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From: European External Action Service (EEAS)  
To: Political and Security Committee (PSC)

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Subject: Interim Strategic Assessment (ISA) EUBAM Libya 2024

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Delegations will find attached document EEAS(2024) 876.

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**EEAS(2024)876**  
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EUROPEAN EXTERNAL ACTION SERVICE



MD-PCD  
Peace, Partnerships and Crisis Management Directorate

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<b>To</b>	<b>Political and Security Committee Delegations</b>
<b>Title / Subject</b>	<b>Interim Strategic Assessment of EUBAM Libya 2024</b>
<b>Reference of previous documents</b>	EEAS ST 8373/23; ST 9556/23

**REFERENCES:**

- A. Council Decision (CFSP) 2023/1305 on 27 June 2023 amending and extending Decision 2013/233/CFSP on the European Union Integrated Border Management Assistance Mission in Libya (EUBAM Libya);
- B. EUBAM Libya Strategic Review – EEAS ST 8373/23 dated 18 April 2023;
- C. CivCom Advice on the Strategic Review of EUBAM Libya, ST 9556/23 dated 17 May 2023;
- D. EUBAM Libya Six-Monthly Report, 7510/24 R-UE/EU-R, dated 8 March 2024;
- E. MOCADDEM Action Fiche on Libya adopted by Coreper on 8 March 2023 (WK 2937/23);
- F. Implementation report of the Action Fiche on Libya adopted by Coreper on 20 December 2023 (WK 16822/23)
- G. Suggestions for crisis management procedures for CSDP crisis management operations of 18 June 2013 ST 7660/2/13.

**I. EXECUTIVE SUMMARY**

In Libya, the 2021 elections being postponed indefinitely, international initiatives have so far failed to break the dangerous standstill in the Libyan political process, from which a range of domestic actors and regional players seem to benefit.

The migration flow from Libya remains stable compared to last year, with Tripolitania confirmed as the main departure area. Libya must cope with increasing challenges at its borders, in the South following the Sahel crisis and Sudan civil war and in the West with Tunisia asylum policy. Border management, counter-terrorism and fight against organised crime in Libya continue to show considerable shortfalls. The security situation remains of concern in the country, with armed groups controlling some institutions across the country and looking for better bargain.

Against this background and since the Strategic Review last year, EUBAM Libya has managed to re-establish a trustful relationships with its Libyan interlocutors. This is also the result of the improved relations generally between Libya and the EU, and can be seen as a general trend to compete for international recognition. Of significance was the long-awaited implementation of the working set-up via a joint Committee and its three sub-committees. As a consequence of the MoU signed last October, the set-up for the cooperation with the authorities is hence in place and the Libyan buy-in is there.

However, the structural difficulties faced by the Libyan institutions wishing to work with the Mission should not be underestimated and in particular their inability to facilitate the granting of visas for international staff, which could hamper again mandate execution.

The refocus on Border Management has attracted buy-in from Libyan authorities, due to the current challenges Libya faces in controlling and securing its borders. There is also a convergence between the Mission tasks and the Libyan expectations regarding provision of technical advice, capacity building and targeted training. There is a positive dynamic of EU integrated approach under the close and effective coordination of EUDEL. This includes as well support to EU MS, EU-funded projects and cooperation with Interpol and international actors.

It is assessed that this dynamic should not be interrupted and should be encouraged. There was no mention on the Libyan side of any request for mandate change, although they were keen to express their growing concern about the southern borders. The former law enforcement/criminal justice line

# EEAS(2024)876

## *Limited*

would be very difficult to implement in the current environment of competing and politicised authorities and its reintroduction would be most likely detrimental for the Mission.

Therefore, it is recommended:

- A. To confirm EUBAM Libya's current mandate focused on border management, cross-border crime and counter terrorism until 30 June 2025;
- B. To keep the EUBAM Libya's tasks<sup>1</sup> a) to d) unchanged;
- C. To confirm the pragmatic and technical course of action in interactions with the Libyan relevant entities;
- D. To agree that conditions are not met to resume the Mission's cooperation and support in the Criminal Justice domain;
- E. To continue its efforts towards the integration of Gender and Human Rights in all Mission activities;
- F. To continue enhancing coordination with other EU actors engaged in Libya with the aim of identifying needs and synergistic opportunities of mutual interest and support.

## **II. INTRODUCTION AND BACKGROUND**

1. The Strategic Review 2023 was conducted at a time of considerable challenges for the Mission. EUBAM's cooperation with Libyan authorities was severely hampered following the decision of the Libyan Ministry of Foreign Affairs (MFA), in October 2021, to suspend EUBAM's activities in support to criminal justice. Negotiations for the signing of a Memorandum of Understanding were in a deadlock and the visa process for international staff was severely impacted. This difficult phase raised questions on possible ways forward for the Mission.
2. Ultimately, EUBAM's mandate was extended for two years, with a refocused mandate and tasks (cf details in the Annex A). At the same time the Political and Security Committee (PSC) tasked the EEAS to ***“present an integrated Interim Strategic Assessment to the PSC one year from the start of the new mandate, providing an overview of all EU actions in Libya. The Interim Strategic Assessment shall provide an overview of all EU actions in Libya, evaluate the feasibility and impact of assigned tasks, the Libyan buy-in, the relevance of the continued CSDP engagement and of a further reduction of Mission scale. It would also assess possible***

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<sup>1</sup> In reference to CD 2023/1305 of 25 June 2023 amending Decision 2013/233 on EUBAM Libya

# EEAS(2024)876

## *Limited*

*resumption of Mission support to Rule of Law reforms as a matter of priority. In the same spirit, the opportunity to step up Mission activities in support to peace and stability in Libya and/or to the UN will be reassessed.”*

3. This Interim Strategic Assessment will aim to present an analysis of the current state of play on these issues, as well as recommendations for the way forward. It will solely address the specific questions from the PSC and make recommendations in this regard. Other possible topics will be addressed during the next Strategic Review of EUBAM Libya, to be initiated by end of 2024, ahead of the Mission’s mandate expiry on 30 June 2025.
4. The assessment was informed by a scoping mission to Libya that the EEAS undertook from 27-30 May to meet with Libyan authorities, the Mission, the EU Delegation, other EU actors and implementing partners as well as international actors; a debriefing was held with EU Member States.

### **III. POLITICAL AND SECURITY OVERVIEW**

#### **a) Summary of political and security situation and changes on the ground:**

##### ➤ Political situation (since July 2023)

5. The ongoing political crisis in Libya and the deep institutional fragmentation continue to undermine the establishment of a democratic State and a stable domestic security architecture. The Tripoli-based Government of National Unity (GNU) is facing a worsening economic environment, leading to growing domestic criticism and popular discontent. Prime Minister (PM) Dbeibah is openly challenged by the recently declared intention of the Governor of the Libyan Central Bank to limit his access to public resources and to channel funds also to the Eastern administration. Meanwhile, the parallel government in the East is increasingly assertive, *inter alia* by raising its profile in carrying out reconstruction and development projects in the areas devastated by the floods in September 2023, by contributing to financing the municipal elections and attempting to conduct its own foreign policy. The fragmentation is additionally fuelled by continued foreign interference, including by regional actors. Despite their obvious lack of active buy-in of international or UN-led political initiatives, national stakeholders continue to compete for international recognition.

# EEAS(2024)876

## *Limited*

### ➤ Security landscape

6. The security situation in Libya remains volatile, with armed groups controlling some institutions across the country and severely limiting the civil space. Two broad coalitions of armed groups are facing each other in the capital, aligning with or against the GNU. In the east, the Libyan Arab Armed Forces (LAAF) is a composite umbrella of regular, local and tribal forces with distinct interests and agendas. Both sides of the country see a presence of international forces and several armed groups avail themselves of foreign mercenaries, including radicalised groups, to maintain control.
7. Allegiances of armed groups are essentially transactional and may easily shift depending on their interests. Successive shows of force have recently exacerbated tensions and fuelled widespread fears that an outbreak of violence could be imminent as the political dispute worsens. Beyond the sporadic skirmishes, the penetration of armed actors in the institutions further complicates the emergence of a political settlement. The security situation in and around Tripoli remains highly volatile. The intertwined relations between the GNU and armed militias continue to shape the security landscape in Tripoli and the wider region, potentially affecting the Mission's immediate security environment and operational access.

