basis of the following award criteria. The call for proposals shall determine how the blocks of the award criteria listed below are to be applied.

1. Policy and contextual relevance of the project

(a) Project's contribution to the Public Health Programme and its annual work plan in terms of meeting the objectives and priorities;

(b) Strategic relevance in terms of expected contributions to the existing knowledge and implications for health;

(c) Added value at European level in the field of public health:

— impact on target groups, long term effect and potential multiplier effects such as replicable, transferable and sustainable activities;

— contribution to, complementarity, synergy and compatibility with EU relevant policies;

(d) Pertinence of the geographical coverage

Applicants must ensure that a geographical coverage of the project is appropriate with regard to its objectives, explaining the role of the eligible countries as partners and the relevance of the project resources or target populations they represent;

Proposals at national or sub-national dimension (i.e. which involve only one eligible country or a region of a country) will be rejected.

(e) Adequacy of the project with social, cultural and political context

Applicants must relate the project with the situation of the countries or specific areas involved, ensuring the compatibility of the envisaged actions with culture and views of the target groups.

2. Technical quality of the project

(a) Evidence base

Applicants must include the problem analysis and clearly describe the factors, the impact, the effectiveness and applicability of measures proposed;

(b) Content specification

Applicants must clearly describe the aims and objectives, target groups including relevant geographical factors, methods, anticipated effects and outcomes;

(c) Innovative nature, technical complementarity and avoidance of duplication of other existing actions at EU level

Applicants must clearly identify the progress the project intends to accomplish within the field in relation with the state of the art and ensure that there will be neither inappropriate duplication nor overlap, whether partial or total, between projects and activities already carried out at European and international level;

(d) Evaluation strategy

Applicants must clearly explain the kind and adequacy of methods proposed and indicators chosen;

(e) Dissemination strategy

Applicants must clearly illustrate the adequacy of envisaged strategy and methodology proposed to ensure transferability of results and sustainability of the dissemination.

3. Management quality of the project and budget

(a) Planning and organisation of the project

Applicants must describe the activities to be undertaken, timetable and milestones, deliverables, nature and distribution of tasks, risk analysis;

(b) Organisational capacity

Applicants must describe the management structure, competency of staff, responsibilities, internal communication, decision making, monitoring and supervision;

(c) Quality of partnership

Applicants must describe the partnerships envisaged in terms of extensiveness, roles and responsibilities, relationships among the different partners, synergy and complementarity of the various project partners and network structure;

(d) Communication strategy

Applicants must describe the communication strategy in terms of planning, target groups, adequacy of channels used, visibility of EU co-funding;

(e) Overall and detailed budget

Applicants must ensure that budget be relevant, appropriate, balanced and consistent in itself, between partners and with the specific objectives of the project. Budget should be distributed within partners at a minimum reasonable level, avoiding excessive fragmentation;

(f) Financial management

Applicants must describe financial circuits, responsibilities, reporting procedures and controls.

Weightings of each block of criteria as a total are the following. Specific weightings for individual criterion of each block will be set out in the call for proposal.

1. Policy and contextual relevance of the project	/30
2. Technical quality of the project	/40
3. Management quality of the project and budget	/30

Maximum total score /100

Thresholds will also be set for each block of criteria, such that any project failing to achieve the threshold marks will be rejected.

Following the evaluation, proposals recommended for funding are drawn up in a list, ranked according to the total marks awarded. Depending on budget availability, the highest ranked proposals will be awarded for co-funding. The remaining proposals recommended for co-funding will be placed on a reserve list.

COMMISSION DECISION

of 15 February 2007

amending Decision 2002/300/EC as regards the areas excluded from the list of approved zones with regard to *Bonamia ostreae*

(notified under document number C(2007) 419)

(Text with EEA relevance)

(2007/104/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 91/67/EEC of 28 January 1991 concerning the animal health conditions governing the placing on the market of aquaculture animals and products ⁽¹⁾, and in particular Article 5(3) thereof,

Whereas:

- (1) Commission Decision 2002/300/EC of 18 April 2002 establishing the list of approved zones with regard to *Bonamia ostreae* and/or *Marteilia refringens* ⁽²⁾ lists in the Annex to that Decision the areas in the Community considered to be free of the mollusc diseases *Bonamia ostreae* and/or *Marteilia refringens*.
- (2) United Kingdom informed the Commission by letter received in July 2006 that *Bonamia ostreae* has been detected in Loch Sunart. That area was previously considered to be free of *Bonamia ostreae* but can therefore no longer be regarded as free of that disease.
- (3) Ireland informed the Commission by letter received in November 2006 that *Bonamia ostreae* has been detected in Lough Swilly. That area was previously considered to

be free of *Bonamia ostreae* but can therefore no longer be regarded as free of that disease.

- (4) Decision 2002/300/EC should therefore be amended accordingly.
- (5) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

The Annex to Decision 2002/300/EC is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels, 15 February 2007.

