

# DECISIONS

## COUNCIL DECISION (CFSP) 2021/1009

of 18 June 2021

### amending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

Having regard to the proposal from the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

- (1) On 22 May 2013 the Council adopted Decision 2013/233/CFSP <sup>(1)</sup>, establishing the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya).
- (2) On 19 January 2020 the Berlin Conference on Libya adopted a list of conclusions and set up the framework for their implementation through the 'Berlin Process' to support the three-point plan presented to the United Nations (UN) Security Council by Special Representative of the UN Secretary-General Ghassan Salamé, with the sole objective of assisting the UN in unifying the international community in their support for a peaceful solution to the Libyan crisis.
- (3) On 12 February 2020, in UN Security Council Resolution ('UNSCR') 2510 (2020), the UN Security Council welcomed the Berlin Conference on Libya and endorsed its conclusions, noting that those conclusions represent an important element of a comprehensive solution to the situation in Libya.
- (4) On 29 June 2020, under the circumstances due to the COVID-19 pandemic, the Council adopted Decision (CFSP) 2020/903 <sup>(2)</sup>, extending the mandate of EUBAM Libya until 30 June 2021.
- (5) In the context of the strategic review of EUBAM Libya, the Political and Security Committee (PSC) agreed on 2 March 2021 that the Mission should be extended by two years until 30 June 2023. The PSC also agreed on 30 March 2021 that a second strategic objective to support UN-led efforts for peace in Libya as part of the Berlin Process be added to the Mission's mandate, within the scope of its core areas of engagement (border management, law enforcement and criminal justice), and that any potential future support through the Mission should be decided at a later stage, on the basis of a dedicated strategic analysis presented by the European External Action Service, should a formal request be made by the UN or the Libyan authorities.
- (6) On 16 April 2021, in UNSCR 2571(2021), the UN Security Council called on all parties to implement the 23 October 2020 ceasefire agreement in full and urged UN Member States to respect and support the full implementation of that agreement, including through the withdrawal of all foreign forces and mercenaries from Libya without further delay. Furthermore, it called upon the Government of Libya to improve the implementation of the arms embargo, including at all entry points, as soon as it exercises oversight, and upon all UN Member States to cooperate in such efforts.
- (7) Decision 2013/233/CFSP should be amended accordingly.

<sup>(1)</sup> Council Decision 2013/233/CFSP of 22 May 2013 on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya) (OJ L 138, 24.5.2013, p. 15).

<sup>(2)</sup> Council Decision (CFSP) 2020/903 of 29 June 2020 amending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya) (OJ L 207, 30.6.2020, p. 32).

- (8) EUBAM Libya will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Decision 2013/233/CFSP is amended as follows:

- (1) Article 2 is replaced by the following:

*'Article 2*

#### **Objectives**

1. EUBAM Libya shall assist the Libyan authorities in the building of state security structures in Libya, in particular in the areas of border management, law enforcement and criminal justice with a view to contributing to efforts to disrupt organised criminal networks involved notably in smuggling migrants, human trafficking and terrorism in Libya and the Central Mediterranean region.
  2. EUBAM Libya shall support the efforts led by the United Nations for peace in Libya in the areas of border management, law enforcement and criminal justice.;
- (2) Article 3 is amended as follows:
- (a) in paragraph 1, the introductory wording is replaced by the following:  
'In order to achieve the objective set out in Article 2(1), EUBAM Libya shall:';
  - (b) the following paragraph is inserted:  
'1a. Should a formal request be made by the United Nations or the Libyan authorities, the Council shall decide, on the basis of a dedicated strategic analysis presented by the European External Action Service, on the support to be provided by EUBAM Libya in furtherance of the objective set out in Article 2(2).;'
- (3) in Article 13(1), the following subparagraph is added:  
'The financial reference amount intended to cover the expenditure of EUBAM Libya from 1 July 2021 until 30 June 2023 shall be EUR 84 850 000.;
- (4) in Article 16, the second paragraph is replaced by the following:  
'It shall apply until 30 June 2023.'

#### *Article 2*

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

It shall apply from 1 July 2021.

Done at Brussels, 18 June 2021.

*For the Council*  
*The President*  
J. LEÃO

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