### ➤ Terrorism

8. Da'esh sleeping cells/individuals in the West/Central Libya are assessed to be in a stand-by mode. In the South (especially along bordering hot-spots), both Da'esh and to a lesser degree AQ-affiliated movements are deemed to be operating by taking advantage of the operational environment, a rarefied presence of the security forces and the "nexus of interest" with local armed actors. The Libyan Counter-Terrorism Strategy (LCTS) was developed by the National Team for Counter Terrorism (NTCT) – with EU and UK support – and was endorsed by the Presidency in late November 2020. Still, the fight against terrorism and violent extremism remains fragmented, both in the civilian, military and prosecution spheres, with a severe lack of coordination.

### ➤ Smuggling and trafficking/organised crime

9. Libya remains a main route for trafficking and smuggling from Sub-Saharan Africa to Middle Eastern and North African countries and Europe. Its geographical location, covering some of the oldest trans-Saharan trade and smuggling routes, combined with weak or no border control,

provide opportunities for organised and cross-border crime. Other illicit activities include the smuggling of subsidised goods, drugs, weapons, which are all inter-connected.

➤ Migration (detailed in the annex B)

10. Between 1 January and 30 April 2024, 8852 arrivals from Libya to Italy were recorded (16,635 in the same period of 2023). In 2023, Tunisia was the first country of departure towards Italy. The main nationalities among people arriving to Italy from Libya were Bangladeshi, Egyptians, Syrians and Pakistani. Chadian, Nigerien and Sudanese citizens constitute more than half of the migration population in Libya but account for far less departures.
11. There has been a concerning rise in recorded deaths and missing persons on the Central Mediterranean route in 2023 compared to 2022 according to IOM figures. In 2023, a total of 17,190 migrants who had attempted the Central Mediterranean Sea crossing have been intercepted and returned to Libyan shores (24 684 persons in 2022). From 1<sup>st</sup> January to 30 April 2024, 5141 interceptions were carried out.
12. According to data collected by IOM at the end of 2023, there were 706,509 migrants from 45 nationalities in Libya, with a majority of them from neighbouring Niger, Egypt, Sudan and Chad. Only 16% of them stated they were unemployed. In February 2024, the GNU announced the plan to regularise of up to 400.000 migrants.
13. Smuggling routes through the East and via Libya's Eastern land borders are increasingly relevant, as indicated by the main nationalities of irregular migrants arriving in Europe via Libya (Egyptians, Bangladeshi, Syrians and Pakistani). According to IOM, 20% of migrants have transited through Egypt before arriving to Libya. In June 2023, a sub-route from Eastern Libya to the Crete area emerged and has been used increasingly in the last weeks of 2023 and first months of 2024.
14. Since June 2023 a humanitarian crisis unfolded at the Tunisia-Libya border when Tunisian authorities started pushing migrants to the Libyan border. As of 29 May 2024, 10,550 persons in need of international protection have been intercepted at the border with Tunisia. A new trend has also been observed at the border between Algeria and Libya.
15. Since the outbreak of the crisis in Sudan, the number of Sudanese citizens fleeing to Libya is on the rise. According to IOM, as of 11 June 2024, 10,305 people from Sudan fled to Libya, but there are also reports of much higher figures. Since the 2023 coup in Niger and the repeal



of the Nigerien counter-trafficking and smuggling legislation, an increase in the number of migrants travelling to Libya from Niger has also been observed, but for the time being without any observable repercussions on the 2024 figures for migrants leaving Libya along the central Mediterranean route.

- Evolution of the Libyan institutions responsible for border management, criminal investigation, CT and justice sectors
16. By decision of the GNU PM and in reaction to a reiterated EU request to identify a single interlocutor on migration and border management issues, a “Supreme Committee for Monitoring Illegal Immigration and Borders” (SC), chaired by the Minister of Interior, was formed in January 2024 to follow-up on illegal immigration and border security. The SC is tasked with developing a national strategy to address the migration issue, supporting and preserving national sovereignty over the entire Libyan territory – possibly constituting a shift towards a more centralised approach to border management. While the SC may have the potential to improve coordination and resource allocation for border security efforts, its capacity to develop a comprehensive plan, secure the necessary resources and proceed with a national implementation remains to be seen, given the political situation in the country.
17. Libya’s justice sector, long unified, has been suffering from internal divisions since 2020. There is no unified judicial chain, which makes international cooperation difficult and most of the UN programmes related to justice have been suspended.

#### **IV. OVERVIEW OF EU ENGAGEMENT (other than CSDP)**

18. This chapter aims at presenting an overview of EU actions relevant to the Interim Strategic Assessment. Further information is to be found in the annexes.
- **Political**
19. Throughout the period covered by this assessment, the EU has continued its efforts to assist Libya in its transition towards a democratic, stable, peaceful and prosperous country. In the context of the persisting status quo, the EU has consistently advocated for a lasting political solution based on an inclusive dialogue among all Libyan stakeholders. The EU continues to firmly support the UN-led facilitation process in view of renewing the legitimacy and viability

**EEAS(2024)876**  
*Limited*

of Libyan institutions through elections, and has renewed and enhanced funding for UNSMIL activities in support to the intra-Libyan political dialogue.

20. In the area of migration, work continued along different strands of action. Subsequently to the Action Fiche on Libya adopted by Coreper on 8 March 2023, a confidential mapping of the main public actors in the migration field in Western Libya, including border management actors and law enforcement authorities tasked with countering smuggling and trafficking in human beings, was commissioned and distributed locally to EU Member and relevant EU actors in October 2023, with three updated and more detailed mappings drawn up for Tripolitania, Cyrenaica and the Fezzan in June 2024. On 16 February 2024, MOCADDEM was debriefed by the EEAS Special Envoy for the External Dimension of Migration about the joint technical EEAS-COM mission to Libya on 5-8 February 2024.
21. In the External Migration Working Party discussion on Libya on 14 March 2024, almost all intervening MS spoke in favour of enhanced EU contacts with the GNU authorities. Many also saw a need for pragmatic technical contacts with the authorities in the East, while avoiding legitimisation.

➤ **Cooperation-financial support**

22. This Interim Strategic Assessment focuses on the areas of support relevant to EUBAM's last and current mandates. Further details are to be found in the annexes.

➤ **DG NEAR**

*Support to governance and Rule of Law:*

23. Between 2021 and 2023 new bilateral/geographic programmes were adopted under the Neighbourhood, Development and International Cooperation Instrument (NDICI) worth EUR 87M, relating to economic recovery, inclusive Governance and rule of law, and support to Governance and Stabilisation.
24. DG NEAR also supports the Libyan Rule of Law sector through ongoing projects financed under the European Neighbourhood instrument (ENI), worth a total of EUR 7.5M and relating to prevention and fight against corruption and money laundering, development of the juvenile justice, and support to public awareness on Rule of Law.

**EEAS(2024)876**  
*Limited*

25. Although its participation remains rather limited, Libya also benefits from police/justice actions financed by DG NEAR at regional level, such as Euromed-Police and Euromed-Justice implemented respectively by CEPOL and Eurojust.

