

Utrikesdepartementet

**Antagande av rådsbeslut enligt artikel 28 och 43.2 i EU-fördraget om
förlängning av EU:s polisinsats i Afghanistan (EUPOL Afghanistan)**

1 bilaga

Ärendet

EU inrättade den 22 maj 2007 en polisinsats i Afghanistan (EUPOL Afghanistan) inom ramen för den europeiska säkerhets- och försvarspolitik. Målet för insatsen är att avsevärt bidra till bildandet av en effektiv och hållbar afghansk poliskår som arbetar i enlighet med en rättsstats regler och med respekt för mänskliga rättigheter. Insatsens nuvarande mandat löper ut den 30 maj 2010.

Insatsen består för närvarande av en internationell personalstyrka om ca 300 personer från EU:s medlemsstater och tredje länder och verksamhet bedrivs för närvarande i 14 av Afghanistans 34 provinser. Verksamheten är inriktad på stöd inom underrättelsebaserat polisarbete, brottsutredningar, strukturer för ledning och kommunikation inom polisen, anti-korruption, kopplingar mellan polis och åklagare samt hantering av frågor om gender och mänskliga rättigheter inom polisen. EUPOL ägnar sig åt mentorskap, rådgivning och träning för att uppnå sina mål.

Medlemsstaterna har utarbetat ett utkast till rådsbeslut om förlängning av EUPOL Afghanistan. Förlängningen föreslås gälla i tre år till och med den 31 maj 2013. Ministerrådet väntas den 17 maj 2010 fatta beslut om förlängningen.

Utkastet till rådsbeslut, som innehåller bland annat bestämmelser om insatsens mål, uppgifter, struktur, personal, befälsförhållanden och finansiering har den lydelse som framgår av *bilagan*.

Regeringens beslut

Regeringen beslutar att Sverige ska i rådet rösta för ett antagande av rådsbeslutet, under förutsättning av det i huvudsak överensstämmer med bilagan.

Utdrag till

Statsrådsberedningen, Utrikes- och EU-enheten

Justitiedepartementet PO

Utrikesdepartementet UrP, UrIU, ASO, EU-korr, FMR, RS, PIK

Försvarsdepartementet SSK, SI

Finansdepartementet BA

Representationen Bryssel

Ambassaden Kabul

BUDGETARY IMPACT STATEMENT

POLICY AREA: EXTERNAL RELATIONS

ACTIVITY: COMMON FOREIGN AND SECURITY POLICY

COUNCIL DECISION 2010/xxx/CFSP OF XX MAY 2010 ON THE EUROPEAN UNION POLICE MISSION IN AFGHANISTAN

1. BUDGET LINE(S) CONCERNED + HEADING(S)

19.03.07 Police Missions

2. LEGAL BASIS

Treaty on European Union, in particular Articles 28 and 43(2).

Treaty on the Functioning of the European Union.

Council Regulation (EC) No 1605/2002 on the Financial Regulation applicable to the general budget of the European Union, in particular Article 75(2) thereof.

3. OVERALL FIGURES FOR THE FINANCIAL YEAR (IN EUROS)

3.a. - Current year

		Commitments	Payments
Initial appropriation for the financial year		61,093,000.00	51,850,000.00
Supplementary budgets			
Transfers			
Total appropriation		61,093,000.00	51,850,000.00
Utilisation at	26/04/10	0	0
Balance available		61,093,000.00	51,850,000.00
Total for the measure proposed		54,600,000.00	27,000,000.00

■ **3.b. - Carryovers**

		Commitments	Payments
Carryovers		2,661,988.66	2,644,688.64
Utilisation at	26/04/10	0	0
Balance available		2,661,988.66	2,644,688.64
Total for the measure proposed			

4. DESCRIPTION OF THE ACTION

The objectives of the Mission are specified in Article 2 of Council Decision 2010/xxx/CFSP. EUPOL AFGHANISTAN shall significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution building work of the Community, Member States and other international actors. Further the Mission will support the reform process towards a trusted and efficient police service, which works in accordance with international standards, within the framework of the rule of law and respects human rights.

In order to fulfil the objectives set out in Article 2, EUPOL AFGHANISTAN shall, in accordance with Article 3 of the Council Decision:

- (a) work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform and enhance cooperation with key partners in police reform and training, including with NATO-led mission ISAF and the NATO training mission and other contributors;
- (b) assist the Government of Afghanistan in coherently implementing its strategy towards sustainable and effective civilian policing arrangements, especially with regard to the Afghan Uniform (Civilian) Police and the Afghan Anti-Crime Police, as stipulated in the National Police Strategy;
- (c) improve cohesion and coordination among international actors; and
- (d) support linkages between the police and the wider rule of law.

These tasks are further developed in the OPLAN. The Mission shall carry out its tasks through, amongst other means, monitoring, mentoring, advising and training.

EUPOL AFGHANISTAN is a non-executive Mission.

EUPOL AFGHANISTAN shall, as appropriate, coordinate, facilitate and provide advice on projects implemented by Member States and third states under their responsibility, in areas related to the Mission and in support of its objectives.

The Head of the Mission will sign a Special Adviser contract with the Commission. He will be responsible to the Commission for the management of expenditure related to the mandate. The Head of the Mission will sign employment contracts with his staff on his own behalf, as required.