For the Commission
Markos KYPRIANOU
Member of the Commission

⁽¹⁾ OJ L 46, 19.2.1991, p. 1. Directive as last amended by Regulation (EC) No 806/2003 (OJ L 122, 16.5.2003, p. 1).

⁽²⁾ OJ L 103, 19.4.2002, p. 24. Decision as last amended by Decision 2006/559/EC (OJ L 219, 10.8.2006, p. 28).

ANNEX

'ANNEX

ZONES APPROVED FOR ONE OR MORE OF THE MOLLUSC DISEASES *BONAMIA OSTREAE* AND *MARTEILIA REFRINGENS***1.A. Zones in Ireland approved with regard to *B. Ostreae***

- The whole coastline of Ireland, except the following eight areas:
 - Cork Harbour
 - Galway Bay
 - Ballinakill Harbour
 - Clew Bay
 - Achill Sound
 - Loughmore, Blacksod Bay
 - Lough Foyle
 - Lough Swilly

1.B. Zones in Ireland approved with regard to *M. Refringens*

- The whole coastline of Ireland

2.A. Zones in the United Kingdom, the Channel Islands and the Isle of Man approved with regard to *B. Ostreae*

- The whole coastline of Great Britain, except the following five areas:
 - the south coast of Cornwall from the Lizard to Start Point
 - the area around the Solent estuary from Portland Bill to Selsey Bill
 - the area along the coast in Essex from Shoeburyness to Landguard point
 - the area along the coast in south-west Wales from Wooltack Point to St Govan's Head, including Milford Haven and the tidal waters of the East and West Cleddau river
 - the area containing the waters of Loch Sunart east of a line drawn south-south-east from the northernmost tip of Maclean's Nose to Auliston Point
- The whole coastline of Northern Ireland, except the following area:
 - Lough Foyle
- The whole coastline of Guernsey and Herm
- The zone of the States of Jersey: the zone consists of the intertidal and immediate coastal area between the mean high-water mark on the Island of Jersey and an imaginary line drawn three nautical miles from the mean low-water mark of the Island of Jersey. The zone is situated in the Normano-Breton Gulf, on the south side of the English Channel
- The whole coastline of the Isle of Man

2.B. **Zones in the United Kingdom, the Channel Islands and the Isle of Man approved with regard to *M. Refringens***

- The whole coastline of Great Britain
- The whole coastline of Northern Ireland
- The whole coastline of Guernsey and Herm
- The zone of the States of Jersey: the zone consists of the intertidal and immediate coastal area between the mean high-water mark on the Island of Jersey and an imaginary line drawn three nautical miles from the mean low-water mark of the Island of Jersey. The zone is situated in the Normano-Breton Gulf, on the south side of the English Channel
- The whole coastline of the Isle of Man

3. **Zones in Denmark approved with regard to *B. Ostreae* and *M. Refringens***

- Limfjorden from Thyborøn in the west to Hals in the east.
-

COMMISSION DECISION**of 15 February 2007****amending Decisions 2005/731/EC and 2005/734/EC as regards the extension of their period of application***(notified under document number C(2007) 420)***(Text with EEA relevance)***(2007/105/EC)*

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market ⁽¹⁾, and in particular Article 10(4) thereof,

Whereas:

- (1) Commission Decision 2005/731/EC of 17 October 2005 laying down additional requirements for the surveillance of avian influenza in wild birds ⁽²⁾ and Commission Decision 2005/734/EC of 19 October 2005 laying down biosecurity measures to reduce the risk of transmission of highly pathogenic avian influenza caused by Influenza virus A subtype H5N1 from birds living in the wild to poultry and other captive birds and providing for an early detection system in areas at particular risk ⁽³⁾ expire on 31 December 2006.
- (2) However, as outbreaks of the Asian lineage of the avian influenza virus still occur in third countries and the threat to the Community has therefore not diminished, it is appropriate to prolong the validity of those Decisions.

(3) Decisions 2005/731/EC and 2005/734/EC should therefore be amended accordingly.

(4) The measures provided for in this Decision are in accordance with the opinion of the Standing Committee on the Food Chain and Animal Health,

HAS ADOPTED THIS DECISION:

Article 1

In Article 4 of Decision 2005/731/EC, '31 December 2006' is replaced by '31 December 2007'.

Article 2

In Article 4 of Decision 2005/734/EC, '31 December 2006' is replaced by '31 December 2007'.

Article 3

This Decision is addressed to the Member States.

Done at Brussels, 15 February 2007.

For the Commission

Markos KYPRIANOU

Member of the Commission

⁽¹⁾ OJ L 224, 18.8.1990, p. 29. Directive as last amended by Directive 2002/33/EC of the European Parliament and of the Council (OJ L 315, 19.11.2002, p. 14).

⁽²⁾ OJ L 274, 20.10.2005, p. 93. Decision as amended by Decision 2006/52/EC (OJ L 27, 1.2.2006, p. 17).

⁽³⁾ OJ L 274, 20.10.2005, p. 105. Decision as last amended by Decision 2006/574/EC (OJ L 228, 22.8.2006, p. 24).