*Support in the area of migration and border management:*

26. Libya has been the biggest beneficiary under the EU Trust Fund for Africa (EUTF), with programmes for a total of EUR 465M. Over half of the funding has supported the protection of migrants and refugees (around EUR 240M), while the rest has been supporting community stabilisation (around EUR 165M) and border management (around EUR 60M).
27. For the current Multiannual Financial Framework (MFF 2021-2027), and in the framework of the NDICI-funded regional migration MCMP for the Southern Neighbourhood, Libya is benefitting from bilateral and regional actions, adopted between 2021 and 2023, amounting to at least EUR 100M, focused on protection and resilience of migrants, support to forcibly displaced persons and host communities, return and reintegration. This envelope also include regional support to border management: EUR 45 million action covering both Tunisia and Libya (10M for Libya) and regional support to international police cooperation against migrant smuggling and human trafficking (EUR 5M for Libya)
28. More specifically on Border Management, EUR 59M from the EUTF have been invested with the aim to support Libyan authorities (Libyan General Administration for Coastal Security and Libyan Coast Guard) in saving lives at sea and fighting migrant smuggling, via the “Support to the Integrated Border and Migration Management in Libya” (SIBMMIL), which also includes the support to the Maritime Rescue Coordination Centre (MRCC). Two NDICI-funded programmes for an additional EUR 10M were initiated in January 2023, in support to Libyan training institutions for border management and to the Libyan MRCC.

*Cooperation and coordination with EUBAM Libya:*

29. Regular technical coordination meetings are organised between the EU Delegation to Libya and EUBAM, to exchange and coordinate activities on those fields and projects. On border management and capacity development in the area of border management and migration, the EU Delegation is coordinating monthly meetings at project-level, with the participation of EUBAM and EU implementing partners. EUBAM joined the coordination working group on

Human Rights (led by the EU Delegation and including the international partners working on that sector) and the Rule of Law coordination group, led by the UN agencies.

➤ **FPI**

30. Under the NDICI rapid response pillar, the Service for Foreign Policy Instruments (FPI) has an ongoing portfolio of nine actions worth about EUR 37M for the stabilisation of Libya, including support to mediation, elections, mine clearance, ceasefire monitoring, disinformation, civilian reinsertion of ex-combatants, and security sector building.
31. As to the security sector, FPI's measures are supporting the Libyan Ministry of Interior in the area of explosive threats mitigation (C-IED), forensic investigation, protection of cultural heritage, financial intelligence (Central Bank), election security and most recently the training, equipment and deployment of security forces from the West and the East along the coastal road under the security arrangement committee of the 5+5/Joint Military Committee.
32. Finally, global and trans-regional facilities funded the 'Global Threats' part of the Peace, Stability and Conflict Prevention thematic programme under the NDICI, such as EU CBRN Centre of Excellence Initiative, CT INFLOW, EU CFT AML and CT CLOSE are now in place and can foster new strands of cooperation in the fight against terrorism, terrorism financing and money laundering.

➤ **DG HOME**

33. Five years after the last mission on migration to Libya, a joint COM (HOME-NEAR) and EEAS technical delegation visited Libya from 5 to 7 February 2023 to reinforce engagement with national stakeholders. The delegation met all key Libyan interlocutors and took stock of the challenges Libya faces and of spaces for improving cooperation to ensure human rights compliant lifesaving operations at sea and in the desert. The visit highlighted the challenges in combatting the activities of the various armed groups controlling specific geographic areas (starting with the southern region) and illegal detention centres, and in controlling Eastern Libya. After a Technical Mission on Migration and Border Management from Libya visited Brussels in May 2024, a second EU technical mission, including EUDEL and EUBAM, is scheduled to visit migration and border management actors both in Tripoli and Benghazi on 30 June-1 July 2024.
34. Libya is one of the beneficiary countries of the DG HOME Regional Development and Protection Programme (RDPP) North Africa (protection pillar under AMIF-Union Actions)

implemented by a consortium of EU MS lead by the Italian Ministry of Interior. Since 2015, RDPP-NA has funded 73 projects out of which EUR 13,8M were allocated for actions in Libya. The projects implemented in Libya aimed at granting urgent direct assistance services to migrants in distress (implemented by IOM) and support for asylum determination procedure (implemented by UNHCR).

35. The European Agency for Asylum (EUAA) is implementing a three-year Regional Pilot Project (RPP) under the framework of the RDPP with the overall objective to enhancing regional cooperation for asylum and reception policy.

➤ **EU-UN-AU Trilateral Task Force on stranded migrants in Libya (TTF)**

36. Within the TTF framework, in 2023, 9,347 persons were returned by IOM with voluntary humanitarian returns (VHR) flights, and 785 refugees were evacuated by UNHCR in the framework of the Emergency Transit Mechanism (ETM) to Rwanda and Niger. In addition, 422 persons departed through resettlement or complementary pathways, among whom 35 refugees went directly to EU Member States (33 SE and 2 DE).

➤ **EU Member States**

37. Many EU MS cooperate bilaterally with Libya, either directly, or in partnership with third countries (US/Switzerland), or via implementing partners or EU MS agencies. Italy is particularly active in Libya, building on the 2008 Friendship Agreement and on the Memorandum of Understanding (MoU) of 2 February 2017, by which Italy and Libya agreed on cooperation in the development sector to combat irregular immigration, human trafficking and smuggling, and on reinforcing border security.
38. Other MS that are active include AT, BE, CZ, DE, DK, ES, FR, HU, MT, NL, PT and SE. Several MS have cooperated with EUBAM for the implementation of joint activities.

## **V. MISSION ASSESSMENT**

### **a) Outline of Mission progress and plans:**

39. Since the beginning of the current mandate, and more particularly following the Mission's signature in October 2023 of the Memorandum of Understanding (MoU) with the Libyan Ministry of Foreign Affairs, and the subsequent gradual redeployment of international staff to Tripoli, EUBAM Libya has made progress in implementing its mandate, by delivering

comprehensive capacity building related activities (advising, training, provision of equipment etc.) for Libyan border management officials in various areas.

40. For instance, the Open Source Investigation Skills project and training equipped Libyan investigators with valuable tools to enhance their ability to identify and track criminal activities. The training on Border Security Management provided border officials with tools to strengthen their capacity to detect and deter illegal immigration, firearms trafficking, and other illicit activities. The training on Document Security (delivered in cooperation with the Royal Dutch Marechaussee) supported border officials' ability to identify fraudulent documents, a key measure in combating human trafficking and other crimes. The Threat Assessment and Scenario Training (in collaboration with experts from EU MS) provided Libyan partners with fundamental knowledge in threat assessment and practical experience through scenario-based training exercises.
41. Cooperation with EU MS and Justice and Home affairs agencies (Europol and CEPOL) also continued to be strengthened. In its advisory role in the fight against cross border crime and terrorism, the Mission laid the groundwork for reinforced INTERPOL cooperation via the Western African Police Information System (WAPIS) project in Libya. This initiative should facilitate the exchange of critical information among law enforcement agencies but still needs to be endorsed on the Libyan side. Partnerships with the Libyan counterparts continued to be fostered through regular meetings. This collaborative approach has developed a common understanding of priorities and the identification of specific areas for cooperation, ensuring long-term sustainability of EUBAM Libya's capacity building efforts.
42. It is worth noting that following the deterioration of the political situation in the Sahel and the challenges met by Civilian CSDP in this area, the activities of the Libya Sahel Coordination Forum in support to the One Desert Initiative have been severely affected since summer 2023. While the Mission intends to continue supporting the Libyan authorities in their international cooperation, the continuation of this initiative at more political level is being reassessed at EUDEL level, in view of a continued dialogue under an adjusted format.

**b) Mission assessment:**

43. The signature of the MoU and the resumption of activities in Tripoli represented the main opportunity in mandate implementation during this period, and marked an important milestone in improving relations between the Mission and Libyan counterparts. The increased 'appetite'

for cooperation by Libyan counterparts – generally with the EU and also with the Mission – presents a positive opportunity.