The Project will be funded by EU financial contribution and contributions in kind by Member States as follows:

Financial Contributions (in €)		2010
<u>EU Contribution:</u>		54.600.000,00
<u>Bilateral contributions by Member States</u> [indicate acronyms of MS]:		n/a
<u>Bilateral contributions by non-member states:</u> [indicate names of non-MS]		n/a
TOTAL		54.600.000,00

Contributions in Kind	
<u>EU Member States and Institutions</u>	<p><u>Up to 396 seconded experts in Afghanistan* and 4 seconded experts in Brussels.</u></p> <p>Germany provides the compound accommodation and offices for approximately 39 personnel based in Kabul.</p> <p>Council Secretariat provides the office space and equipment for Mission Personnel based in Brussels.</p> <p>Logistical and Security Support is provided in the PRTs and RCs by participating Member States.</p>
<u>Non-EU participants</u>	<p><i>*Out of 396 experts in Afghanistan there are currently 28 provided by participating Third States (as at 15 April 2010).</i></p> <p>Logistical and Security Support is provided in the PRTs and RCs by participating Third States.</p>

5. METHOD OF CALCULATION ADOPTED

5.1 Calculation of main costs by heading

Calculation of costs by measure envisaged (see detail in Appendix to the Financial Statement)

5.1.1 Personnel costs (€24,114,818)

It is estimated that 95% of personnel in Kabul, including the internationally contracted staff, would be present throughout the year. In the Provinces/Regional Centres it is estimated that in addition to the actual presence, a further 20% of the vacancies would be filled, i.e. approximately 64% of posts would be filled in average (based on the figures of 15 April 2010).

	Current strength	Total number of posts	Number of vacancies	Estimated average occupancy
Internationally contracted	64	74	10	70
Seconded Kabul	129	153	24	145
Seconded outside Kabul	96	173	77	111
Total seconded	225	326	101	256*
Total	289	400	111	326

** Includes 30 staff from third countries*

5.1.1.1. Salaries

Salaries are based on the Commission Communication on Specific Rules for Special Advisers of the Commission entrusted with the Implementation of Operational CFSP Actions (C(2009)9502 of 30 November 2009).

5.1.1.1.1. Head of Mission (€280,968)

Head of Mission 12 months * €22,000/month = €264,000

The remuneration of the Head of Mission corresponds to the basic salary of the grade AD 14, step 1, as laid down in Article 66 of the EC Staff Regulations. The remuneration includes expatriation allowance of 16 % and other applicable allowances as per the EC Staff Regulations, as follows:

• Basic salary	€12,968
• Expatriation allowance (16 %)	€2,143
• Household allowance	€ 427
• Hardship allowance (40%)	€4,682
• Complementary Allowance (10%)	€1,170
• Margin for indexation and other allowances	€ 610
Total	€22,000

2 Removal Allowances of 50% one Basic Salary in the amount of €12,968 (€2*6,484) will be paid upon start and termination of service.

Return Ticket Europe-Afghanistan is budgeted at €4,000.

5.1.1.1.2. Internationally contracted staff (€8,254,422)

International staff cost are calculated on the basis of the estimated average occupancy of the posts throughout the year being 95%. In total 74 posts are envisaged. No new posts are added in the calculation, 3 posts are removed (3 administrative officers) and 4 posts filled in by secondees in the past are now included in the budget as the situation has changed (1 Human Resources Officer, 2 Transport Officers and 1 Technician).

It is expected that 5% of the total posts on average will not be filled throughout a year; therefore a lump-sum deduction is applied on the cost of salaries and allowances.

All posts shall be open to seconded staff. In case of equal profiles of persons applying for a seconded/contracted post, a secondee is to be selected.

Salaries

Position	Average Salary €	Total n° of posts	Total cost €
(total n° of posts) – less n° of posts seconded			
Head of Mission Support (1)	7.875	1	94.500
Chief Administrative Services (1)	6.375	1	76.500
Chief General Support Services (1)	4.550	1	54.600
Civil engineer (2)	3.925	2	94.200
Finance (4)	4.606	4	221.100
Internal Controller (1)	5.050	1	60.600
Procurement (5)	3.645	5	218.700
Human Resources (5) - 1 seconded	4.225	5	253.500
CIS (6)	5.413	6	389.700
Transport (5)	4.895	5	293.700
Technicians (6)	3.150	6	226.800
Logistics (7)	4.289	7	360.300
Medical (3)	5.142	3	185.100

Documents and Records Officer (2)	3.400	2	81.600
Regional Admin Officers (8)	3.820	5	229.200
Analysis and Reporting (7) - 6 seconded	5.050	1	60.600
Adviser National Affairs (2)	7.125	2	171.000
Legal Adviser (1)	6.875	1	82.500
Polad (2) - (1 seconded)	6.125	1	73.500
Security Officers (13) – 3 seconded	4.485	10	538.200
Police/RoL experts (5)	5.800	5	348.000
Total	4.633	74	4.113.900
5% Deduction			(205.695)
Total budgeted			3.908.205

Daily allowances for internationals based in Afghanistan along with hardship and risk allowance, totals **€3,804,805**. The calculation is made as follows:

- Per diem: UN \$142*75% / USD rate May 2010 (1.3256) = €80.34

- Hardship: EC -> 40% -> €35

- Risk: €35 (based on high risk premium).

The risk situation as at 31 March 2010 was at high level throughout the country (€35) and high to critical in the South and East (€50). The risk allowance will be updated according to the actual risk situation and it will be paid for each day spent in Afghanistan, excluding regular leave. Inclusion of average €35 risk allowance is sufficient as increased level in the South and East is compensated by the fact that no risk allowance is paid to staff when on leave.