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:

- | | |
|---|--|
| <p>(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.</p> | <p>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;</p> |
| <p>(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.</p> | <p>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;</p> |
| <p>(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.</p> | <p>3. support the pivotal role played by the UN, notably the Special Representative of the Secretary-General; and</p> |
| <p>(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,</p> | <p>4. support work of the Secretary-General/High Representative (SG/HR) in the region.</p> |

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

⁽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).

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.

*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

COUNCIL JOINT ACTION 2007/107/CFSP**of 15 February 2007****appointing the European Union Special Representative for the Republic of Moldova**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS JOINT ACTION:

*Article 1***Appointment**

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

Mr Kálmán MIZSEI is hereby appointed European Union Special Representative (EUSR) for the Republic of Moldova as from 1 March 2007 to 29 February 2008.

Whereas:

*Article 2***Policy objectives**

- (1) On 20 February 2006, the Council adopted Joint Action 2006/120/CFSP extending the mandate of the European Union Special Representative for Moldova ⁽¹⁾.
 - (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 2006/120/CFSP, the mandate of the European Union Special Representative (EUSR) should be extended for a 12-month period.
 - (4) Mr Adriaan Jacobovits de Szeged has informed the Secretary General/High Representative (SG/HR) of his intention to resign at the end of February 2007. A new EUSR should therefore be appointed as from 1 March 2007.
 - (5) On 31 January 2007, the SG/HR recommended that Mr Kálmán MIZSEI be appointed as the new EUSR for the Republic of Moldova.
 - (6) 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. The EUSR's mandate shall be based on the European Union's policy objectives in the Republic of 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 and territorial integrity of the Republic of Moldova within its internationally recognised borders;
 - (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;
 - (c) to promote good and close relations between the Republic of Moldova and the European Union on the basis of common values and interests and as set out in the European Neighbourhood Policy (ENP) Action Plan;
 - (d) to assist in the fight against the trafficking of human beings and of weapons and other goods, from and through the Republic of Moldova;
 - (e) to contribute to strengthening stability and cooperation in the region;
 - (f) to enhance European Union 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 the Republic of Moldova and Ukraine along their common border, with a particular focus on the Transnistrian section, notably through an EU Border Mission.

⁽¹⁾ OJ L 49, 21.2.2006, p. 11.

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 3

Mandate

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

- (a) strengthen the European Union contribution to the resolution of the Transnistria conflict in accordance with agreed European Union policy objectives and in close coordination with the OSCE, representing the European Union through appropriate channels and in agreed fora and by developing and maintaining close contacts with all relevant actors;
- (b) assist in the preparation, as appropriate, of European Union 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 European Union's advice and facilitation;
- (d) assist in the further development of the European Union'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 the Republic 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;

- (f) contribute to the implementation of the European Union human rights policy and European Union Guidelines on Human Rights, in particular with regard to children and women in conflict-affected areas, especially by monitoring and addressing developments in this regard.

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

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 1 100 000.

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, the Commission, and/or the 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, 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 European Union 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.

*Article 9***Coordination**

1. 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 other international and regional actors in the field.

⁽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).

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 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 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

COUNCIL JOINT ACTION 2007/108/CFSP**of 15 February 2007****extending the mandate of the European Union Special Representative for Sudan**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas

- (1) On 5 July 2006, the Council adopted Joint Action 2006/468/CFSP renewing and revising the mandate of the Special Representative of the European Union for Sudan ⁽¹⁾.
- (2) The European Union has been actively involved at diplomatic and political level since the beginnings of the international efforts to contain and resolve the Darfur crisis.
- (3) The Union wishes to strengthen its political role in a crisis with a multitude of local, regional and international actors and to maintain coherence between the Union's assistance to the crisis management in Darfur, led by the African Union (AU), on the one hand, and overall political relations with Sudan, including implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan Peoples Liberation Movement/Army (SPLM/A), on the other.
- (4) On 5 May 2006, the Darfur Peace Agreement (DPA) was concluded in Abuja by the Government of Sudan and individual rebel factions. The Union will support efforts to broaden support for the DPA among rebel groups as a crucial element of an all-inclusive political process, which remains the precondition for lasting peace and security and an end to the suffering of millions of the people in Darfur. The functions of the Special Representative of the European Union (EUSR) should take full account of the role of the Union as regards the implementation of the DPA, including in relation to the Darfur-Darfur Dialogue and Consultation process.
- (5) The Union has provided a significant amount of assistance to the AU Mission in the Darfur region of Sudan (AMIS) in terms of planning and management support, funding and logistics.
- (6) On 31 March 2005, the United Nations (UN) Security Council, informed by the report of the International Commission of Inquiry on violations of international humanitarian law and human rights law in Darfur, adopted Resolution 1593 (2005) which refers the situation in Darfur to the International Criminal Court.
- (7) On 31 August 2006, the UN Security Council adopted Resolution 1706 (2006), which mandates the UN Mission in Sudan (UNMIS) to intensify its engagement in Darfur as well to take steps, in consultation with the AU, to strengthen the African Union mission in the Darfur (AMIS) through the use of UN resources. With a view to implementing this decision, the UN, the AU and the Sudanese government met for a High Level Consultation in Addis Ababa on 16 November 2006. The parties agreed on a three-phased approach of UN support for AMIS leading to an eventual hybrid AU-UN Force.
- (8) The AU Peace and Security Council, while endorsing the conclusions of the Addis Ababa Consultation, decided to extend the mandate of AMIS for a period of 6 months until 30 June 2007, subject to review by the AU and based on the availability of financial resources. On 15 December 2006, the European Council agreed to extend the European Union civilian-military supporting action to AMIS. Commensurate political engagement with the AU, the UN and the Government of Sudan, and specific coordination capacity, therefore continues to be required.
- (9) On 19 December 2006, the UN Secretary-General appointed a Special Envoy for Darfur.
- (10) The permanent presence in Khartoum allows for a continuation of the contacts of the EUSR with the Government of Sudan, the Sudanese political parties, the AMIS Mission Headquarter, the United Nations and its agencies, and diplomatic missions, as well as a participation in the activities of the Assessment and Evaluation Committees established to oversee the implementation of CPA and DPA respectively and closer monitoring of the situation in Eastern Sudan after the conclusion of the Eastern Sudan Peace Agreement (ESPA). Similarly, a presence in Juba would allow for maintaining closer and more regular contacts with the Government of Southern Sudan and the SPLM, as well as following the situation in Southern Sudan more closely.