44. The first Joint Committee meeting with the MFA and line ministries took place on 30 April 2024, and established a foundation for future collaboration with Libyan partners. Still, the preparation was lengthy and interaction with line ministries remain hindered by highly bureaucratic processes, and by recurrent changes in Libyan senior management. Moreover, the late appointment of the members was due to a validation process going up to the PM cabinet.
45. Recruitment of qualified international staff continues to represent a challenge for the Mission, especially the vacancy of key positions. Moreover, the volatile political and security environment, and movement restrictions continue to impact an effective implementation of planned activities in key strategic areas (e.g. western border region). Also the resurfacing problems in visa prolongation – although not necessarily to be interpreted as a sign against the Mission – could constitute again a challenge to mandate implementation.
46. The large looming problem of the Libyans banning armed international expats working in the private security companies serving the Mission is challenging for the Mission. Without access to such resources, the Mission faces a large security dilemma that might directly impact the implementation of the mandate.

**c) Specific questions from PSC guidance 2023:**

**Feasibility and impact of assigned tasks**

47. The **refocus on Border Management** is assessed as highly feasible. It has attracted buy-in from Libyan authorities, due to the current challenges Libya faces in securing its borders. It is assessed as potentially entailing significant impact, due to the more operative support to Libyan authorities, in combination with strategic advice where possible and requested by Libyan structures.
48. **Providing technical advice, capacity building, and targeted training** is feasible and aligns with EUBAM Libya's in-house expertise, complemented by the possible use of visiting experts and specialised teams. This approach can equip Libyan border management institutions with the necessary skills and resources to operate more effectively.
49. Offering **strategic advice where requested by Libyan authorities**: On counter-terrorism this is feasible, following the National Counter Terrorism Team (NCTT) requests. In the border

management area, if requested, strategic advice will be offered in the framework of the Joint Committee led by MoFA and the Supreme Committee led by the Minister of Interior. Requested strategic advice can significantly enhance Libyan efforts. However, identifying a gap in requested support presents an opportunity for EUBAM Libya to proactively propose relevant strategic advice.

**Libyan buy-in**

50. GNU/MoI repeatedly expressed readiness to enhance their cooperation with EUBAM Libya providing full support for Mission operations. Written requests for EUBAM support were received from Libyan counterparts such as the Criminal Investigations Department (CID), Anti-Narcotics General Administration (ANGA), Libyan Counter-Terrorism Centre (LCTC), and General Authority for Security Operations (GASO), relating to capacity building and provision of equipment demonstrating counterparts' interest for collaboration.
51. However, while the current engagement is positive, it is important to consider long-term buy-in. EUBAM Libya should remain focused on prioritising support for Libyan-identified priorities as this fosters a sense of ownership. It is also important to continue delivering results and demonstrating tangible impact, to sustain Libyan commitment. In addition, maintaining open communication and addressing Libyan concerns proactively can strengthen the partnership in the future. Finally, engagement of EUBAM Libya in strategic advice should continue to be based on the request of the Libyan authorities, e.g. from the SC or the NCTT.

**EU integrated approach**

52. Sustained open communication with all stakeholders (including implementing partners under EU funded projects) and continued engagement with EU MS and EUDEL and other International Organisations are pivotal in order to ensure effective coordination of activities in the field of border management and security. The good relationship established between the EU Delegation and the Mission as well as the EUDEL monthly and thematic meetings constitute an important platform for exchange and closer coordination. The challenge will be to have eubam's expertise taken into account early on in the project conception phase and ensure visibility of the Mission's contribution including towards Libyan actors.



**Possible resumption of EUBAM support to Rule of Law**

53. Presently, EUBAM Libya's involvement in the field of the Rule of Law, and partially in the area of the criminal justice, is limited to the participation in the by-monthly Rule of Law Coordination Meeting chaired by UNSMIL and UNDP, during which updates on the state of play of EU funded projects in the field of Rule of Law are discussed. In the area of forensics, EUBAM still organises and hosts the International Coordination Group on Forensics with two regular meetings per year. In addition, the embedment of Rule of Law principles and international standards in all Mission's activities (including at technical level) has been of considerable value in the development of the Mission's plans under the new mandate.
54. As for a possible resumption of a Mission's support in this area, for the time being there is no sign from the Libyan authorities that there would be any opportunity in this regard. They are preoccupied by conflicts affecting their jurisdictional organization, notably between the Supreme Court and the Supreme Judicial Council. Rule of Law issues have become highly political in the Libyan context, and stakeholders active in this area, such as the UN, are encountering numerous challenges.
55. In addition, engagement in this area is foreseen in the existing plans through other EU funding mechanisms, as described above, that the Mission could support as relevant. For instance, EUBAM Libya could be actively cooperating with UNODC in the implementation of the EU-funded projects on Trafficking in Persons and Migrants Smuggling (capacity building activities for judges and prosecutors), as well as EU MS (IT) funded project on counter-terrorism.

**Opportunity to step up EUBAM activities in support to peace and stability and/or the UN**

56. Possible EUBAM support to UN-led efforts towards peace and stability in Libya was envisaged in the momentum that followed the 2020 ceasefire agreement and reflected in the 2021-2023 mandate as a second Strategic Objective to be activated upon request. No such request or opportunity has however emerged and the political situation in Libya has deteriorated since then. Consequently, at the occasion of the mandate refocus in 2023, support to UN-led efforts were no longer explicitly reflected in the new mandate.
57. Nonetheless, EUBAM Libya has established a coordination mechanism on the ground with UNSMIL and relevant UN agencies such as UNODC and maintains a continued dialogue on

specific areas such as border security, counter-terrorism and capacity building. This includes the exchange of information on Human Rights Due Diligence and Rule of Law.

58. It is assessed that in the current context, there is no opportunity or foreseen benefit in reintroducing explicit support to UN-led efforts in EUBAM's current mandate. This may be re-assessed in the future, depending on the political developments in Libya.

**VI. WAY AHEAD – RELEVANCE OF CONTINUED CSDP ENGAGEMENT AND FURTHER REDUCTION OF MISSION SCALE**

59. The question of the relevance of continued CSDP engagement in Libya was raised during the last Strategic Review, at a time when the modalities of cooperation with Libyan authorities were considerably challenged and interactions severely impacted, questioning the interest of the Libyan institutions in continued support from EUBAM. Since then, a new mandate was adopted, with a convergence between the Mission tasks and the Libyan expectations. This alignment directly contributed to raise the Libyan buy-in towards the Mission and to the signature of the MoU. Although challenges remain, including in the cumbersome interaction with the Libyan authorities and continued hick ups in the visa delivery for international staff, the Mission has entered a phase of consolidation of the acquis, further confidence building and increased cooperation and support to the Libyan authorities. It is assessed that this dynamic should not be interrupted and should be encouraged.
60. In addition, the changes that occurred in the political and security landscape in sub-Saharan African (Sahel) countries in 2023 and the current conflict in Sudan represent a serious challenge for Libya and its border security. EU engagement – including CSDP and MS – should sustain efforts in supporting Libya in this regard.
61. EUBAM Libya is one of the few entities able to support relevant authorities engaged in border management and security through a comprehensive programme of activities. The creation of the Supreme Committee, led by the Minister of Interior, which foresees among other tasks and responsibilities, the establishment of a national strategy to address the issues of illegal migration and border control, represents for the Mission an opportunity for future engagement. Building on the increased desire for cooperation from Libyan counterparts, support should also continue to be provided in improving border security at the western borders with Tunisia, and cautiously

explore the feasibility for support on the East and the South. This multi-layer approach (equip border locations, empower border personnel, advise on improving counterparts' internal communication/information exchange and fight against cross border crime) is meant to provide Libyan border management institutions with the necessary skills and resources to operate more effectively.

62. It is also assessed that advice shall continue to be provided in the counter-terrorism domain: operationalisation of the Libyan National Counter-Terrorism Strategy, enhancing communication/information exchange, at both local and international level (i.e. WAPIS initiative, structured dialogue with Europol<sup>2</sup>).