Total: €(80.34 + 35 + 35) * n° of internationals 74 * 360 days * 95% = **€3,804,805**

Removal allowance and travel cost

Removal allowance corresponding to 50% of one monthly basic gross salary upon taking of office and upon termination of service or death (lump sum) totals **€171,413** (€2,316.39*74).

Cost related to travel to and from Europe upon taking up the office and upon termination of service or death (lump sum), and of the travel allowed after 6 months budgeted at €2,000 per person totals **€370,000** (2.5* 2,000 * 74 personnel).

The total cost of international contracted staff is **€8,254,422**.

5.1.1.1.3 Local Staff (€2,387,146)

The salaries of the local staff are budgeted for according to the salary grid for the local staff of the EC Delegation in Kabul and are calculated in line with the estimated recruitment (50% of vacancies filled on average throughout the year). In total 250 posts are envisaged out of which 40% are directly linked to mandate implementation (translators and others within groups I, II and III). Other posts in group I, II and III are budgeted for local personnel needed for both the administrative (finance, procurement, logistics etc) and operational functions of the Mission (advisers, etc.) and are spread out through these categories according to the experience and seniority required. Group V comprises of drivers and other manual labourers (cleaning, maintenance etc.).

Position	<i>Current n° of posts</i>	Budget				
		31 May 2010 – 31 May 2011				
		Salary \$	Salary € (at 1,3256 USD rate 05/10, rounded)	Total n° of posts	Average n° of posts	Total cost €
I. Senior officers	15	2400	1.811	15	15	325.890
II. Officers	60	1600	1.207	95	78	1.129.753
III. Assistants	29	1100	830	54	42	418.226
IV. Office Clerks	13	900	679	15	14	114.062
V. Skilled manual labourers	55	700	528	71	63	399.215
Total	172			250	212	2.387.146

5.1.1.1.4 Seconded staff (€12,195,533)

The cost of seconded staff is calculated on the basis of the estimated average occupancy of the posts throughout the year being 95% of the posts in Kabul and the actual presence increased by 20% of vacancies in the Provinces/Regional Centres (based on the figures of 15 April 2010).

Per Diem, Hardship, and Risk

Daily allowances for the EU seconded personnel based in Afghanistan along with hardship and risk allowance, totals €12,015,173 and is calculated in a same way as for the internationally contracted staff.

Total: €(80.34 + 35 + 35) * n° of **EU seconded 222** (total 256 less 30 from 3rd States and 4 in Brussels) * 360 days = **€12,015,173**

Daily Allowance for the EU seconded personnel based in Brussels amounts to **€180,360** (€125.25 * 4 personnel* 360 days).

5.1.1.1.5 Insurances (€954,349)

The high-risk insurance calculated on the basis of €8.37/day for the Head of Mission and €7.35/day/person for the EU international staff (296 being total 256 less 30 from 3rd States plus 70 internationally contracted) amounts to **€797,149**.

The high-risk insurance for the local staff aiming to mitigate the exposure to an increased level of risk related to the engagement in the police mission in Afghanistan is calculated on the basis of 50 Euro/month per person amounting to **€127,200** (€50 * average n° of locals 212 * 12 months).

The budget also includes a provision of **€30,000** for the financial liability insurance.

5.1.1.1.6 Medical Costs (€42,400)

Estimated cost of medical examination of the local staff totals **€42,400** (212 * €200). The local staff should have a medical examination every 6 months.

5.1.2. Missions (€592,705)

All mission expenditure directly related to the implementation of the mission is covered by the budget of the mandate. The mission expenditure includes transportation, per diems and accommodation and is payable for missions from the place of employment, which is Kabul (HQ), or, for the four persons seconded there, Brussels. The rates are based on the Guide to Missions for Officials and Other Servants of the European Commission (Article 71 of the Staff Regulations and Articles 11 to 13 of Annex VII to the Staff Regulations). The seconding MS will cover transport costs to the place of employment.

Missions to Brussels/Europe (six-day missions):

In total 95 missions to Brussels/Europe are envisaged for the Head of Mission and the international staff to Council meetings (mostly PSC and Civcom), CPCC, CSDP Head of Missions meetings, conferences (NATO, technical), coordination meetings (NTMA), trainings (PRAG, security), seminars (Police and Rule of Law) and of the Brussels support team to Afghanistan.

Other countries (five-day missions):

3 missions to other countries (US/UN or other) are included for the Head of Mission or other international staff member.

The allowances and accommodation calculation takes into account the estimated travel time to and from the different destinations. Flights are calculated on the basis of €4,000 for a return flight Kabul/Brussels and €5,000 between Kabul and New York.

Afghanistan (two-day missions):

300 short-term trips in Afghanistan are budgeted for the Mission staff (the accommodation cost is expected to be nil and only a limited number of flights paid due to an internal transport arrangements in place).

	N°	Travel		Accommodation		Allowance	
		€	€	€	€	€	€
Brussels/Europe	95	4.000	380.000	140	79.800	92	61.180
Other countries	3	5.000	15.000	275	4.125	100	1.800
Afghanistan	300	50	1.800	0	0	50	45.000
			396.800		83.925		107.980

€4,000 is budgeted for visas and other cost.

5.1.3 Running Costs (€22,049,476)

5.1.3.1 Transportation (€4,723,800)

Car rental is envisaged for the transport of the female local staff amounting to **€54,000** (€4,500 * 12 months).

The mission has currently 155 B6 armoured cars (including 14 of the GPPT) and 14 soft skin cars (all of the GPPT). The cars belonging to the GPPT (28) will be returned, therefore the mission will own 141 B6 armoured cars and 1 armoured ambulance being currently purchased.