⁽¹⁾ OJ L 184, 6.7.2006, p. 38.

- (11) 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.
- (12) On the basis of a review of Joint Action 2006/468/CFSP, the mandate of the EUSR for Sudan should, in principle, be extended for a period of 12 months.
- (13) Mr Pekka HAAVISTO has informed the Secretary-General/High Representative of his intention to resign at the end of April 2007. His mandate should thus be extended until 30 April 2007. The Council intends to appoint a new EUSR for the remaining period of the mandate.
- (14) 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,

HAS ADOPTED THIS JOINT ACTION:

Article 1

European Union Special Representative

The mandate of Mr Pekka HAAVISTO as European Union Special Representative (EUSR) for Sudan is hereby extended until 30 April 2007.

Article 2

Policy objectives

The mandate of the EUSR shall be based on the policy objectives of the European Union in Sudan, notably as regards:

- (a) efforts, as part of the international community and in support of the African Union (AU) and the United Nations (UN), to assist the Sudanese parties, the AU and the UN to achieve a political settlement of the conflict in Darfur, including through the implementation of the Darfur Peace Agreement (DPA) and to facilitate the implementation of the Comprehensive Peace Agreement (CPA) and promote South-South dialogue, as well as facilitating the implementation of the Eastern Sudan Peace Agreement (ESPA), with due regard to the regional ramifications of these issues and to the principle of African ownership; and
- (b) ensuring maximum effectiveness and visibility of the Union's contribution to the AU mission in the Darfur region of Sudan (AMIS).

Article 3

Mandate

1. In order to achieve the policy objectives the EUSR's mandate shall be to:
- (a) liaise with the AU, the Government of Sudan, the Government of Southern Sudan, the Darfur armed movements and other Sudanese parties as well as non-governmental organisations and maintain close collaboration with the UN and other relevant international actors, with the aim of pursuing the Union's policy objectives;
- (b) represent the Union at the Darfur-Darfur dialogue, at high level meetings of the Joint Commission, as well as other relevant meetings as requested;
- (c) represent the Union, whenever possible, at the CPA and DPA Assessment and Evaluation Commissions;
- (d) follow developments regarding the implementation of the ESPA;
- (e) ensure coherence between the Union's contribution to crisis management in Darfur and the overall political relationship of the Union with Sudan;
- (f) with regard to human rights, including the rights of children and women, and the fight against impunity in Sudan, follow the situation and maintain regular contacts with the Sudanese authorities, the AU and the UN, in particular with the Office of the High Commissioner for Human Rights, the human rights observers active in the region and the Office of the Prosecutor of the International Criminal Court.
2. For the purpose of the fulfilment of his mandate, the EUSR shall, *inter alia*:
- (a) maintain an overview of all activities of the Union;
- (b) ensure coordination and coherence of the Union's contributions to AMIS;

(c) support the political process and activities relating to the implementation of the CPA, the DPA and the ESPA; and

(d) follow up and report on compliance by the Sudanese parties with the relevant UN Security Council Resolutions, notably 1556 (2004), 1564 (2004), 1591 (2005), 1593 (2005), 1672 (2006), 1679 (2006) and 1706 (2006).

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 Secretary-General/High Representative (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.

3. The EUSR shall regularly report to the PSC on the situation in Darfur and the Union's assistance to AMIS, as well as on the situation in Sudan as a whole.

