Council Decision (CFSP) 2019/1340 of 8 August 2019 appointing the European Union Special Representative in Bosnia and Herzegovina

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appointing the European Union Special Representative in Bosnia and Herzegovina

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 33 and Article 31(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 19 January 2015, the Council adopted Decision (CFSP) 2015/77[(1)] appointing Mr Lars-Gunnar WIGEMARK as the European Union Special Representative (EUSR) in Bosnia and Herzegovina. The EUSR's mandate is to expire on 31 August 2019.

(2) Mr Johann SATTLER should be appointed as the EUSR in Bosnia and Herzegovina for the period from 1 September 2019 to 31 August 2021.

(3) The EUSR will implement the mandate in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

European Union Special Representative

Mr Johann SATTLER is hereby appointed as the European Union Special Representative in Bosnia and Herzegovina from 1 September 2019 until 31 August 2021. The Council may decide that the EUSR's mandate be terminated earlier, based on an assessment by the Political and Security Committee (PSC) and a proposal from the High Representative of the Union for Foreign Affairs and Security Policy (HR).

Article 2

Policy objectives

1 The EUSR's mandate shall be based on the following policy objectives of the Union in Bosnia and Herzegovina (BiH):

a continuing progress in the Stabilisation and Association Process;

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2019/1340. (See end of Document for details)*

b ensuring a stable, viable, peaceful, multi-ethnic and united BiH that cooperates peacefully with its neighbours; and

c ensuring that BiH is irreversibly on track towards Union membership, following the publication of the Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union on 29 May 2019.

2 The Union will also continue to support the implementation of the General Framework Agreement for Peace in BiH.

Article 3

Mandate

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

(a) offer the Union's advice and facilitate the political process, in particular with the promotion of dialogue between the different levels of government;

(b) ensure consistency and coherence of Union action;

(c) facilitate progress on political, economic and Union priorities, in particular by encouraging further work on the coordination mechanism on Union matters and the continued implementation of the European agenda for reform;

(d) support domestic efforts in line with European standards to ensure that election results can be implemented;

(e) monitor and advise the executive and legislative authorities at all levels of government in BiH, and liaise with the authorities and political parties in BiH;

(f) ensure the implementation of the Union's efforts in the whole range of activities in the field of the rule of law and the security sector reform, promote overall Union coordination of, and give local political direction to, Union efforts in tackling organised crime, corruption and terrorism and, in that context, provide the HR and the Commission with assessments and advice as necessary;

(g) provide support for a reinforced and more effective interface between criminal justice and the police in BiH, as well as for initiatives which aim to strengthen the efficiency and impartiality of the judicial institutions, in particular the Structured Dialogue on Justice;

(h) without prejudice to the military chain of command, offer the EU Force Commander political guidance on military issues with a local political dimension, in particular concerning sensitive operations, and on relations with local authorities and with the local media; consult with the EU Force Commander before taking political action that may have an impact on the security situation and coordinate regarding coherent messages to local authorities and other international organisations; contribute to the consultations on the Strategic Review of EUFOR/ALTHEA;

(i) coordinate and implement the Union's communication efforts on Union issues towards the public in BiH;

(j) promote the process of Union integration through targeted public diplomacy and Union outreach activities designed to ensure a broader understanding and support among the BiH public on Union-related matters, including by means of engagement of local civil society actors;

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (CFSP) 2019/1340. (See end of Document for details)*

(k) contribute to the development and consolidation of respect for human rights and fundamental freedoms in BiH, in accordance with the EU human rights policy and EU Guidelines on Human Rights;

(l) engage with relevant BiH authorities with regard to their full cooperation with the International Residual Mechanism for Criminal Tribunals;

(m) in line with the Union integration process, advise, assist, facilitate and monitor political dialogue on the necessary constitutional and relevant legislative changes;

(n) maintain close contacts and close consultations with the UN High Representative in BiH and other relevant international organisations working in the country; in that context, inform the Council about discussions on the ground regarding the international presence in the country, including the Office of the UN High Representative in BiH;

(o) provide advice to the HR as necessary concerning natural or legal persons on whom restrictive measures could be imposed in view of the situation in BiH;

(p) without prejudice to the applicable chains of command, help to ensure that all Union instruments in the field are applied coherently to attain the Union's policy objectives.

Article 4

Implementation of the mandate

1 The EUSR shall be responsible for the implementation of the mandate, acting under the authority of the HR.

2 The PSC shall maintain a privileged link with the EUSR and shall be the EUSR's primary point of contact with the Council. The PSC shall provide the EUSR with strategic guidance and political direction within the framework of the mandate, without prejudice to the powers of the HR.

3 The EUSR shall work in close coordination with the European External Action Service (EEAS) and the relevant departments thereof.

Article 5

Financing

1 The financial reference amount intended to cover the expenditure related to the EUSR's mandate for the period from 1 September 2019 to 31 August 2021 shall be EUR 13 700 000.

2 The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union. Participation of natural and legal persons in the award of procurement contracts by the EUSR shall be open without limitations. Furthermore, no rule of origin for the goods purchased by the EUSR shall apply.

3 The management of the expenditure shall be subject to a contract between the EUSR and the Commission. The EUSR shall be accountable to the Commission for all expenditure.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2019/1340. (See end of Document for details)*

Article 6

Constitution and composition of the team

1 Within the limits of the EUSR's mandate and the corresponding financial means made available, the EUSR shall be responsible for constituting a team. The team shall include the expertise on specific policy issues as required by the mandate. The EUSR shall keep the Council and the Commission promptly informed of the composition of the team.

2 Member States, institutions of the Union and the EEAS may propose the secondment of staff to work with the EUSR. The salary of such seconded personnel shall be covered by the Member State, the institution of the Union concerned or the EEAS, respectively. Experts seconded by Member States to the institutions of the Union or the EEAS may also be posted to work with the EUSR. International contracted staff shall have the nationality of a Member State.

3 All seconded personnel shall remain under the administrative authority of the sending Member State, the sending institution of the Union or the EEAS and shall carry out their duties and act in the interest of the EUSR's mandate.

Article 7

Privileges and immunities of the EUSR and the EUSR's staff

The privileges, immunities and further guarantees necessary for the completion and smooth functioning of the EUSR's mission and the members of the EUSR's staff shall be agreed with the host parties, as appropriate. Member States and the EEAS shall grant all necessary support to such effect.

Article 8

Security of EU classified information

The EUSR and the members of the EUSR's team shall respect the security principles and minimum standards established by Council Decision 2013/488/EU[(2)].

Article 9

Access to information and logistical support

1 Member States, the Commission and the General Secretariat of the Council shall ensure that the EUSR is given access to any relevant information.

2 The Union delegation and/or Member States, as appropriate, shall provide logistical support in the region.