It is estimated that 42 B6 armoured cars will be needed in the Provinces/Regional Centres and 84 in Kabul. 15 B6 cars are used by the Close Protection Teams for the transport of the Head of Mission and the civilians.

From this budget it is proposed to buy 2 armoured transporters, 3 soft skin cars and 1 truck for the logistics. Hence, there will be 144 armoured cars and 4 soft skin cars (including the truck) in total.

The monthly expenditure per car comprises of maintenance and reparation cost of €804.39, an average fuel consumption 171.62 litres at €1.1, insurance being €203.33 per car. The total car related cost included in the budget amounts to **€2,125,000** (€1,196.50 * 148 cars * 12 months rounded).

The cost of internal air transport in the amount of **€2,544,800** is budgeted for. It includes cost of 60 airlift hours per month amounting to €2,000,000 and of the other transport to/from one PRT in the South amounting to €394,800 and a reserve for eventual evacuation being €150,000.

5.1.3.2 Freight (€100,000)

Monthly cost of €5,500 for the transport of deliveries and cost of transport of 2 armoured transporters to be purchased during the period covered (€17,000 per car) to Afghanistan is budgeted for.

5.1.3.3 IT and maintenance (€547,400)

The yearly cost of internet access for HQ including the back-up link and the Green Village location is €227,000 and €129,600 for PRTs (12 relevant locations). The total cost amounts to **€547,400** (€356,600 + €14,500 * 12 months maintenance incl. cartridges previously covered under the office supplies and €16,800 domain registration for the website and recurring software licences).

5.1.3.4 Communications (€543,540)

The monthly mobile communication cost is estimated to be €25 for the locals (average number of locals excluding a part of skilled labourers being 149 during the year) and €70 (€90 average cost less €20 recovered monthly) for the internationals including personnel seconded by third countries (326 = 222 EU seconded + 30 third country nationals + 70 internationally contracted + 4 seconded in Brussels). The monthly average cost of the landlines is €900.

	Average n°	Cost €	Total Cost €
Locals	149	25	44,700
Internationals	326	70	273,840
Landline	all	900	10,800
			329,340

The monthly cost of satellite communication of €3,000 is based on the current level of spending. The total cost per year is **€36,000**. The running cost of the Force Tracking System is budgeted for **€165,000** (€15,000 per month starting in July 2010).

The total cost also including the antenna site rental (€1,100 per month), amounts to **€543,540**.

5.1.3.5 Office and accommodation: Rent and Services (€5,040,720)

The monthly rent of the Green Village (IPCB) location amounts to €279,500, bringing the total budgeted cost to **€3,354,000**.

The estimated rent to be paid in PRTs and Regional centres is based on the current expenditure which is on average €20 per person per day. The relevant average number of staff members in PRTs and Regional centres is estimated to be 76 (average 111 posts occupied outside Kabul less 35 third states nationals outside Kabul and locations with owned accommodation).

The overheads amount to €15 per person per week. The relevant average number of staff members in PRTs and Regional centres is estimated to be 96 (average 111 posts occupied outside Kabul less 15 third states nationals outside Kabul).

The accommodation/office cost including overheads is budgeted for **€616,320** (76 persons * €600 * 12 months + 96 * €60 * 12 months).

Other cost includes:

- Drinking water: 387 staff on average in Kabul (including all staff) * 2.7 litres per day * price €0.31 * 360 days (including a reserve) rounded to **€120,000**.

- Waste disposal: monthly cost is estimated to be €1,700, bringing the budget to **€20,400**.

- Generator fuel and maintenance: a total of **€846,000**, calculated on the basis of the current level the consumption, estimated of 60,000 litres per month at a price of €1.1 per litre plus €4,500 for monthly maintenance.

- General maintenance: The cost is budgeted at **€84,000** based on the estimated monthly cost of €7,000.

The total cost amounts to **€5,040,720**.

5.1.3.6 Office Supplies (€238,200)

The total cost of stationery is **€108,000** and based on the monthly spending being €9,000 (including stationery needed for the trainings provided). Other office supplies budgeted for are:

- Cleaning and other materials in the amount of **€98,400**;

- Medical supplies, clothes and laundry services in the amount of **€31,800**;

The total cost amounts to **€238,200**.

5.1.3.7 Security Services (€10,069,600)

The budget envisaged for the security services amounts to **€9,000,000** and is covering Operations Officer (1 post), Close Protection Teams (including for the Head of Mission, in total 24 CP operators posts), Residential Security Teams (6 operators posts), Quick Reaction Force (4 operators posts), Watchkeepers (2 posts), Guards (21 posts including coordinators) and a Dog Handler (1 post). The estimated cost is based on the current contract expiring in January 2011 and the estimated value of a new contract to be concluded thereafter.

One PRT is charging the Mission for the security services provided for the resident EUPOL mission members. The cost envisaged for 12 months amounts to **€940,800**. It is expected that ISAF will provide force protection for Staff working in the remaining Regional Centres and PRTs, free of charge to the Mission

Hostile environment training (HEST) is budgeted for 50% of the average number of all staff (excluding Brussels Support Element) covering both the new arrivals and the rotations. The cost of HEST training is approximately €800 per person resulting in the total cost of **€128,800** (161 * €800).

5.1.3.8 Audit and costs of Financial Transactions (€108,000)

A provision of €30,000 is made for the audit. The monthly financial charges and cost of engineering and legal consultancy is estimated to be €6,500, bringing the total cost to **€108,000**.

