

III

(Acts adopted under the EU Treaty)

ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

COUNCIL JOINT ACTION 2008/487/CFSP

of 23 June 2008

in support of the universalisation and implementation of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in the framework of the European Security Strategy

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 12 December 2003, the European Council adopted the European Security Strategy, which calls for an international order based on effective multilateralism. The European Security Strategy acknowledges the United Nations Charter as the fundamental framework for international relations. Strengthening the United Nations and helping to equip it to fulfil its responsibilities and to act effectively is a priority of the European Union.
- (2) United Nations General Assembly Resolution 51/45 of 10 December 1996 urged all States to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines.
- (3) The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction ('the Convention') was opened for signature on 3 December 1997 and entered into force on 1 March 1999. It constitutes a comprehensive international instrument to deal with all matters related to anti-personnel landmines, including their use, production and trade, victim assistance, mine clearance and stockpile destruction.
- (4) In December 2004, the States Parties to the Convention adopted the Nairobi Action Plan 2005-2009 and agreed to various understandings regarding the universalisation and implementation of the Convention in all its aspects.

- (5) In December 2007, the United Nations General Assembly adopted Resolution 62/41 on the implementation of the Convention, inviting all States that have not signed it to accede without delay, urging all States that have signed but not ratified the Convention to ratify it without delay and urging all States, where in a position to do so, to promote adherence to the Convention through bilateral, sub-regional, regional and multilateral contacts, outreach, seminars and other means,

HAS ADOPTED THIS JOINT ACTION:

Article 1

1. With a view to supporting the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Convention) in line with United Nations General Assembly Resolution 62/41, the European Union (EU) shall pursue the following objectives:

- (a) promotion of the universalisation of the Convention and support for the preparation of the Second Review Conference of the Convention in 2009;

- (b) support for full implementation of the Convention by States Parties.

2. In order to achieve the objectives referred to in paragraph 1, the EU shall undertake the following projects:

- (a) organisation of up to six regional or sub-regional seminars aimed at increasing accession to and ratification of the Convention and preparing for the second Review Conference in 2009;

- (b) provision of continuous technical advice and up to 25 targeted technical assistance visits to States Parties with a view to making recommendations on the full implementation of the Convention.

A detailed description of these projects is set out in the Annex.

Article 2

1. The Presidency, assisted by the Secretary-General of the Council/High Representative for the CFSP (SG/HR), shall be responsible for the implementation of this Joint Action. The Commission shall be fully associated.

2. The technical implementation of the projects referred to in Article 1(2) shall be carried out by the Implementation Support Unit of the Geneva International Centre for Humanitarian Demining (ISU/GICHD). It shall perform this task under the control of the SG/HR, assisting the Presidency. For this purpose, the SG/HR shall enter into the necessary arrangements with the ISU/GICHD.

3. The Presidency, the SG/HR and the Commission shall keep each other regularly informed about the projects, in accordance with their respective competences.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 1 070 000, to be funded from the general budget of the European Union.

2. The expenditure financed by the amount stipulated in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the general budget of the European Union.

3. The Commission shall supervise the proper management of the expenditure referred to in paragraph 2, which shall take the form of a grant. For this purpose, it shall conclude a financing agreement with the GICHD. The financing

agreement shall stipulate that the ISU/GICHD is to ensure visibility of the EU contribution, appropriate to its size.

4. The Commission shall endeavour to conclude the financing agreement referred to in paragraph 3 as soon as possible after the entry into force of this Joint Action. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreement.

Article 4

The Presidency, assisted by the SG/HR, shall report to the Council on the implementation of this Joint Action on the basis of regular reports prepared by the ISU/GICHD. These reports shall form the basis for the evaluation by the Council. The Commission shall be fully associated. It shall provide information on the financial aspects of the implementation of this Joint Action.

Article 5

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

It shall expire 21 months after the date of conclusion of the financing agreement referred to in Article 3(3) or six months after the date of its adoption if no financing agreement has been concluded within that period.

Article 6

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

ANNEX

1. Objectives

The overall objectives of this Joint Action are the promotion of the universalisation of the Convention, support for full implementation of the Convention by States Parties and support for the preparations for the Second Review Conference which will take place in 2009. Maximum synergy will be ensured with other relevant EU financial instruments.

2. Projects**2.1. Promotion of the universalisation and implementation of the Convention on the Prohibition of the Use, Stock-piling, Production and Transfer of Anti-Personnel Mines and on their Destruction, and preparation of the 2009 Review Conference.****2.1.1. Project objective**

To promote adherence to the Convention through regional and sub-regional seminars and to support the preparations for the Second Review Conference.

2.1.2. Project description

Up to six regional or sub-regional workshops will be organised to prepare for the Second Review Conference and to encourage further universalisation of the Convention.

2.1.3. Project results

Increased membership of the Convention and renewed global interest in the importance of the objectives of and the obligations resulting from ratification of the Convention, as well as a better understanding of the needs of future States Parties concerning anti-personnel landmine programmes.

Better preparation of the Second Review Conference which will take place in 2009, through enhanced regional input and networking.

2.1.4. Seminar venues

The ISU/GICHD will present a list of potential venues for the regional seminars which will then be endorsed by the Presidency, assisted by the SG/HR in consultation with the competent Council bodies.

The criteria used for choosing the venues for the seminars will include the willingness and commitment of a relevant State in a particular region to host a seminar, the level of commitment to the Convention by States in the region and, if relevant, the commitment of a relevant regional or sub-regional organisation.

2.1.5. Project beneficiaries

States party and not party to the Convention in the regions where the seminars will be organised.

2.2. Support for the full implementation of the Convention**2.2.1. Project objective**

To assist States Parties in implementing the provisions of the Convention.

2.2.2. Project description

To assist States Parties to the Convention which are in the process of fulfilling their obligations resulting from it.

Technical assistance visits will be organised to States Parties with a view to assessing the national response to the obligations resulting from the Convention and to providing support in line with other relevant ongoing programmes and/or activities, the findings of the Nairobi Summit and the findings of the annual progress reports.

2.2.3. Project results

— Enhanced knowledge of the implementation efforts made at national level which may lead to further action by the EU,

- provision of advice and recommendations on technical requirements necessary to fulfil obligations under the Convention,
- development of relevant national plans in line with obligations under the Convention.

2.2.4. Project beneficiaries

States Parties will be invited to request assistance. A decision will be made on the basis of the degree to which requesting States Parties have compiled the necessary background information prior to engagement, taken meaningful steps to support a visit by technical experts and shown readiness to make full use of the information acquired as a result of the exercise.

The selection of beneficiaries will take into account the respecting of the commitments made by potential beneficiaries in the area of demining and stockpile destruction in the framework of the deadlines established at the Convention meetings.

The ISU/GICHD will present a final list of beneficiaries which will then be endorsed by the Presidency, assisted by the SG/HR in consultation with the competent Council bodies.

3. **Duration**

The total duration for the implementation of this Joint Action is 21 months.

4. **Implementing entity**

The Presidency, assisted by the SG/HR, is responsible for the implementation and supervision of this Joint Action. The Presidency will entrust the technical implementation to ISU/GICHD.

The ISU/GICHD will ensure the visibility of the EU contribution, appropriate to its size.

5. **Reporting**

The ISU/GICHD will prepare detailed reports following each of the planned seminars and the technical assistance visits.
