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

JOINT ACTION

of 11 November 1996

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 Zaire

(96/656/CFSP)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article J.3 and J.11 thereof,

Having regard to the Conclusions of the European Council held in Florence on 21 and 22 June 1996 and, in particular, its support for the current process of transition to democracy in Zaire,

Whereas, at its meeting on 28 October 1996, the Council adopted conclusions in support of the democratic transition process in Zaire,

HAS ADOPTED THIS JOINT ACTION:

Article 1

As part of an international effort coordinated by the United Nations, the European Union will contribute to the democratic transition process in Zaire.

The Union will therefore assist in preparations for elections. That assistance will involve the establishing of a European electoral unit and a contribution to the Special Fund of the United Nations.

The Union will consider and assess appropriate further measures in support of the democratic transition process in Zaire, including measures for technical assistance and the 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 under

this Joint Action, if it deems that the Zairean parties and institutions are not respecting the obligations and principles resulting from the basic transition agreements, in particular the Protocol of Agreement and the Constitutional Act of transition, or are not giving proof of their full commitment to democratization in Zaire. To that end, the Council will monitor the conduct of the electoral process at every stage.

Article 3

A European electoral unit shall be set up in Zaire which is independent of, but works in close conjunction with, the United Nations electoral unit. It will function as indicated in the Annex hereto.

Article 4

An amount of ECU 4 million shall be charged to the general budget of the European Communities for 1996. That amount is intended to cover:

- the payment expenses of the European electoral unit referred to in Article 3,
- the payment of a contribution of ECU 2 million by the European Union to the Special Fund of the United Nations.

Expenditure financed from the amount referred to in the first subparagraph shall be managed 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

Joint Action, *inter alia* under the European Development Fund (EDF).

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 Zaire.

Article 6

This Joint Action shall come into force on the date of its adoption. It shall apply until 31 December 1997.

Article 7

This Joint Action will be published in the Official Journal.

Done at Brussels, 11 November 1996.

For the Council

The President

R. QUINN

ANNEX

Aims and operation of the European electoral unit

1. The role of the electoral unit shall be to:
 - (i) monitor and assess the conduct of the electoral process in Zaire and keep the Council regularly informed thereof, on the Presidency's authority;
 - (ii) maintain an on-the-spot dialogue with the Zairian 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; and
 - (iii) supervise the implementation of assistance and possible observation of the elections by the Union.
 2. The European electoral unit will 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, will be 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 States concerned or the Commission.
 4. The head and other staff of the electoral unit should be available for the planned duration of the unit's existence.
 5. The head of the European electoral unit shall confer with the Heads of Mission of the Member States and the Commission delegation in Zaire.
 6. The electoral unit shall be disbanded one month after the date of the elections.
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