***Strategic Objective:***

63. It is assessed that EUBAM's current mandate and tasks are still relevant, and provide enough flexibility to the Mission to design and implement a wide range of activities in support to the Libyan authorities, with a significant level of flexibility. Therefore, it is assessed that the Mission's current strategic objective should be confirmed:
- **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.**

***Duration of the mandate:***

64. The current mandate duration should remain also unchanged, until 30 June 2025.

***Human resources and budget:***

65. This mandate would be continue to be implemented with an unchanged budget, taking into account the re-assessment of the Tunis Sub-Office, the change of armed protection security set-up and subsequent internal reallocation of resources and/or staff positions.

***Desired strategic End-state and transition/ exit strategy for the proposed mandate***

66. The desired End-State for EUBAM Libya is reached when the full impact on those Libyan beneficiaries to whom it supports is evaluated and presented in a Strategic Review and that it is

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<sup>2</sup> Europol and EUBAM have recently identified some activities where they can cooperate closely.

assessed that the Mission, in concert with other EU and International Community actions have significantly contributed to enhancing the relevant Libyan authorities' capacity in controlling their own borders and that tangible evidence of reduced cross-border crime (including human trafficking and migrant smuggling) and terrorist activity has been realised.

**VII. RECOMMENDATIONS**

67. Taking the above into consideration, it is recommended:
- A. To confirm EUBAM Libya's current mandate focused on border management, cross-border crime and counter terrorism until 30 June 2025;
  - B. To keep the EUBAM Libya's tasks<sup>3</sup> a) to d) unchanged;
  - C. To confirm the pragmatic and technical course of action in interactions with the Libyan relevant entities;
  - D. To agree that conditions are not met to resume the Mission's cooperation and support in the Criminal Justice domain;
  - E. To continue its efforts towards the integration of Gender and Human Rights in all Mission activities;
  - F. To continue enhancing coordination with other EU actors engaged in Libya with the aim of identifying needs and synergistic opportunities of mutual interest and support.

**VIII. PLANNING PROCESS – NEXT STEPS**

68. It is recommended that the PSC:
- Agree with the findings of this Interim Strategic Assessment and endorse its recommendations.

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<sup>3</sup> In reference to CD 2023/1305 of 25 June 2023 amending Decision 2013/233 on EUBAM Libya

**ANNEX A**

**EUBAM Libya mandate and tasks from 2023 Council Decision (2023/1305)**

The current mandate of EUBAM Libya is to “*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.*”

In terms of tasks, the Mission “*shall:*

- *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;*
- *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;*
- *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;*
- *provide specific needs assessments and develop related projects in support of the Mission’s operational activities.*

*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.”*

# EEAS(2024)876

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### ANNEX B

#### UPDATE ON MIGRATION

##### *Arrivals to the EU*

Arrivals to the EU (specifically Italy and Malta) in 2023 via the Central Mediterranean route: there were 158,032 arrivals, representing a 50% increase in comparison to 2022, but a 13% decrease compared to 2016. In 2023, Tunisia was the first country of departure towards Italy with almost 97,667 arrivals (+202% compared to 32,371 arrivals in 2022), followed by Libya with 52,034 arrivals from Libya to Italy (53,310 arrivals in 2022). The main nationalities among people arriving to Italy from Libya were Bangladeshi, Egyptians, Syrians and Pakistani. Chadian, Nigerien and Sudanese citizenships account for far less departures, despite constituting more than half of the migration population in Libya. Between 1 January and 30 April 2024, 8,852 arrivals from Libya to Italy were recorded (16,635 in the same period of 2023).

In June 2023 a sub-route from Eastern Libya to the Crete area emerged and has been used increasingly in the last weeks of 2023 and in the first months of 2024. As of 14 April 2024, approximately 1,350 people arrived from Eastern Libya to Crete in 2024 (945 for whole year of 2023). The main nationalities among people arriving to Crete were Egyptians (91%), followed by Bangladeshi (6%) and Pakistani (3%).

According to IOM, in 2023 there have been a total of 2,498 recorded deaths and missing persons on the Central Med route, showing a concerning rise compared to 1417 in 2022. In 2023, a total of 17,190 migrants who had attempted the Central Mediterranean Sea crossing had been intercepted and returned to Libyan shores which is fewer than in 2022 (24,684 persons) and in 2021 (32,425 persons). In total there were 233 disembarkation events, but humanitarian actors could only be present at 70% of them. The total number of interceptions carried out in 2024 (as of 30 April) is 5,141.

##### *Situation in Libya*

According to data collected by IOM at the end of 2023, there were 706,509 migrants from 45 nationalities in Libya, with a majority of them from neighbouring Niger, Egypt, Sudan and Chad. Only 16% of them stated they were unemployed. However, very few employed migrants have a written and signed employment contract. In February 2024, the GNU announced the regularisation of up to 400,000 migrants.

As of 31 December 2023, there were a total of number of 4 229 (not counting the unofficial ones reported arbitrarily detained migrants in detention centers managed by the Ministry of Interior's Department for Combatting Illegal Immigration (DCIM), of which 3,066 in the West and 1,163 in the East. The legal vacuum around the detention of migrants in Libya can easily be exploited for forced labour, physical exploitations or release-for-fee schemes.

Since June 2023, when Tunisian authorities started pushing migrants to the Libyan border following the Tunisian President's campaign against sub-Saharan Africans, a humanitarian crisis has unfolded at the Tunisia-Libya border. As of 29 May 2024, a total of 10,550 migrants and persons in need of international protection have been intercepted at the border with Tunisia. The Al-Assa detention centre serves as a transit point to hold people intercepted at the Libyan-Tunisian border area, before they are brought to detention centres in Tripoli or elsewhere. As of 21 March 2024, the Libyan Border Guards (LBG) have reported a total of 562 migrants and persons in need of international protection in the Al-Assa DC (535 males, 12 females, and 15 children). LBG reports that Tunisian authorities continue to expel migrants near the areas of Nalut, Tiji, and Ghadames. Monitoring of the Tunisia-Libya border shows a significant presence of Sudanese individuals among those intercepted and detained by the LBG. A new concerning trend has also been observed at the border between Algeria and Libya: as of mid-February 2024, about 100 arrivals have been recorded.

#### *Impact of the crises in Sahel and Sudan*

Since the outbreak of the crisis in Sudan, the number of Sudanese citizens fleeing to Libya and in need of assistance and international protection is on the rise. According to IOM, as of 11 June 2024, 10,305 people from Sudan fled to Libya, but there are also reports of much higher figures.

After the 2023 coup in Niger and the repeal of the counter-trafficking and smuggling legislation, an increase in the number of migrants travelling to Libya from Niger has been observed, but so far without any repercussions on the 2024 figures for migrants leaving Libya along the central Mediterranean route. Smuggling routes through the East and via Libya's Eastern land borders are increasingly relevant, as indicated by the main nationalities of irregular migrants arriving in Europe via Libya (Egyptians, Bangladeshi, Syrians and Pakistani). According to IOM, 20% of migrants have transited through Egypt before arriving to Libya. There are also reports about migrants using forged Libyan labour permits so as to be authorised to enter Libya.

The EU UN AU Task Force on Stranded migrants in Libya (TTF): Since its establishment in 2017, the TTF has facilitated the IOM assisted voluntary return of over 60,000 stranded migrants to their

## **EEAS(2024)876**

### *Limited*

countries of origin (voluntary humanitarian returns – VHR) and contributed to the evacuation – by UNHCR – of more than 6000 refugees via the Emergency Transit Mechanism centres in Niger and Rwanda.

In 2023 9 347 persons were returned by IOM with VHR flights. A total of 785 persons were evacuated from Libya with the support of UNHCR in the framework of the Emergency Transit Mechanism (ETM): 606 persons to the ETM centre in Rwanda and 179 persons to the ETM centre in Niger. In addition, 422 persons departed through resettlement or complementary pathways, among whom 35 refugees went directly to EU Member States (33 SE and 2 DE).