5.1.3.9 Press and Public Information Office and Welfare activities (€198,216)

€152,000 is set aside for press, public relations and visibility costs (including the cost of the planned media campaign with an estimated cost of €110,000) and €46,216 to cover welfare activities important for staff working in hostile environment (including 2 PRTs reimbursement according to the technical arrangements).

5.1.3.10 Trainings (€20,000)

The cost of trainings organised by the mission for its staff (e.g. financial, IT, tailored trainings being prepared etc.) is estimated at **€20,000**.

5.1.3.11 Projects (€460,000)

A budget of €460,000 is envisaged for small projects to be implemented by the Mission. These projects are in line with and reinforcing the main objectives of the Mission.

Indicative list of projects:

	Project	EUPOL strategic objective	Amount €
1	Archive building for ANP, Mol premises	PC3, ILP, CIDCB	82.400
2	Develop and implement CID within KCPP/CPP	CIDCB/KCPP	40.000
3	Legal library and Recreation room ANP RC ANSAAR West Heart	HR and Gender	19.300
4	Anti Corruption Office proposal	Anti-Corruption	20.730
5	Military Anti-Corruption Tribunal - Case Management & Tracking System	CIDCB, Anti-Corruption and HR	94.485
6	Printing costs of Police Booklet on HR	HR and Gender	30.000
7	HR dept at Police Academy	HR and Gender	11.250
8	ANP District Maintenance Training	Developing National Training Strategy and building training capacity	18.441
9	Bamyan Provincial Courtroom Project	HR and Anti-Corruption	8.000
10	Training rooms in Provincial Police HQ in Bamyan	Develop National Training Strategy, building training capacity and C3	24.980
11	Security measures (checkpoints construction) for City Police Projects	Improving policing standards and security in key urban centers	25.000
12	AGO owned training capacity	Cooperation police and prosecutors	46.000
13	Textbook for course "HR and Administration of Justice"	Cooperation police and prosecutors	10.700
14	A reserve for other small projects		28.714
	Total amount		460.000

5.1.4 Capital Costs (€7,147,000)

5.1.4.1 Building office space and accommodation (€5,892,000)

It is planned to build approximately 30 new accommodation units and 15 offices within the existing compound. To this end and also for the necessary extension of the parking and storage possibilities within the compound, the use of additional land currently adjacent to the compound has been agreed with the Afghan Authorities. The estimated cost of the construction of the accommodation and offices is **€1,550,000**. It is expected that it will enable a decrease of the rent paid in Green Village location once constructed.

The related projects (**€1,550,000**):

- New area security perimeter including basements, wall and guard posts (€500,000)
- Updating the electric and CCTV system (€100,000)
- New parking areas construction and related works (€650,000)

- Workshop and mosque construction (€300,000)

Other planned projects (**€1,117,000**):

- Renovation and maintenance works (€57,000)
- Fire hydrant system (€150,000)
- Water tower, hydrant system and well (€350,000)
- Additional recreational area (€15,000)
- Additional storage and other facilities (€155,000)
- Security improvements (€50,000)
- Roads reinforcements and renovation (€280,000)
- Generator panel upgrade (€60,000)

A provision of **€1,675,000** is made for construction in the PRTs and Regional Centres:

- Logar (€250,000)
- Laskar gar (€250,000)
- Chaghcharan (€300,000)
- Bamyan (€75,000)
- Herat (€800,000)

The total cost amounts to **€5,892,000**.

5.1.4.2 Cars (€580,000)

The mission has currently 155 B6 armoured cars (including 14 of the GPPT) and 14 soft skin cars (all of the GPPT). The cars belonging to the GPPT (28) will be returned, therefore the mission will own 141 B6 armoured cars and 1 armoured ambulance being currently purchased.

It is estimated that 42 B6 armoured cars will be needed in the Provinces/Regional Centres and 84 in Kabul. 15 B6 cars are used by the Close Protection Teams for the transport of the Head of Mission and the civilians.

From this budget it is proposed to buy 2 armoured transporters enabling travelling of more persons (€250,000), 3 soft skin cars (€80,000) and 1 truck for the logistics (€100,000). The budget for the purchase of cars is **€430,000**. In total there will be 144 armoured cars and 4 soft skin cars (including the truck) in total.

Furthermore protection and security tools for cars and workshop equipment budget amounts to **€150,000**.

5.1.4.3 IT equipment (€44,000)

3 specialised computers (€3,000 each), printer (€19,000 including a set of cartridges and accessories) and 'autocad' software (€2,000) for the engineering are budgeted for in the amount of €30,000. One time software licences (additional work station for the financial

software and Microsoft Server CAL for additional users) are estimated to amount to €11,000. Lacking internet installations are included in the amount of €3,000.

The total cost of IT equipments amounts to **€44,000**.

5.1.4.4 Communications Equipment (€60,000)

The budget for communications equipment includes new key Sectra material (€50,000), communication test equipment (€5,000) and installation equipment for a tracking system (€5,000).

The total cost of communication equipment included in the budget amounts to **€60,000**.

5.1.4.5 Office and other equipment (€538,000)

The estimated cost of furniture for the new offices and accommodation in both the headquarters and in the PRTs (141 in total) amounts to **€141,000** (139 * €1,000). The expected cost of replacements (25%) for the existing offices and accommodation is **€75,000** (300 * €250).

General equipment in the total amount of **€322,000** is budgeted for the purchase of two new generators 900 kW (€200,000), generator fuel tank (€50,000), equipment for logistics (forklift in the amount of €45,000 and other equipment needed for the laundry, upgrade of the medical area, scales etc. in the amount of €27,000).