Article 5

Financing

1. The expenditure relating to the mandate of the EUSR in the period from 1 March 2007 to 30 April 2007 shall be covered by the financial reference amount decided by the Council for the mandate of the EUSR during the period from 18 July 2006 to 28 February 2007.

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.

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 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:

⁽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).

- (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

Coordination Cell

1. In the coordination of the Union's contributions to AMIS, the EUSR shall be assisted by the ad hoc Coordination Cell (EUSR Office) established in Addis Ababa, acting under his authority, as referred to in Article 5(2) of Joint Action 2005/557/CFSP of 18 July 2005 on the European Union civilian-military supporting action to the African Union mission in the Darfur region of Sudan ⁽¹⁾.
2. The EUSR Office in Addis Ababa shall comprise a political advisor, a senior military advisor and a police advisor.
3. The police and military advisors in the EUSR Office shall act as advisors to the EUSR respectively regarding the police and military components of the Union's supporting action referred to in paragraph 1. In that capacity, they shall report to the EUSR.
4. The police and military advisors shall not receive instructions from the EUSR regarding the management of expenditure in relation respectively to the police and military

components of the Union's supporting action referred to in paragraph 1. The EUSR shall bear no responsibility in this respect.

5. An Office of the EUSR shall be established in Khartoum, comprising a Political Advisor and the necessary administrative and logistic support staff. In accordance with the mandate described in article 3, sub-offices in Darfur and Southern Sudan shall also be established if the Office in Khartoum cannot provide all necessary support to EUSR staff deployed in other regions of Sudan. The Office in Khartoum shall draw on the technical expertise of the EUSR Office in Addis Ababa regarding military and police matters, whenever required.

Article 9

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.

Article 10

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 other international and regional actors in the field.

Article 11

Review

The implementation of this Joint Action and its consistency with other contributions from the Union to the region shall be kept under regular review. The EUSR shall present the SG/HR, the Council and the Commission with a comprehensive mandate implementation report by mid April 2007.

Article 12

Entry into force

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

⁽¹⁾ OJ L 188, 20.7.2005, p. 46.

*Article 13***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

COUNCIL JOINT ACTION 2007/109/CFSP**of 15 February 2007****amending and extending the mandate of the European Union Special Representative in the former Yugoslav Republic of Macedonia**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 17 October 2005, the Council adopted Joint Action 2005/724/CFSP ⁽¹⁾ appointing Mr Erwan FOUÉRE as the European Union Special Representative (EUSR) in the former Yugoslav Republic of Macedonia.
- (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 20 February 2006, the Council adopted Joint Action 2006/123/CFSP extending and amending the mandate of the EUSR until 28 February 2007.
- (4) On the basis of a review of Joint Action 2005/724/CFSP, the mandate of the EUSR should be amended and extended for a 12-month period,

HAS ADOPTED THIS JOINT ACTION:

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

The mandate of Mr Erwan FOUÉRE as the European Union Special Representative (EUSR) in the former Yugoslav Republic of Macedonia is hereby extended until 29 February 2008.

*Article 2***Policy objective**

The mandate of the EUSR shall be based on the policy objective of the European Union in the former Yugoslav Republic of Macedonia, which shall be to contribute to the consolidation of the peaceful political process and the full implementation of

the Ohrid Framework Agreement, thereby facilitating further progress towards European integration through the Stabilisation and Association Process.

The EUSR shall support the work of the Secretary-General/High Representative (SG/HR) in the region.

*Article 3***Mandate**

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

- (a) maintain close contact with the Government of the former Yugoslav Republic of Macedonia and with the parties involved in the political process;
- (b) offer the European Union's advice and facilitation in the political process;
- (c) ensure coordination of the international community's efforts to help in the implementation and sustainability of the provisions of the Framework Agreement of 13 August 2001, as set out in the Agreement and the Annexes thereto;
- (d) follow closely, and report on, security and inter-ethnic issues and liaising with all relevant bodies to that end;
- (e) contribute to the development and consolidation of respect for human rights and fundamental freedoms in the former Yugoslav Republic of Macedonia, in accordance with European Union human rights policy and European Union Guidelines on Human Rights.

*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.

⁽¹⁾ OJ L 272, 18.10.2005, p. 26. Joint Action as amended by Joint Action 2006/123/CFSP (OJ L 49, 21.2.2006, p. 20).

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 725 000.

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, the Commission, and/or the 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, 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;

⁽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).

- (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 European Union 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.

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 other 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

COUNCIL JOINT ACTION 2007/110/CFSP**of 15 February 2007****extending and amending the mandate of the European Union Special Representative for the Middle East peace process**

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

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

Whereas:

- (1) On 20 February 2006, the Council adopted Joint Action 2006/119/CFSP extending the mandate of the European Union Special Representative (EUSR) for the Middle East peace process ⁽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 14 November 2005 the Council adopted Joint Action 2005/797/CFSP on the European Union Police Mission for the Palestinian territories ⁽²⁾, EUPOL COPPS, which designates a specific role for the EUSR.
- (4) On 25 November 2005 the Council adopted Joint Action 2005/889/CFSP establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) ⁽³⁾, which also designates a specific role for the EUSR.
- (5) On the basis of a review of Joint Action 2006/119/CFSP, the mandate of the EUSR should be amended and extended for a 12-month period.
- (6) 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 as set out in Article 11 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

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

The mandate of Mr Marc OTTE as the European Union Special Representative (EUSR) for the Middle East peace process is hereby extended until 29 February 2008.

