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(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2007/192/CFSP**of 27 March 2007****amending Joint Action 2005/355/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC)**

THE COUNCIL OF THE EUROPEAN UNION,

HAS ADOPTED THIS JOINT ACTION:

Article 1

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

Joint Action 2005/355/CFSP is hereby amended as follows:

1. in Article 2, the following subparagraphs shall be added:

Whereas:

(1) On 2 May 2005 the Council adopted Joint Action 2005/355/CFSP on the European Union mission to provide advice and assistance for security sector reform in the Democratic Republic of the Congo (DRC) ⁽¹⁾ (EUSEC RD Congo Mission). The mandate of the mission runs until 30 June 2007.

'In addition, the Head of Mission is authorised to have recourse to financial contributions from Member States to supervise and ensure, in coordination with the Commission, the implementation of specific projects for the benefit of the authorities of the DRC, in the framework of the mission defined in Article 1.

(2) The European Union's support for the Congolese authorities in reforming the security sector in the DRC should be reviewed in order to promote a global approach which combines the various initiatives taken by the Union, including the EUSEC RD Congo Mission. Initially, to prepare for that review, the Political and Security Committee decided to step up the action taken by the Mission, in particular in the light of the needs identified by the Head of Mission.

To this end, the Head of Mission shall enter into arrangements with the Member States concerned. These arrangements shall also cover the specific procedures for dealing with any complaint from third parties concerning damage caused as a result of acts or omissions by the Head of Mission in the use of the funds provided by the contributing Member States.

Under no circumstances may the European Union or the Secretary-General/High Representative for Common Foreign and Security Policy (SG/HR) be held liable by contributing Member States as a result of acts or omissions by the Head of Mission in the use of funds from those States.;

(3) Joint Action 2005/355/CFSP should be amended accordingly,

2. points (a) and (b) of Article 3 shall be replaced by the following:

'(a) an office in Kinshasa, composed of the Head of Mission and staff not attached to the Congolese authorities, including:

⁽¹⁾ OJ L 112, 3.5.2005, p. 20. Joint Action as last amended by Joint Action 2006/303/CFSP (OJ L 112, 26.4.2006, p. 18).

- a unit responsible in particular for identifying and supporting the specific projects financed or implemented by the Member States,
- a team responsible for contributing to the reform of the security sector conducted by the Congolese administration at inter-ministerial level;

(b) experts assigned, *inter alia*, to the following key posts within the Congolese administration:

- the private office of the Minister for Defence,
- the combined general staff,
- the army general staff,
- the naval forces general staff,
- the air force general staff, and
- provincial administrations under the Ministry of Defence.

Article 2

The financial reference amount in Article 2 of Joint Action 2006/303/CFSP shall also cover expenditure relating to the measures referred to in Article 1(2) of this Joint Action.

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, 27 March 2007.

For the Council
The President
P. STEINBRÜCK