5.1.4.6 Security Equipment (€13,000)

Safes, cupboards, key boxes and other similar equipment are budgeted for in the amount of €10,000. A provision of €3,000 is made for additional fire rescue equipment.

The total cost of the security equipment included in the budget amounts to **€13,000**.

5.1.4.7 Miscellaneous (€20,000)

This chapter allows for the purchase of small equipment such as maps, prints, etc.

5.1.5. Representation (€20,000)

Representation costs up to €20,000 are covered by the Mission budget.

5.1.6. Contingencies (€676,001)

The contingency reserve of €676,001 being 1.25% of the mission cost will be used only with a prior written approval of the Commission.

5.2 Itemised breakdown of cost (indicative)

BUDGET HEADING	Previous Budget for 18 months (in Euros)	Budget for 12 months (in Euros)
	1 December 2008 – 30 May 2010	31 May 2010 – 31 May 2011
1. Personnel Costs	28,885,734	24,114,818
2. Missions	332,000	592,705
3. Running expenditure	29,581,731	22,049,476
4. Capital expenditure	22,121,826	7,147,000
5. Representation	20,000	20,000
Sub-Total (1 to 5)	80,941,291	53,923,999
Contingencies ¹	458,709	676,001
TOTAL	81,400,000	54,600,000

The authorising officer responsible is hereby authorised to vary each of the above amounts related to the budget according to exact operational requirements and possibilities and in keeping with sound financial management, while not exceeding the overall amount of the financing decision.

¹ Contingencies shall be used only with a prior written approval of the Commission.

6. PAYMENT SCHEDULE (IN EUROS)

Line(s)	Commitments		Payments				
			Year n	Year n+1	Year n+2	Year n+3	Subsequent years
	Year n	54,600,000.00	27,000,000.00	27,600,000.00			
	Year n+1						
	Year n						
	Year n+1						
	Total	54,600,000.00	27,000,000.00	27,600,000.00			



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 11 May 2010
(OR. en)**

9246/10

LIMITE

**PESC 570
COSDP 377
JAI 376
COASI 81
EUPOL/AFG 28
CIVCOM 259
RELEX 390**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the European Union Police Mission in
Afghanistan (EUPOL AFGHANISTAN)

COUNCIL DECISION 2010/.../CFSP

of ... 2010

**on the European Union Police Mission in Afghanistan
(EUPOL AFGHANISTAN)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and, in particular, Article 28 and Article 43(2) thereof,

Whereas:

- (1) On 30 May 2007 the Council adopted Joint Action 2007/369/CFSP¹ establishing the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN). That Joint Action expires on 30 May 2010.
- (2) On 8 March 2010, the Political and Security Committee (PSC) recommended to extend EUPOL AFGHANISTAN for three years.
- (3) The command and control structure of EUPOL AFGHANISTAN should be without prejudice to the contractual responsibilities of the Head of Mission towards the European Commission for implementing the budget.
- (4) The watch-keeping capability should be activated for EUPOL AFGHANISTAN.
- (5) EUPOL AFGHANISTAN will be conducted in the context of a situation which may deteriorate and could harm the objectives of the common foreign and security policy as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

¹ OJ 139, 31.5.2007, p. 33.

Article 1

Mission

1. The European Union Police Mission in Afghanistan ("EUPOL AFGHANISTAN" or the Mission"), established by Joint Action 2007/369/CFSP, shall be extended as from 31 May 2010 until 31 May 2013.
2. EUPOL AFGHANISTAN shall operate in accordance with the objectives set out in Article 2 and carry out the tasks as set out in Article 3.

Article 2

Objectives

EUPOL AFGHANISTAN shall significantly contribute to the establishment under Afghan ownership of sustainable and effective civilian policing arrangements, which will ensure appropriate interaction with the wider criminal justice system, in keeping with the policy advice and institution-building work of the Union, Member States and other international actors. Furthermore, the Mission will support the reform process towards a trusted and efficient police service, which works in accordance with international standards, within the framework of the rule of law and respect for human rights.

Article 3

Tasks

1. In order to fulfil the objectives set out in Article 2, EUPOL AFGHANISTAN shall:
 - (a) assist the Government of Afghanistan in coherently implementing its strategy towards sustainable and effective civilian policing arrangements, especially with regard to the Afghan Uniform (Civilian) Police and the Afghan Anti-Crime Police, as stipulated in the National Police Strategy;
 - (b) improve cohesion and coordination among international actors;
 - (c) work on strategy development, while placing an emphasis on work towards a joint overall strategy of the international community in police reform and enhance cooperation with key partners in police reform and training, including with NATO-led mission ISAF and the NATO Training Mission and other contributors;
 - (d) support linkages between the police and the wider rule of law.

These tasks will be further developed in the Operational Plan (OPLAN). The Mission shall carry out its tasks through, amongst other means, monitoring, mentoring, advising and training.

2. EUPOL AFGHANISTAN shall be a non-executive Mission.

3. EUPOL AFGHANISTAN shall have a Project Cell for identifying and implementing projects. EUPOL AFGHANISTAN shall, as appropriate, coordinate, facilitate and provide advice on projects implemented by Member States and third States under their responsibility, in areas related to the Mission and in support of its objectives.

Article 4

Structure of the Mission

1. The Mission will have its Headquarters (HQ) in Kabul. The Mission shall comprise:
 - (i) the Head of Mission and his office including a Senior Mission Security Officer;
 - (ii) a Police component;
 - (iii) a Rule of Law component;
 - (iv) training capacity;
 - (v) Mission Support;
 - (vi) field offices outside Kabul;
 - (vii) a support element in Brussels.