⁽¹⁾ OJ L 49, 21.2.2006, p. 8.

⁽²⁾ OJ L 300, 17.11.2005, p. 65.

⁽³⁾ OJ L 327, 14.12.2005, p. 28.

Policy objectives

1. The mandate of the EUSR shall be based on the policy objectives of the European Union regarding the Middle East peace process.

2. These objectives include:

- (a) a two-State solution with Israel and a democratic, viable, peaceful and sovereign Palestinian State living side by side within secure and recognised borders enjoying normal relations with their neighbours in accordance with United Nations (UN) Security Council Resolutions 242 (1967), 338 (1973), 1397 (2002) and 1402 (2002) and the principles of the Madrid conference;
- (b) solution in the Israeli-Syrian and Israeli-Lebanese tracks;
- (c) a fair solution to the complex issue of Jerusalem and a just, viable and agreed solution to the problem of Palestinian refugees;
- (d) convening of a peace conference in due course, which should address political and economic aspects as well as matters relating to security, confirm the parameters of a political solution and establish a realistic and well-defined timescale;
- (e) the establishment of sustainable and effective policing arrangements under Palestinian ownership in accordance with best international standards, in cooperation with the European Community's institution building programmes as well as other international efforts in the wider context of Security Sector, including Criminal Justice Reform;
- (f) continue to provide a third party presence at the Rafah Crossing Point in order to contribute, in cooperation with the Community's institution-building efforts, to the opening of the Rafah Crossing Point and to build up confidence between the Government of Israel and the Palestinian Authority.

3. These objectives are based on the European Union's commitment to:

- (a) work with the parties and with partners in the international community, especially within the framework of the Middle East Quartet, to pursue every opportunity for peace and for a decent future for all people of the region;
- (b) continue to assist in Palestinian political and administrative reforms, the electoral process and security reforms;
- (c) contribute fully to peace building, as well as to the recovery of the Palestinian economy as an integral part of regional development.

4. The EUSR shall support the work of the Secretary-General/High Representative (SG/HR) in the region, including in the framework of the Middle East Quartet.

Article 3

Mandate

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

- (a) provide an active and efficient contribution from the European Union to actions and initiatives leading to a final settlement of the Israeli-Palestinian conflict and of the Israeli-Syrian and Israeli-Lebanese conflicts;
- (b) facilitate and maintain close contact with all the parties to the Middle East peace process, other countries of the region, members of the Middle East Quartet and other relevant countries, as well as the UN and other relevant international organisations, in order to work with them in strengthening the peace process;
- (c) ensure continued presence of the European Union on the ground and in relevant international fora and contribute to crisis management and prevention;
- (d) observe and support peace negotiations between the parties and offer the European Union's advice and good offices as appropriate;
- (e) contribute, where requested, to the implementation of international agreements reached between the parties and engage with them diplomatically in the event of non-compliance with the terms of these agreements;

- (f) pay particular attention to factors having implication for the regional dimension of the Middle East peace process;
- (g) engage constructively with signatories to agreements within the framework of the peace process in order to promote compliance with the basic norms of democracy, including respect for human rights and the rule of law;
- (h) contribute to the implementation of the European Union human rights policy and European Union Guidelines on Human Rights, in particular with regard to children and women in conflict-affected areas, especially by monitoring and addressing developments in this regard.
- (i) report on the possibilities for European Union intervention in the peace process and on the best way of pursuing European Union initiatives and ongoing Middle East peace-process-related European Union efforts, such as the contribution of the European Union to Palestinian reforms, and including the political aspects of relevant European Union development projects;
- (j) monitor actions by either side on the implementation of the roadmap and on issues that might prejudice the outcome of the permanent status negotiations to enable the Middle East Quartet to better assess the parties' compliance;
- (k) facilitate cooperation on security issues within the European Union-Palestinian Permanent Security Committee set up on 9 April 1998 as well as in other ways;
- (l) contribute to a better understanding of the role of the European Union among opinion leaders in the region;
- (m) develop and implement a European Union programme relating to security issues. To this end, the EUSR may be assisted by an expert charged with the practical implementation of operational projects related to security issues;
- (n) give guidance, as necessary, to the Head of Mission/Police Commissioner of the European Union Coordinating Office for Palestinian Police Support (EUPOL COPPS);
- (o) give guidance, as necessary, to the Head of Mission of the European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah).

*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 1 700 000.

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 European Union classified information.