On 20 March 2023 the TTF met at Principals level and agreed on Terms of Reference and its priorities for further work. As clearly stated its ToRs and in the joint press release of 21 March 2023 specific areas for advocacy by the TTF include: i) end of arbitrary detention, starting with persons most in need, such as children and women, and development of alternatives to detention; ii) fight against smuggling and trafficking in human beings; iii) access to disembarkation points to relevant UN agencies and their timely notification when disembarkations of migrants take place; iv) development of non-discriminatory legal and policy frameworks for migrants and refugees, based on international and AU standards and human rights; v) regularisation of the stay of some migrants/refugees in Libya who meet specific criteria (yet to be determined).

The 4<sup>th</sup> AU-EU-UN Trilateral Meeting in New York on 17 September 2023 welcomed the continued efforts of the TTF and called for “enhanced regional cooperation and solutions, which must place human rights and the dignity of migrants and refugees front and centre”.

On the occasion of the joint EEAS-COM mission to Tripoli in February 2024, the TTF met in Tripoli at Ambassadors level. On 31 March 2024 the TTF, represented by the EU Ambassador, Deputy UN SRSG/Resident Humanitarian Coordinator Georgette Gagnon, and the DRC Ambassador to Libya, Jules Mbilu Mbungu (representing the AU and replacing the AU Ambassador, Ms. Wahida Ayari), jointly delivered a démarche to the Libyan Ministers of Interior, Foreign Affairs, Justice and Social Affairs. Their key messages focussed on the establishment of due process for migrants in detention, release of vulnerable migrants from detention, humanitarian access, alternatives to detention, migrant workers regularisation. Libyan officials expressed frustration with the burden of a large migrant population and called for more financial aid and improved cooperation on border control.

Activities in the Council of the European Union: As requested by the MOCADDEM Action Fiche on Libya adopted by Coreper on 8 March 2023 (WK 2937/2023), in October 2023 the EUDEL in Tripoli



**EEAS(2024)876**  
*Limited*

distributed to HoMs and EUBAM a confidential mapping of the main public actors in the migration field in Western Libya, authored by an implementing partner and not necessarily reflecting the EU or EUDEL's views, including border management actors and law enforcement authorities tasked with countering smuggling and trafficking in human beings (doc. WK 14008/23). Three updated and more detailed mappings of actors in Tripolitania, Cyrenaica and the Fezzan, authored by the same implementing partner, were distributed by the EUDEL in June 2024. On 20 December 2023 Coreper adopted the implementation report of the Action File on Libya (doc. WK 16822/23). MOCADDEM last discussed Libya on 16 February 2024 where delegates were debriefed by the EEAS Special Envoy for the External Dimension of Migration about the joint technical EEAS-COM mission to Libya on 5-8 February 2024. The External Migration Working Party (EMWP) had an in-depth-discussion on Libya on 14 March 2024 where almost all intervening MS spoke in favour of enhanced EU contacts with the GNU authorities. Many MS also saw a need for pragmatic technical contacts with the authorities in the East, while avoiding legitimisation.

**ANNEX C****EU and international engagement in Libya****1. EU engagement in Libya****Political**

Throughout the period covered by this assessment, the EU has continued its efforts to assist Libya in its transition towards a democratic, stable, peaceful and prosperous country. Against the background of a persisting fragile equilibrium – marked by an unsustainable status quo – the EU has consistently advocated for a lasting political solution based on an inclusive and substantial dialogue among all Libyan stakeholders.

As part of its determined political engagement, the EU has been a staunch and firm supporter of the role of the United Nations and its representative on the ground. While adding political and diplomatic clout to the facilitation efforts spearheaded by the UN Special Representative of the Secretary General, the EU has also proactively engaged on the matter in several I, namely by encouraging domestic actors, as well as key and influential members of the international community, to work jointly and in close coordination with the UN mediation.

To concretely mark and display the EU backing, HR/VP Borrell received the UN Special Representative of the Secretary General for Libya in Brussels on 28 September. In the frame of this visit, the UN envoy was also invited for a discussion with EU Member States, namely in the EU Political and Security Committee. During both exchanges, the EU has reaffirmed its support to the UN-led facilitation initiative, ultimately aimed at renewing the legitimacy and viability of Libyan institutions through elections. To this end, the EU has renewed and strengthened its assistance to the UN, namely by leveraging additional funding to contribute to UNSMIL activities focused on enabling and enhancing the political dialogue among Libyan stakeholders.

In the frame of the EUNAVFOR MED IRINI Mid-Term Assessment, the EU Political and Security Committee had an exchange on the political situation in Libya. Notwithstanding the wide expression of support to the UN mediation, preoccupations over the protracted stalemate emerged. The importance to contribute to Libya's stability and to step up outreach to both domestic and regional actors in this direction was highlighted. The increasing influence and presence of Russia, the risks of negative spillovers in and from the Sahel, as well as irregular migration were mentioned as sources of additional concern.

Furthermore, in the aftermath of Storm Daniel (10 September 2023), the European Union and its Member States promptly reacted to Libya's urgent call for action and joined the international efforts to provide the needed assistance. The EU Civil Protection Mechanism was activated following the request for international assistance advanced by the Permanent Mission of the State of Libya to the UN in Geneva and has coordinated aid offers from some Member States. In addition, the EU has also released a contribution of €5.7 M in humanitarian aid – which was channelled through humanitarian partners active on the ground – in order to tackle the most urgent needs of people in Libya affected by the floods.

The European Parliament remained seized and active on the Libyan file. On 7 November 2023, the European Parliament Committee on Foreign Affairs (AFET) had an exchange of views with newly appointed EU Ambassador to Libya – Mr. Nicola Orlando, who shared his assessment of the overall situation in the country, since the start of his tenure. In his presentation, Ambassador Orlando recalled the main aspects of EU engagement in an increasingly fragmented Libya, focusing on the need for unanimous EU support to the UN mediation. Interventions by MEPs mainly concerned the challenges of the current political situation, the role of the EU and the prospects for stabilisation. An exchange on the political situation in Libya occurred on 7 February in an in camera meeting organised by the Delegation for relations with Maghreb countries (DMAG) of the European Parliament.

### **EU Member States**

Many EU MS cooperate bilaterally with Libya, either directly, or in partnership with third countries (US/Switzerland) or via implementing partners such as UNDP, IOM, UNICEF, INGOs or EU MS agencies (i.e. AICS, MIASIT, Expertise France, GIZ, SIDA). Italy is particularly active in Libya, building on the 2008 Friendship Agreement and on the Memorandum of Understanding (MoU) of 2 February 2017, by which Italy and Libya agreed on cooperation in the development sector to combat irregular immigration, human trafficking and smuggling, and on reinforcing border security.

Other MS that are active include AT, BE, CZ, DE, DK, FR, ES, HU, MT, NL, PT and SE, with projects on state building, stabilisation, electoral preparedness, strengthening public institutions and domestic security, economic development, cultural heritage, promoting democratic dialogue, protection of people in need, de-mining, counter-terrorism (CT), senior leader dialogue, policing and security programs or naval training. In addition, several MS have cooperated with EUBAM on activities such as trainings, study trips and workshops for relevant Libyan counterparts.

# EEAS(2024)876

## *Limited*

### DG NEAR

Between 2021 and 2023 the European Commission (DG NEAR) has adopted new **bilateral/geographic programmes** under NDICI (Neighbourhood, Development and International Cooperation Instrument) worth EUR 87 million in total. This included:

- In 2021
  - EU Mouwatana for Libya – EU support to inclusive Governance and rule of law in Libya, EUR 8 million.
- In 2022:
  - Towards a resilient health system in Libya, EUR 16 million.
  - Support to climate change strategy and environment protection in Libya, EUR 16 million.
- In 2023:
  - Water Resources Management Facility: EUR 10 million
  - Support to Governance and Stabilisation in Libya, EUR 18 million.

