

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

COUNCIL JOINT ACTION 2006/300/CFSP
of 21 April 2006
amending and extending Joint Action 2004/847/CFSP on the European Union Police Mission in Kinshasa (DRC) regarding the Integrated Police Unit (EUPOL 'Kinshasa')

THE COUNCIL OF THE EUROPEAN UNION,

support of the Congolese crowd control units in Kinshasa should be further pursued. Its mandate should be amended accordingly,

Having regard to the Treaty on European Union and, in particular Article 14 and Article 25, third subparagraph, thereof,

HAS ADOPTED THIS JOINT ACTION:

Whereas:

Article 1

Joint Action 2004/847/CFSP is hereby amended as follows:

- (1) On 9 December 2004, the Council adopted Joint Action 2004/847/CFSP on the European Union Police Mission in Kinshasa (DRC) regarding the Integrated Police Unit (EUPOL 'Kinshasa') ⁽¹⁾.
- (2) On 7 November 2005, the Council agreed to extend EUPOL 'Kinshasa' for another 12 months after the expiry of its mandate.
- (3) By Joint Action 2005/822/CFSP, the Council amended and extended the mandate of EUPOL 'Kinshasa' for a first phase until 30 April 2006. This Joint Action covers the second phase of the extension until 31 December 2006.
- (4) On 12 August 2005, the Council approved by Decision 2005/680/CFSP ⁽²⁾ the Agreement between the European Union and the Democratic Republic of the Congo on the status and activities of the European Union Police Mission in the Democratic Republic of the Congo (EUPOL 'Kinshasa') on behalf of the Union.
- (5) On 23 March 2006, the Council decided that the preparation and planning for a temporary reinforcement of EUPOL 'Kinshasa' during the electoral process in

1. the following paragraph shall be added to Article 1:

'3. EUPOL "Kinshasa" shall be temporarily reinforced during the electoral process in the Democratic Republic of Congo, in accordance with the provisions set out in Article 3. This reinforcement shall begin no later than one month before the date of the first round of the elections in the DRC and shall end after a maximum period of five months.'

2. Articles 2 to 4 shall be replaced by the following:

'Article 2

Planning Phase

The General Secretariat of the Council shall develop all technical instruments necessary to execute EUPOL "Kinshasa". The Head of Mission shall elaborate an Operation Plan (OPLAN) which shall take into account a comprehensive risk assessment. The Council shall approve the Concept of Operations (CONOPS) and the OPLAN.

The relevant Annexes to the CONOPS and OPLAN applying to the temporary reinforcement of EUPOL "Kinshasa" shall apply until the end of the period of the temporary reinforcement.

⁽¹⁾ OJ L 367, 14.12.2004, p. 30. Joint Action as amended by Joint Action 2005/822/CFSP (OJ L 305, 24.11.2005, p. 44).

⁽²⁾ OJ L 256, 1.10.2005, p. 57.

*Article 3***Mission Statement**

The European Union shall conduct a police mission in Kinshasa (DRC) in order to monitor, mentor and advise the setting up and the initial running of the IPU in order to ensure that the IPU acts following the training received in the Academy Centre and according to international best practices in this field. These actions shall be focused on the IPU chain of command to enhance the management capability of the IPU and to monitor, mentor and advise the operational Units in the execution of its tasks.

EUPOL "Kinshasa" shall continue to monitor, mentor and advise on the setting up and the development of the IPU, including more extensive advice to the chain of command of IPU regarding the execution of missions and further advice on other issues complementary to the effective conduct of policing in DRC, and shall enhance liaison with EUSEC RD CONGO in the field of security sector reform.

For the purposes of the temporary reinforcement of EUPOL "Kinshasa" during the electoral process, EUPOL "Kinshasa" shall establish, as an integral part of EUPOL "Kinshasa" and under the overall security framework for the elections, a police coordination support element in order to ensure an enhanced and coordinated response of the Congolese crowd control units in Kinshasa, in case of disturbances during the electoral period. The area of responsibility shall be limited to Kinshasa. The police coordination support element, as part of EUPOL "Kinshasa", shall not have executive powers.

For the purpose of the temporary reinforcement of EUPOL "Kinshasa" during the electoral process, EUPOL "Kinshasa" shall be authorised to use dedicated bilateral financial contributions in order to procure additional equipment for Congolese crowd control units in Kinshasa. Specific financial arrangements shall be agreed directly between the Head of Mission and the bilateral contributors.

*Article 4***Structure of the Mission**

The Mission will be composed of a Headquarter (HQ) and police monitors. The HQ will consist of the office of the Head of the Mission and an administration support branch.

All monitors, mentors and advisors, as well as the trainers, will be co located in the IPU operational base.

For the purposes of the temporary reinforcement of EUPOL "Kinshasa" during the electoral process, EUPOL "Kinshasa" will include a dedicated coordination element in charge of the specific tasks assigned to the mission during this period.;

3. Article 8(1) shall be replaced by the following:

'1. Under the responsibility of the Council, the PSC shall exercise the political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions in accordance with Article 25 of the Treaty. This authorisation shall include the powers to amend the CONOPS, the OPLAN and the Chain of Command. The powers of decision with respect to the objectives and termination of the operation shall remain vested in the Council, assisted by the Secretary-General/High Representative.;

4. Article 9 shall be amended as follows:

(a) paragraph 2 shall be replaced by the following:

'2. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions and to establish a Committee of Contributors.;

(b) paragraph 4 shall be deleted;

5. in Article 14, the second subparagraph shall be replaced by the following:

'It shall expire on 31 December 2006.'

Article 2

The financial reference amount intended to cover the expenditure related to the mission for the period from 1 May 2006 until 31 December 2006 shall be a maximum amount of EUR 3 500 000.

Article 3

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

Article 4

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

Done at Brussels, 21 April 2006.

For the Council

The President

U. PLASSNIK