2. The EUSR shall, in accordance with the policy of the European Union on the security of personnel deployed outside the EU in an operational capacity under Title V of the Treaty, 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:

(i) establishing a mission-specific security plan based on Council Secretariat guidance, 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;

(ii) ensuring that all personnel deployed outside the European Union are covered by high risk insurance as required by the conditions in the mission area;

(iii) 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 Council Secretariat;

⁽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).

- (iv) 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;
- (v) 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.

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 other 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 to the SG/HR, the Council and the Commission 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

COUNCIL JOINT ACTION 2007/111/CFSP**of 15 February 2007****amending and extending the mandate of 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, Articles 14, 18(5) and 23(2) thereof,

Whereas:

- (1) On 20 February 2006, the Council adopted Joint Action 2006/121/CFSP appointing the European Union Special Representative for the South Caucasus ⁽¹⁾.
- (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 2006/121/CFSP, the mandate of the European Union Special Representative (EUSR) should be amended and 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,

HAS ADOPTED THIS JOINT ACTION:

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

The mandate of Mr Peter SEMNEBY as the European Union Special Representative (EUSR) for the South Caucasus is hereby extended until 29 February 2008.

*Article 2***Policy objectives**

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 Secretary-General/High Representative (SG/HR) in the region.

*Article 3***Mandate**

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;

⁽¹⁾ OJ L 49, 21.2.2006, p. 14.

- (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;
- (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);
- (h) contribute to the implementation of the European Union human rights policy and Guidelines on Human Rights, in particular with regard to children and women in conflict affected areas, especially by monitoring and addressing developments in this regard.

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 3 120 000.

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 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;

⁽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).

(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.

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 other 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 day 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

COUNCIL JOINT ACTION 2007/112/CFSP**of 15 February 2007****appointing the European Union Special Representative for the African Great Lakes Region**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS JOINT ACTION:

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

Whereas:

- (1) On 20 February 2006, the Council adopted Joint Action 2006/122/CFSP extending until 28 February 2007 the mandate of the European Union Special Representative for the African Great Lakes Region ⁽¹⁾.
- (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 2006/122/CFSP, the mandate of the European Union Special Representative (EUSR) should be amended and extended for a 12-month period.
- (4) Mr Aldo Ajello has informed the Secretary General/High Representative (SG/HR) of his intention to resign at the end of February 2007. A new EUSR should therefore be appointed as from 1 March 2007.
- (5) On 31 January 2007, the SG/HR has recommended that Mr Roeland VAN DE GEER be appointed as the new EUSR for the African Great Lakes Region.
- (6) 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,

*Article 1***Appointment**

Mr Roeland VAN DE GEER is hereby appointed European Union Special Representative (EUSR) for the African Great Lakes Region from 1 March 2007 to 29 February 2008.

*Article 2***Policy objectives**

The mandate of the EUSR shall be based on the policy objectives of the European Union regarding the further stabilisation and consolidation of the post-conflict situation in the African Great Lakes Region, paying particular attention to the regional dimension of the developments in the countries concerned. Promoting, in particular, compliance with the basic norms of democracy and good governance, including respect for human rights and the rule of law, these objectives include:

- (a) active and effective contribution to a consistent, sustainable and responsible policy of the European Union in the African Great Lakes Region, promoting a coherent overall European Union approach in the region. The EUSR shall support the work of the Secretary-General/High Representative (SG/HR) in the region;
- (b) ensuring the continued commitment of the European Union to the stabilisation and reconstruction processes in the region, through an active presence on the ground and in relevant international fora, staying in touch with key players and contributing to crisis management;
- (c) contributing to the post-transition phase in the Democratic Republic of the Congo (DRC), in particular as regards the political process of consolidating the new institutions and defining a broader international framework for political consultation and coordination with the new government;
- (d) contributing, in close cooperation with the United Nations/MONUC, to the international support efforts to pursue a comprehensive Security Sector Reform in the DRC, in particular in view of the coordinating role the European Union is ready to assume in this context;

⁽¹⁾ OJ L 49, 21.2.2006, p. 17.

- (e) contributing to appropriate follow-up measures to the International Conference of the Great Lakes Region, in particular by establishing close contacts with the Great Lakes Secretariat and its Executive Secretary as well as with the Troika of the follow-up mechanism and by promoting good neighbourly relations in the region;
- (f) addressing the still considerable problem of armed groups operating across the borders with the risk of destabilising the countries in the region and aggravating their internal problems;
- (g) contributing to the post-conflict stabilisation in Burundi, Rwanda and Uganda, in particular through accompanying peace negotiations with armed groups like FNL and LRA.