The 2023 action “Support to Governance and Stabilisation” in Libya aims to continue supporting Libyan institutions through technical assistance provision. Additionally, it contains a component on anti-corruption that includes a continuation of the current EU efforts in this field. Namely that any given project, amongst other things, is expected to provide the following outputs:

- Technical support and advice is provided to enhance the transparency and integrity of the national public administration;
- Authorities’ operational and legal capacity to combat and prevent corruption and money laundering is strengthened;
- The capacity of national authorities in combating international organised crimes to cooperate at local, regional and global level is strengthened;
- The capacity of relevant Libyan institutions to resolve cases involving the recovery of assets linked to corruption, and transparent management of confiscated assets is strengthened.

## **EEAS(2024)876**

### *Limited*

The European Commission (DG NEAR) supports the Libyan rule of law sector through ongoing projects financed under the European Neighbourhood instrument:

- The EU helps building Libya's national capacity to prevent and combat corruption and money laundering through an ongoing EUR 2.5 million project implemented by the United Nations Office on Drugs and Crime (UNODC) and the United Nations Interregional Crime and Justice Research Initiative (UNICRI).
- The EU supports the Development of the Juvenile Justice in Libya through a EUR 3.5 million ongoing programme implemented by the United Nation Development Programme (UNDP), the United Nations Children's Fund (UNICEF) and UNODC. The programme's overall objective is that all children in Libya have access to a child-friendly justice system that protects their basic rights, in accordance with UN Child Rights Convention and relevant international legal instruments. Its specific objective is that children in contact with the law in greater Tripoli and other targeted locations, including those in detention, are benefiting from a child-friendly justice system.
- The EU supports the increase of public awareness on the rule of law in Libya through the EU Shared Action: Rule of Law Project – Phase 2 (EUR 1.5 million, implemented by the European consultancy Bureau Ensemble). The project aims to consolidate and expand a network of community-based consultative mechanisms across the country. It includes the organisation of inclusive community-based dialogues on justice, rule of law and positive citizenship as well as a scheme of small-scale projects in the same areas. It also aims to contribute to regional and national consensus-building to strengthen social cohesion.

Libya also benefits from police/justice **actions financed by the European Commission (DG NEAR) at regional level**, although its participation remains rather limited. Libya is for example involved in the regional projects, Euromed Police and Euromed Justice implemented respectively by CEPOL and Eurojust. The specific objectives of these projects are to enhance the operational capacities of South Partner Countries (SPCs), to fight and prosecute serious and organised crime, and to strengthen respectively strategic cooperation between national law enforcement and judiciary in South Partner Countries (SPCs) as well as between SPCs and EU Member States.

In the area of **migration**, Libya had been the biggest beneficiary under the EU Trust Fund for Africa (EUTF), with programmes for a total of EUR 465 million. Over half of the funding supported the

## **EEAS(2024)876**

### ***Limited***

protection of migrants and refugees (around EUR 240 million), while the rest has been supporting community stabilisation (around EUR 165 million) and border management (around EUR 60 million).

For the current MFF (2021-2027), and in the framework of the NDICI funded regional migration Multi-Country Migration Programme (MCMP) for the Southern Neighbourhood, Libya is benefitting from bilateral and regional actions, adopted between 2021 and 2023, amounting to at least EUR 100 million, including:

- A EUR 55 million action aimed at increasing protection and resilience of migrants, forcibly displaced persons and host communities in Libya;
- A EUR 10 million in support of border management institutions in Libya as part of a EUR 45 million action covering both Tunisia and Libya;
- A EUR 60 million action supporting sustainable protection, return and reintegration in North Africa, from which Libya will benefit for an indicative amount of EUR 30 million for voluntary humanitarian returns;
- A EUR 5 million regional action in support of international police cooperation against migrant smuggling and trafficking in human beings, from which Libya will benefit;
- As part of the 2023 action document, new programmes will be envisaged for Libya in the area of protection and border management. Contracts related to programmes under 2023 budget will be finalised by the end of 2024.
- Discussions on 2024 programming, including for Libya, are currently ongoing.

#### Support to Border Management:

In the area of border management, EUR 59 million from the EUTF have been invested with the aim to support Libyan authorities (Libyan General Administration for Coastal Security and Libyan Coast Guard and Port Security) in saving lives at sea and fighting migrants smuggling, via the “Support to the Integrated Border and Migration Management in Libya” (SIBMMIL) project, which also includes the support to the Maritime Rescue Coordination Centre (MRCC). Two NDICI funded programmes for an additional EUR 10 million (5+5) were initiated in January 2023. The first one is supporting the strengthening of Libyan training institutions for border management through the provision of capacity building, trainings, revision of standard operating procedures, quality assurance mechanisms and

training systems. The other one aims at reinforcing the Libyan Maritime Rescue Coordination Centre (MRCC), enhancing its operating procedures, communication capabilities and effectiveness, in view of regional cooperation.

There are regular technical coordination meetings between the EU Delegation and EUBAM, to exchange and coordinate activities on those fields and projects. On border management and capacity development in the area of border management and migration, the EU Delegation is coordinating monthly meetings at project-level, with the participation of EUBAM and implementing partners. EUBAM joined the coordination working group on Human Rights (led by the EU Delegation and including the international partners working on that sector) and the Rule of Law coordination group (led by the UN agencies). Indeed, before the last modification of the EUBAM mandate this last coordination group was led by EUBAM which organized periodical meetings.

### **FPI**

Under the NDICI rapid response pillar, the Service for Foreign Policy Instruments (FPI) has an ongoing portfolio of nine actions worth about EUR 37.0 million for the stabilisation of Libya, including support to mediation, elections, mine clearance, ceasefire monitoring, disinformation, civilian reinsertion of ex-combatants, and security sector building. FPI's portfolio has directly contributed to the successful negotiation of the Ceasefire Agreement of October 2020.

In addition, FPI provides, through the EU Satellite Centre (SatCent), high resolution satellite imagery and analysis to UNSMIL which aims at contributing to the monitoring of the implementation of this agreement.

As to the security sector, FPI's measures are supporting the Libyan Ministry of Interior in the area of explosive threats mitigation (C-IED), forensic investigation, protection of cultural heritage, financial intelligence (Central Bank), election security and most recently the training, equipment and deployment of security forces from the West and the East along the coastal road under the security arrangement committee of the 5+5/JMC.

Finally, global and trans-regional facilities funded the 'Global Threats' part of the Peace, Stability and Conflict Prevention thematic programme under the NDICI, such as EU CBRN Centre of Excellence Initiative, CT INFLOW, EU CFT AML and CT CLOSE are now in place and can foster new strands of cooperation in the fight against terrorism, terrorism financing and money laundering.

**EEAS(2024)876***Limited***FPI support to Libya (as of April 2024)**

- FPI has 9 projects in Libya; for 4 projects a new phase will be funded in 2024
- Total amount of FPI support for Libya +/- €37M

<b>Project title</b>	<b>Implementing partner</b>	<b>Budget</b>	<b>Start &amp; end date</b>	<b>Comment</b>
Support to inclusive elections in Libya (PEPOL II)	UNDP	€5M	01/11/2021 -30/04/2024	Support UNDP/UNEST joint programme on elections. The project was suspended on 01/01/2023 in the absence of conducive environment for elections but resumed on 01/01/2024 upon request by UNDP/HNEC in view of the upcoming holding of municipal elections. The project will normally end on 30/04/2024, but a no cost extension has been asked by UNDP until end of 2024.
Creating safer communities to support stabilisation and reconstruction in Libya	Danish Church Aid (DCA)	€8M	15/05/2022 -14/05/2024	Clearing land with the purpose of facilitating access for reconstruction and for the return of IDPs, particularly to Tripoli, as well as fostering the stabilisation process.
EULEAD III	GOPA-PACE	€6M	01/06/2022 -30/05/2024	Provision of technical expertise in the security sector. Different components: FIU, CBRN, tourism police, DDR. No more FPI extension possible. Certain components will be integrated into 2024 NDICI contracting.
Continued provision of geospatial intelligence to the UN Stabilisation Mission in Libya	SatCen	€4,5M	01/7/2022 – 30/06/2024	This action, initiated after the Berlin conference, allowed the EU to tangibly support the UN conflict/ceasefire monitoring capacities. UN SRSG have repeatedly praised the EU for such support. Good collaboration between UNSMIL and SATCEN. Political relevance 3 years after the ceasefire should be questioned at the end of the project.
EULINK/EU RAWABET Support to the securitisation of the Coastal Road	GOPA-PACE	€8M	15/01/2024 – 14/07/2025	The first phase of the project supported the establishment of a Joint Police training and patrolling in Libya, under the authority of the Security Arrangement. It ensured



