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(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2008/485/CFSP**of 23 June 2008****amending and extending Joint Action 2007/405/CFSP on the European Union police mission undertaken in the framework of reform of the security sector (SSR) and its interface with the system of justice in the Democratic Republic of the Congo (EUPOL RD Congo)**

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 12 June 2007 the Council adopted Joint Action 2007/405/CFSP⁽¹⁾ for an initial period ending on 30 June 2008.
- (2) Following consultation with the Congolese authorities and other parties concerned, it appears necessary to extend the mission for one year.
- (3) The tasks of EUPOL RD Congo should also include the provision of assistance to the *Police Nationale Congolaise* in the areas of Border Police and the Audit Police Service. Furthermore, the mission should contribute to the police, gender, human rights and children and armed conflict aspects of the stabilisation process in the east of the Democratic Republic of the Congo (DRC), and facilitate the linkage and harmonisation of those efforts with the national process of police reform. That should be achieved in particular by providing support for two programmes that have been devised in order to implement the agreements signed in Goma on 23 January 2008 by the government of the DRC and various armed groups operating in the Kivus, namely the *Programme Amani* and the *Plan de Stabilisation de l'Est*, both of which include police components.
- (4) In this connection, EUPOL RD Congo should also be deployed in the eastern part of the DRC taking particular account of security issues, gender-based violence, children in armed conflicts and international coordination.

(5) A new financial reference amount should be provided in order to cover the expenditure relating to the mission for the period from 1 July 2008 to 30 June 2009.

(6) The mandate of the mission is being carried out in a security context that is liable to deteriorate and to undermine the objectives of the Common Foreign and Security Policy (CFSP) as defined in Article 11 of the Treaty,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Joint Action 2007/405/CFSP is hereby amended as follows:

1. in Article 2(1) the following indent shall be added:

— contribute to the police as well as to the gender, human rights and children and armed conflict aspects of the peace process in the eastern DRC and especially to its linkage to the reform process of the PNC;

2. Article 3 shall be replaced by the following:

*'Article 3***Structure of the mission and deployment zone**

1. The mission shall have headquarters (HQ) in Kinshasa consisting of:

(a) the Head of Mission;

⁽¹⁾ OJ L 151, 13.6.2007, p. 46. Joint Action as amended by Joint Action 2008/38/CFSP (OJ L 9, 12.1.2008, p. 18).

- (b) a team of police advisers at strategic level;
- (c) a team of police advisers at operational level;
- (d) a team of legal advisers at strategic and operational level;
- (e) administrative support.

2. The mission shall have a permanent presence in Goma and Bukavu, in the eastern part of the DRC, so as to deliver assistance and expertise to the stabilisation process in the eastern DRC.

3. The operational breakdown of tasks shall be as follows:

- (a) experts forming an integral part of the various working parties on police reform, and advisers assigned to the key organisational and decision-making posts of the CSRP planned by the Congolese authorities;
- (b) experts assigned to the PNC, particularly in key posts, and assigned to mentor the criminal police and the police responsible for the maintenance of law and order;
- (c) justice interface in the field of criminal law in order to add to activities in the police field an interface with criminal justice and follow up important aspects of the reform of criminal justice, including in the case of military criminal law;
- (d) expertise aimed at contributing to the horizontal aspects of SSR;
- (e) experts assigned to the PNC, particularly in key posts, and assigned to mentor the Border Police and Audit Police Service;
- (f) experts assigned to the police as well as to the gender, human rights and children and armed conflict aspects of the stabilisation process in the east, and its linkage to the national police reform process.

4. The deployment zone shall be Kinshasa, Goma and Bukavu. Given the geographical implications of the mission throughout the territory of the DRC, as a result of the mission statement, movement of experts and their presence in other locations in the provinces could prove necessary, on the instructions of the Head of Mission or of any person so authorised by the Head of Mission and taking due account of the security situation.;

3. Article 9(1) shall be replaced by the following:

'1. The financial reference amount intended to cover the expenditure relating to the mission for the period from 1 July 2007 to 30 June 2008 shall be EUR 5 500 000.

The financial reference amount intended to cover the expenditure relating to the mission for the period from 1 July 2008 to 30 June 2009 shall be EUR 6 920 000.;

4. Article 15 shall be deleted;

5. the second subparagraph of Article 16 shall be replaced by the following:

'It shall apply until 30 June 2009.'

Article 2

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

Article 3

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

Done at Luxembourg, 23 June 2008.

For the Council

The President

I. JARC