



Council of the
European Union

Brussels, 20 June 2023
(OR. en)

9940/23

LIMITE

CORLX 535
CFSP/PESC 775
CSDP/PSDC 419
COAFR 169
EUBAM LIBYA 9
CSC 269

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

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

COUNCIL DECISION (CFSP) 2023/...

of ...

**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 Article 42(4) and Article 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/CFSP¹ establishing the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya).
- (2) On 18 June 2021, the Council adopted Decision (CFSP) 2021/1009² adapting the mandate of EUBAM Libya and extending it until 30 June 2023.
- (3) In the context of the Strategic Review of the Mission, the Political and Security Committee (PSC) agreed that EUBAM Libya should be extended by two years until 30 June 2025 and that in this period the Mission should contribute to enhancing the capacity of the relevant Libyan authorities and agencies to manage Libya's borders, to fight cross-border crime, including human trafficking and migrant smuggling, and to counter terrorism.

¹ 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).

² 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) (OJ L 222, 22.6.2021, p. 18).

- (4) The period covered by the financial reference amount provided by Decision (CFSP) 2021/009 should be extended until 30 September 2023. The Council should decide at a later stage on a reference amount for the period from 1 October 2023 until 30 June 2025.
- (5) Decision 2013/233/CFSP should be amended accordingly.
- (6) 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 hereby amended as follows:

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

Article 2

Objective

EUBAM Libya shall contribute to enhancing the capacity of the relevant Libyan authorities and agencies to manage Libya's borders, to fight cross-border crime, including human trafficking and migrant smuggling, and to counter terrorism.';

- (2) in Article 3, paragraphs 1 and 1a are replaced by the following:

'1. In order to achieve the objective set out in Article 2, EUBAM Libya shall:

- (a) support the Libyan authorities and agencies responsible for border management, including in facilitating intra-agency, inter-agency and international cooperation as guiding principles of integrated border management;
- (b) support the Libyan authorities and agencies involved in the fight against cross-border crime, including human trafficking and migrant smuggling, and against terrorism, in line with international standards in these areas;

- (c) facilitate and support cooperation and interoperability of the Libyan authorities and agencies in these thematic areas in order to help them mitigate possible gaps or overlaps in border management, address cross-border crime, including human trafficking and migrant smuggling, and counter terrorism;
 - (d) provide specific needs assessments and develop related projects in support of the Mission's operational activities.
- 1a. In carrying out its tasks, EUBAM Libya shall provide technical advice, capacity building activities at the operational and technical levels and shall carry out projects, complemented as appropriate and on a case-by-case basis by specialised training. EUBAM Libya shall furthermore provide strategic advice where requested by the Libyan authorities.?’;

(3) in Article 13(1), the last subparagraph is replaced by the following:

‘The financial reference amount intended to cover the expenditure of EUBAM Libya from 1 July 2021 until 30 September 2023 shall be EUR 84 850 000.

The financial reference amount intended to cover the expenditure of EUBAM Libya from 1 October 2023 until 30 June 2025 shall be decided by the Council.’;

(4) in Article 16, the second sentence is replaced by the following:

‘A strategic assessment of EUBAM Libya and its mandate shall be conducted by the PSC by 30 June 2024. A strategic review of EUBAM Libya shall be conducted in good time before the expiry of this Decision.

This Decision shall apply until 30 June 2025.’.

Article 2

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

It shall apply from 1 July 2023.

Done at Brussels,

For the Council

The President