2. Mission staff shall be deployed at the central, regional and provincial levels and may work, as necessary, with the district level for the implementation of the mandate in light of the security assessment and when enabling factors, such as appropriate logistical and security support, are in place. Technical arrangements will be sought with ISAF and Regional Command/Provincial Reconstruction Team (PRT) Lead Nations for information exchange, medical, security and logistical support including accommodation by Regional Commands and PRTs.
3. In addition, a number of Mission staff shall be deployed to improve strategic coordination in police reform in Afghanistan, as appropriate, and in particular with the International Police Coordination Board (IPCB) Secretariat in Kabul. The IPCB Secretariat shall be located, as appropriate, at the EUPOL AFGHANISTAN HQ.

Article 5

Civilian Operation Commander

1. The Civilian Planning and Conduct Capability (CPCC) Director shall be the Civilian Operation Commander for EUPOL AFGHANISTAN.
2. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the High Representative of the Union for Foreign Affairs and Security Policy (HR), shall exercise command and control of EUPOL AFGHANISTAN at the strategic level.

3. The Civilian Operation Commander shall ensure proper and effective implementation of the Council's decisions as well as the PSC's decisions, including by issuing instructions at strategic level as required to the Head of Mission.
4. All seconded staff shall remain under the full command of the national authorities of the sending State or EU institution. National authorities shall transfer Operational Control (OPCON) of their personnel, teams and units to the Civilian Operation Commander.
5. The Civilian Operation Commander has overall responsibility for ensuring that the Union's duty of care is properly discharged.
6. The Civilian Operation Commander and the European Union Special Representative (EUSR) shall consult each other as required.

Article 6
Head of Mission

1. The Head of Mission shall assume responsibility and exercise command and control of the Mission at theatre level.
2. The Head of Mission shall exercise command and control over personnel, teams and units from contributing States as assigned by the Civilian Operation Commander together with administrative and logistic responsibility including over assets, resources and information put at the disposal of the Mission.

3. The Head of Mission shall issue instructions to all Mission staff, including in this case the support element in Brussels, for the effective conduct of EUPOL AFGHANISTAN in theatre, assuming its coordination and day-to-day management, following the instructions at strategic level of the Civilian Operation Commander.
4. The Head of Mission shall be responsible for the implementation of the Mission's budget. For this purpose, the Head of Mission shall sign a contract with the Commission.
5. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be exercised by the national or Union authority concerned.
6. The Head of Mission shall represent EUPOL AFGHANISTAN in the operations area and shall ensure appropriate visibility of the Mission.
7. The Head of Mission shall coordinate, as appropriate, with other EU actors on the ground. The Head of Mission shall, without prejudice to the chain of command, receive local political guidance from the EUSR.

8. The Head of Mission shall ensure that EUPOL AFGHANISTAN works closely, coordinates and cooperates with the Government of Afghanistan and relevant international actors, as appropriate, including NATO-led mission ISAF and the NATO Training Mission, PRT Lead Nations, United Nations Assistance Mission Afghanistan (UNAMA), and third States currently involved in police reform in Afghanistan.

Article 7

Staff

1. The numbers and competence of EUPOL AFGHANISTAN staff shall be consistent with the objectives set out in Article 2, the tasks set out in Article 3 and the structure of the Mission set out in Article 4.
2. EUPOL AFGHANISTAN shall consist primarily of staff seconded by Member States or EU institutions.
3. Each Member State or EU institution shall bear the costs related to any of the staff seconded by it, including travel expenses to and from the place of deployment, salaries, medical coverage, and allowances, other than applicable per diems as well as hardship and risk allowances.

4. International civilian staff and local staff may also be recruited by EUPOL AFGHANISTAN, as required, on a contractual basis, if the functions required are not provided by personnel seconded by Member States. Exceptionally, in duly justified cases, where no qualified applications from Member States are available, nationals from participating third States may be recruited on a contractual basis, as appropriate.
5. All staff shall carry out their duties and act in the interest of the Mission. All staff shall respect the security principles and minimum standards established by Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations¹.

Article 8

Status of EUPOL AFGHANISTAN staff

1. The status of EUPOL AFGHANISTAN staff in Afghanistan, including, where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of EUPOL AFGHANISTAN shall be laid down in an agreement to be concluded in accordance with Article 37 of the Treaty.

¹ OJ L 101, 11.4.2001, p. 1.

2. The State or EU institution having seconded a member of staff shall be responsible for answering any claims linked to the secondment, from or concerning the member of staff. The State or EU institution in question shall be responsible for bringing any action against the person seconded.
3. The conditions of employment and the rights and obligations of international and local civilian staff shall be laid down in contracts between the Head of Mission and the members of staff.

Article 9

Chain of Command

1. EUPOL AFGHANISTAN shall have a unified chain of command, as a crisis management operation.
2. Under the responsibility of the Council and of the HR, the PSC shall exercise political control and strategic direction of EUPOL AFGHANISTAN.

3. The Civilian Operation Commander, under the political control and strategic direction of the PSC and the overall authority of the HR, is the commander of EUPOL AFGHANISTAN at strategic level and, as such, shall issue instructions to the Head of Mission and provide him with advice and technical support.
4. The Civilian Operation Commander shall report to the Council through the HR.
5. The Head of Mission shall exercise command and control of EUPOL AFGHANISTAN at theatre level and shall be directly responsible to the Civilian Operation Commander.

