Council Decision (CFSP) 2019/346 of 28 February 2019 appointing the European Union Special Representative for Human Rights

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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 25 July 2012, the Council adopted Decision 2012/440/CFSP[(1)] appointing Mr Stavros LAMBRINIDIS as the European Union Special Representative (EUSR) for Human Rights. The EUSR's mandate is to expire on 28 February 2019.

(2) A new EUSR for Human Rights should be appointed for a period of 24 months,

HAS ADOPTED THIS DECISION:

Article 1

European Union Special Representative

Mr Eamon GILMORE is hereby appointed as the European Union Special Representative (EUSR) for Human Rights until 28 February 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

The EUSR's mandate shall be based on the policy objectives of the Union regarding human rights as set out in the Treaty on European Union, the Charter of Fundamental Rights of the European Union as well as the EU Strategic Framework on Human Rights and Democracy and the EU Action Plan on Human Rights and Democracy:

(a) enhancing the Union's effectiveness, presence and visibility in protecting and promoting human rights in the world and bringing forward a positive narrative on human rights, in particular by deepening Union cooperation and political dialogue with third countries, relevant partners, business, civil society and international and regional organisations, and through action in relevant international fora;

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2019/346. (See end of Document for details)*

(b) enhancing the Union's contribution to strengthening democracy and institution building, the rule of law, good governance, respect for human rights and fundamental freedoms worldwide;

(c) improving the coherence of Union action on human rights and the integration of human rights in all areas of the Union's external action.

Article 3

Mandate

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

(a) contribute to the implementation of the Union's policy on human rights, in particular the EU Strategic Framework on Human Rights and Democracy and the EU Action Plan on Human Rights and Democracy, as well as the implementation of Union Guidelines, toolkits and action plans on human rights, including by formulating recommendations in this regard;

(b) contribute to the implementation of the Union's positions, as defined by the Council, on promoting compliance with international humanitarian law;

(c) contribute to the implementation of the Union's positions, as defined by the Council, on promoting support for international criminal justice, in particular Council Decision 2011/168/CFSP[(2)] on the International Criminal Court;

(d) help establish a stronger European voice through dialogues on human rights with governments in third countries and international and regional organisations, as well as with civil society organisations and other relevant actors in order to ensure the effectiveness and the visibility of the Union's human rights policy; lead important human rights dialogues with third countries;

(e) contribute to better coherence and consistency of the Union's policies and actions in the areas of protection and promotion of human rights, in particular by providing input to the formulation of relevant policies of the Union;

(f) contribute, in consultation with Member States, to the better coherence and consistency of the Union's positions referred to in points (b) and (c).

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 its relevant departments in order to ensure coherence and consistency in their respective work in the area of human rights.

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (CFSP) 2019/346. (See end of Document for details)*

Article 5

Financing

1 The financial reference amount intended to cover the expenditure related to the EUSR's mandate for the period from 1 March 2019 to 28 February 2021 shall be EUR 2 100 270,5.

2 The expenditure shall be managed in accordance with the procedures and rules applicable to the general budget of the Union.

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.

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, the 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 sending Member State, the sending institution of the Union 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, respectively, and shall carry out their duties and act in the interest of the EUSR's mandate.

4 The EUSR's staff shall be co-located within the relevant EEAS departments or Union delegations in order to ensure coherence and consistency of their respective activities.

Article 7

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[(3)].

Article 8

Access to information and logistical support

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