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Notice to readers (see page 3 of the cover)

(Acts adopted pursuant to Title V of the Treaty on European Union)

JOINT ACTION

of 19 December 1997

adopted by the Council on the basis of Article J.3 of the Treaty on European Union in support of the democratic transition process in the Democratic Republic of Congo

(97/875/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article J.3 thereof,

Having regard to the conclusions of the European Council held in Florence on 21 and 22 June 1996 and in Amsterdam on 16 and 17 June 1997 and, in particular, its support for the process of transition to democracy in Zaïre,

Whereas on 11 November 1996, the Council adopted, on the basis of Article J.3 of the Treaty, Joint Action 96/656/CFSP in support of the democratic transition process in Zaïre⁽¹⁾; whereas that Joint Action expires on 31 December 1997;

Whereas the present government of that country adopted the name of the Democratic Republic of Congo for the country and revoked the previous programme of democratic transition; whereas it has, nevertheless, declared its intention to hold democratic elections and has appointed a Constitutional Commission; whereas, in such circumstances the European Union wishes to support the declared intentions of the new government by extending and adapting in substance Joint Action 96/656/CFSP,

HAS ADOPTED THIS JOINT ACTION:

Article 1

As part of an international effort, the European Union will contribute to the democratic transition process in the Democratic Republic of Congo.

The Union shall therefore assist in preparations for elections. That assistance will involve the establishing of a European Electoral Unit.

The Union shall consider and assess appropriate further measures in support of the democratic transition process in the Democratic Republic of Congo, including measures for technical assistance and possible deployment of observers.

Article 2

The Council reserves the right to amend and/or terminate at any time any action by the Union embarked on within the meaning of this Joint Action, if it deems that the Democratic Republic of Congo political parties and institutions are not giving proof of their full commitment to democratization. To that end, the Council shall monitor the conduct of the electoral process at every stage.

Article 3

The European Electoral Unit to be set up in the Democratic Republic of Congo pursuant to Joint Action 96/656/CFSP shall operate within the meaning of this Joint Action.

Article 4

The operational balance of the amount of ECU 4 million charged to the general budget of the European Communities by virtue of Joint Action 96/656/CFSP shall be made available in order to finance expenditure arising out of this Joint Action.

Expenditure financed from the amount referred to in the first paragraph shall be administered in compliance with Community procedures and rules applicable to the budget.

Article 5

The Council notes that the Commission intends to propose measures to help achieve the objectives of this

⁽¹⁾ OJ L 300, 25. 11. 1996, p. 1.

Joint Action, *inter alia*, within the meaning of the European Development Fund (EDF).

It shall apply until 30 June 1998.

Article 6

This Joint Action shall be adopted without prejudice to any decisions which the Union might take at a later date in support of the democratic transition process in the Democratic Republic of Congo.

Article 8

This Joint Action shall be published in the Official Journal.

Done at Brussels, 19 December 1997.

Article 7

This Joint Action shall come into force on 1 January 1998.

For the Council
The President
F. BODEN

ANNEX

Aims and operation of the European Electoral Unit

1. The role of the Electoral Unit shall be:
 - (i) to maintain an on-the-spot dialogue with the government, the institutions responsible for preparing for and organizing the elections, the relevant United Nations institutions and the providers of funds other than the European Union, and coordinate European assistance to the elections with them;
 - (ii) to supervise the implementation of assistance and possible observation of the elections by the Union;
 - (iii) to monitor and assess the conduct of the electoral process in the Democratic Republic of Congo and keep the Council regularly informed thereof, under the Presidency's authority.
 2. The European Electoral Unit shall be directed by a high-ranking figure with experience of electoral matters.
 3. The Head of the Electoral Unit and, in consultation with him, the staff of the Unit, is appointed by the Presidency in association with the Commission. The Commission and the Member States may propose the secondment of staff to the Electoral Unit. Remuneration of any staff seconded to the Electoral Unit by a Member State or the Commission shall be the responsibility respectively of the Member State concerned or the Commission.
 4. The Head and other staff of the Electoral Unit should be available for the planned duration of the Unit.
 5. The Head of the European Electoral Unit shall confer with the Heads of Mission of the Member States and the Commission delegation in the Democratic Republic of Congo.
 6. The Electoral Unit shall be disbanded one month after the date of the elections.
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