Article 10

Political control and strategic direction

1. The PSC shall exercise, under the responsibility of the Council and of the HR, political control and strategic direction of the Mission. The Council hereby authorises the PSC to take the relevant decisions for this purpose in accordance with the third paragraph of Article 38 of the Treaty. This authorisation shall include the powers to appoint a Head of Mission, upon a proposal of the HR, and to amend the CONOPS and the OPLAN. The powers of decision with respect to the objectives and termination of the Mission shall remain vested in the Council.
2. The PSC shall report to the Council at regular intervals.

3. The PSC shall receive on a regular basis and as required reports by the Civilian Operation Commander and the Head of Mission on issues within their areas of responsibility.

Article 11

Security

1. The Civilian Operation Commander shall direct the Head of Mission's planning of security measures and ensure their proper and effective implementation for EUPOL AFGHANISTAN in accordance with Articles 5 and 9, in coordination with the Council Security Office.
2. The Head of Mission shall be responsible for the security of the operation and for ensuring compliance with minimum security requirements applicable to the operation, in line with the policy of the Union on the security of personnel deployed outside the Union in an operational capacity under Title V of the Treaty, and its supporting documents.
3. The Head of Mission shall be assisted by a Senior Mission Security Officer (SMSO), who will report to the Head of Mission and also maintain a close relationship with the Council Security Office.
4. The Head of Mission will appoint Security Officers in the provincial and regional Mission locations, who, under the authority of the SMSO shall be responsible for the day-to-day management of all security aspects of the respective Mission elements.

5. EUPOL AFGHANISTAN staff shall undergo mandatory security training before their entry into function, in accordance with the OPLAN. They shall also receive regular in-theatre refresher training organised by the SMSO.

Article 12

Participation of third States

1. Without prejudice to the Union's decision-making autonomy and its single institutional framework, candidate and other third States may be invited to contribute to EUPOL AFGHANISTAN on the basis that they bear the costs of sending the police experts and/or the civilian staff seconded by them, including salaries, allowances, medical coverage, high risk insurance and travel expenses to and from Afghanistan, and contribute to the running costs of EUPOL AFGHANISTAN as appropriate.
2. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions.
3. Third States making contributions to EUPOL AFGHANISTAN shall have the same rights and obligations in terms of day-to-day management of the operation as Member States taking part in the operation.
4. The PSC shall take appropriate action with regard to participation arrangements and shall, if required, submit a proposal to the Council, including on possible financial participation or contributions in-kind from third States.

5. Detailed arrangements regarding the participation of third States shall be the subject of agreements pursuant to Article 37 of the Treaty and additional technical arrangements as necessary. Where the Union and a third State have concluded an agreement establishing a framework for the participation of this third State in the EU crisis management operations, the provisions of such agreement shall apply in the context of this operation.

Article 13

Financial arrangements

1. The financial reference amount intended to cover the expenditure related to EUPOL AFGHANISTAN until 31 May 2011 shall be EUR 54 600 000.
2. The financial reference amount for the subsequent periods for EUPOL AFGHANISTAN shall be decided by the Council.
3. All expenditure shall be managed in accordance with the rules and procedures applicable to the general budget of the European Union.
4. The Head of Mission shall report fully to, and be supervised by, the Commission on the activities undertaken in the framework of his contract.

5. Nationals of third States shall be allowed to tender for contracts. Subject to the Commission's approval, the Head of Mission may conclude technical arrangements with Regional Command/PRT lead nations and international actors deployed in Afghanistan regarding the provision of equipment, services and premises to the Mission, notably where security conditions so require.
6. The financial arrangements shall respect the operational requirements of EUPOL AFGHANISTAN, including compatibility of equipment and interoperability of its teams, and shall take into consideration the deployment of staff in Regional Commands and PRTs.
7. The expenditure shall be eligible as from the date of adoption of this Decision.

Article 14

Release of classified information

1. The HR shall be authorised to release to NATO/ISAF EU classified information and documents generated for the purposes of the Mission, in accordance with the Council's security regulations. Local technical arrangements shall be drawn up to facilitate this.
2. The HR shall be authorised to release to third States associated with this Decision, as appropriate and in accordance with the needs of the Mission, EU classified information and documents up to the level "CONFIDENTIEL UE" generated for the purposes of the Mission, in accordance with the Council's security regulations.

3. The HR shall be authorised to release to UNAMA, as appropriate and in accordance with the operational needs of the Mission, EU classified information and documents up to the level "RESTREINT UE" generated for the purposes of the Mission, in accordance with the Council's security regulations. Local arrangements shall be drawn up for this purpose.
4. In the event of a specific and immediate operational need, the HR shall also be authorised to release to the host State EU classified information and documents up to the level "RESTREINT UE" generated for the purposes of the Mission, in accordance with the Council's security regulations. In all other cases, such information and documents shall be released to the host State in accordance with procedures for cooperation by the host State with the Union.
5. The HR shall be authorised to release to third states associated with this Decision, EU non-classified documents related to the deliberations of the Council with regard to the Mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council Rules of Procedure¹.

Article 15

Watch-Keeping

The Watch-Keeping Capability shall be activated for EUPOL AFGHANISTAN.

¹ Council Decision 2009/937/EU, of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35).

Article 16

Review

1. This Decision shall be reviewed every six months in order to adjust the Mission size and scope as necessary.
2. This Decision shall be reviewed, no later than three months before its expiry, in order to determine whether the Mission should be continued.

Article 17

Entry into force and duration

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

It shall apply from 31 May 2010 until 31 May 2013.

Done at Brussels,

For the Council

The President