Article 3

Mandate

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

- (a) establish and maintain close contact with the countries of the Great Lakes Region, the United Nations, the African Union, key African countries and main partners of the DRC and the European Union, as well as regional and sub-regional African organisations, other relevant third countries and other key regional leaders;
- (b) advise and report on the possibilities for European Union supporting the stabilisation and consolidation process and on how best to pursue European Union initiatives;
- (c) ensure coherence between CFSP/ESDP actors and, to this effect, provide advice and assistance for security sector reform in the DRC, and, in particular, give local political guidance to the Heads of the EU Police Mission (EUPOL Kinshasa) and of the EU Mission advising and assisting the Congolese authorities in the security sector reform (EUSEC RD Congo), in order to fulfil their duties at local level;
- (d) contribute to the follow-up to the International Conference of the Great Lakes Region, in particular by supporting policies defined in the region pursuing the objectives of non-violence and mutual defence in the resolution of conflicts as well as, regarding the regional cooperation, by promoting human rights and democratisation, good governance, combating impunity, judicial cooperation, and the fight against the illegal exploitation of natural resources;

- (e) contribute to a better understanding of the European Union's role among opinion leaders in the region;
- (f) contribute, where requested, to the negotiation and implementation of peace and cease-fire agreements between the parties and engage with them diplomatically in the event of non-compliance with the terms of these agreements; in the context of the ongoing LRA negotiations, such activities should be pursued in close coordination with the EUSR for Sudan;
- (g) contribute to the implementation of the European Union human rights policy and European Union Guidelines on human rights, in particular the European Union Guidelines on Children and Armed Conflict, and the European Union policy regarding UN Security Council Resolution 1325 (2000) on Women, Peace and Security, including by monitoring and reporting on developments in this regard.

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 strategic guidance and political input to the EUSR 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 1 025 000.
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, the Commission, and/or the 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.

⁽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).

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, 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 European Union 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.

*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 other 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 day 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

COUNCIL JOINT ACTION 2007/113/CFSP**of 15 February 2007****amending and extending the mandate of the European Union Special Representative for Central Asia**

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

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

Whereas:

- (1) On 28 July 2005, the Council adopted Joint Action 2005/588/CFSP ⁽¹⁾ appointing a Special Representative of the European Union for Central Asia.
- (2) On 20 February 2006, the Council adopted Joint Action 2006/118/CFSP extending until 28 February 2007 and amending the mandate of the European Union Special Representative (EUSR) for Central Asia.
- (3) By Council Decision 2006/670/CFSP of 5 October 2006, the Council appointed Mr Pierre Morel as the EUSR for Central Asia.
- (4) 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.
- (5) On the basis of a review of Joint Action 2005/588/CFSP, the mandate of the EUSR should be amended and extended for a 12-month period.
- (6) The EU wishes to develop bilateral energy cooperation with important producer and transit partners in Central Asia.
- (7) 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,

HAS ADOPTED THIS JOINT ACTION:

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

The mandate of Mr Pierre MOREL as the European Union Special Representative (EUSR) for Central Asia is hereby extended until 29 February 2008.

⁽¹⁾ OJ L 199, 29.7.2005, p. 100. Joint Action as amended by Joint Action 2006/118/CFSP (OJ L 49, 21.2.2006, p. 7).

Policy objectives

The EUSR's mandate shall be based on the Union's policy objectives in Central Asia. These objectives include:

- (a) promoting good and close relations between countries of Central Asia and the European Union on the basis of common values and interests as set out in relevant agreements;
- (b) contributing to strengthening the stability and cooperation between the countries in the region;
- (c) contributing to strengthening of democracy, rule of law, good governance and respect for human rights and fundamental freedoms in Central Asia;
- (d) addressing key threats, especially specific problems with direct implications for Europe;
- (e) enhancing the European Union's effectiveness and visibility in the region, including through a closer coordination with other relevant partners and international organisations, such as the OSCE.

*Article 3***Mandate**

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

- (a) follow closely political developments in Central Asia by developing and maintaining close contacts with governments, parliaments, judiciary, civil society and mass media;
- (b) encourage Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan and Uzbekistan to cooperate on regional issues of common interest;
- (c) develop appropriate contacts and cooperation with the main interested actors in the region, including all relevant regional and international organisations;

- (d) contribute, in close cooperation with the OSCE, to conflict prevention and resolution by developing contacts with the authorities and other local actors (NGOs, political parties, minorities, religious groups and their leaders);
- (e) provide input to the formulation of energy security aspects of the CFSP with respect to Central Asia;
- (f) promote overall political coordination of the European Union in Central Asia and ensure consistency of the external actions of the European Union in the region without prejudice to Community competence;
- (g) assist the Council in further developing a comprehensive policy towards Central Asia;
- (h) contribute to the implementation of the European Union human rights policy and European Union Guidelines on Human Rights, in particular with regard to children and women in conflict-affected areas, especially by monitoring and addressing developments in this regard.

2. The EUSR shall support the work of the Secretary-General/High Representative (SG/HR) in the region and work in close cooperation with the Presidency, EU Heads of Mission, the EUSR for Afghanistan and the Commission. The EUSR shall maintain an overview of all activities of the European Union in the region.

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 1 000 000.

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, the Commission, and/or the 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 staff 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.

⁽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).

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, 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 European Union 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.

Article 9

Coordination

To ensure the consistency of the external action of the 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 EU 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 Afghanistan 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 day 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