**EEAS(2024)876**  
**Limited**

			<i>New phase to be funded in 2024</i>	the rehabilitation of 3 key police infrastructures (gates) on the coastal road (Misrata-Sirte) which was cleared and reopened. The second phase of this project currently under development, will expand to the military component under the 2020 Ceasefire Agreement / JMC (5+5).
Providing stability in Libya through mediation	Centre for Humanitarian Dialogue (HD)	€2,5M	01/01/2024 – 30/06/2025  <i>New phase to be funded in 2024</i>	The action supports and complements the UN-led national dialogue across the political and security tracks. New contract is under signature covering 2024-2025. New phase will focus on mitigating the effects of Sahel crisis in Libya.
Reconstruction of community and public infrastructure through removal of explosive ordnance	Free Field Foundation (3F)	€1,5M	01/04/2022 -30/06/2025  <i>New phase to be funded in 2024</i>	New contract being signed to continue mine clearance and risk education awareness (2024-2025). Fostering stabilisation by clearing land to facilitate the return of IDPs, reconstruction and relaunch of economic activities, most likely in Murzuq and Ghariane.
The Dialogue Platform for Libya's future	LUISS University / Peacemaker network	€1,2M	15/03/2024 -14/09/2025  <i>New phase to be funded in 2024</i>	The project second phase continues to pursue the dialogue by broadening and diversifying the structure of Libya's national dialogue involving a larger spectrum of stakeholders in Libya by strengthening the Peacemakers Network team. A new contract being signed for the period 2024 - 2025.
Supporting the Libyan political dialogue	UNSMIL/UN DP	€300,000	tbd	Contribution to support the Libyan Political Dialogue PD – political track
<b>Total amount</b>		<b>€37.0M</b>		

**DG HOME**

Libya is as well one of the countries beneficiary of the DG HOME Regional Development and Protection Programme (RDPP) North Africa (protection pillar under AMIF- Union Actions) implemented by a consortium of EU MS lead by the Italian Ministry of Interior. Since 2015, RDPP-NA has funded 73 projects in Algeria, Chad, Egypt, Libya, Mauritania, Morocco, Niger and Tunisia

## **EEAS(2024)876**

### ***Limited***

for an overall budget of € 92,5 million (co-funded by IT, AT, CZ, NO), out of which € 13,8 million were allocated for actions in Libya (€ 2 million for on-going projects). The projects implemented in Libya aimed at granting urgent direct assistance services to migrants in distress (implemented by IOM) and support for asylum determination procedure (implemented by UNHCR)

CEPOL, the EU Agency for Law Enforcement Training supports Libya through two capacity building actions, namely the CT INFLOW (funded by the FPI) and EUROMED Police (funded by DG NEAR) projects.

The CT INFLOW project supports the Libyan counter-terrorism (CT) strategy outlined in 2020, which prioritised the establishment of a CT fusion centre. This support is manifested through a multifaceted approach, including the organization of both onsite and online Confidence Building Workshops and the development of a comprehensive guidebook on fusion centre creation. Collaboration with key stakeholders such as Belgium, Spain, Germany, Europol, and EUBAM Libya ensures a diverse range of perspectives and expertise are integrated into these initiatives. Moreover, Libya's participation in the EU MENA Information Sharing Network (EMISA) signifies its dedication to exchanging best practices in CT with both MENA and EU partners. This collaboration enables the sharing of insights and experiences, fostering mutual learning and enhancing regional cooperation in combating terrorism. Importantly, the level of cooperation between CEPOL and its Libyan counterparts in the field of CT is really good, reflecting a strong foundation for ongoing collaboration and progress in CT efforts.

The EUROMED Police project is dedicated to bolstering the capacity of Southern Partner Countries (SPCs) in combating serious and organized crime, while fostering strategic collaboration among national law enforcement authorities within SPCs, as well as between SPCs, EU Member States, and EU agencies. Libya's involvement in the Operational Training Needs Assessment (OTNA) in 2021, along with its participation in regional and sub-regional training activities focusing on serious and organized crime, underscores its commitment to this endeavour. The project also facilitated a national training session on cybercrime for Libyan law enforcement organizations, conducted in Tunisia in 2023. However, effective communication with the designated contact, the Libyan Interpol Central Bureau, has proven challenging, marked by slow and difficult correspondence. Improved coordination mechanisms with Libyan law enforcement organisations are imperative to enhance cooperation and effectiveness in project implementation. Although the project initiated a new OTNA with partners in December 2023, Libya's current lack of cooperation poses a hurdle. Nonetheless,

# EEAS(2024)876

## *Limited*

preparations for the project's continuation are underway, with Libya slated to remain a partner. Strengthening cooperation channels and addressing communication challenges will be essential moving forward.

The European Agency for Asylum (EUAA) is implementing a three-year Regional Pilot Project (RPP) under the framework of the Regional Development and Protection Programme (RDPP) for North Africa, with the overall objective to enhancing regional cooperation and establishing a practical regional cooperation platform for asylum and reception policy officials/practitioners from EU Member States and North African countries. Participating countries include Egypt, Libya, Algeria, Tunisia, Morocco, and Niger (participation currently on hold). Seven EU Member States are implementing partners in this project, either through voluntary financial contributions<sup>4</sup> (DK, CZ) and/or the provision of expertise (IT, BE, DE, NL, DK, CZ, AT). The capacity building activities that took place so far under the Regional Project focused mainly on access to protection, with specific attention to minors and vulnerable groups, but last year we started also activities targeting judges at second instance<sup>5</sup> (Libya participated in 4 of the activities implemented so far). Additional 8 capacity building activities are planned for 2024/2025, where Libya will also be invited. The cooperation of EUAA with Libya is limited for the time being to their participation in the EUAA Regional Pilot Project for North Africa and Niger. We have had some exchanges with EUBAM Libya regarding our respective activities in Libya. However, as of now, there has not been any direct collaboration with EUBAM Libya as part of this project.

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<sup>4</sup> It is co-funded by the EUAA, the Czech Republic (CZ) and the Kingdom of Denmark (DK) with voluntary contributions in equal share (€ 550,000.00 each)

<sup>5</sup> The following are the activities implemented so far:

- a first EUAA Regional Conference launched the roll out of the project in Cairo, Egypt, in October 2021;
- EUAA study visits and a thematic training session in Belgium and Italy took place in July and September 2022.
- EUAA supported the participation of North Africa judges to the International Association of Refugee and Migration Judges (IARMJ) Africa Chapter Biennial Pre-Conference and Conference in Arusha, Tanzania, in November 2022;
- EUAA supported the participation of North Africa judges to the IARMJ 13th World Conference, in The Hague, The Netherlands, in May 2023;
- EUAA Regional seminar on International protection, including on second instance determination and appeal procedure, in La Valletta, Malta, in November 2023;

## **EEAS(2024)876**

### ***Limited***

After 5 years since the last mission to Libya on migration, a joint COM (HOME-NEAR) and EEAS technical delegation visited Libya from 5 to 7 February 2023 to reinforce engagement with local stakeholders on:

- combatting smuggling of migrants and trafficking in human beings
- strengthening human-rights based border management.
- increasing voluntary returns
- search and rescue and operationalization of the temporary Maritime Rescue Coordination Center that is EU funded.
- increasing protection dimension and notably the conditions in the Ministry of Interior centers and at the disembarkation points
- advocating alternatives to detention for children, women, and vulnerable groups

The delegation met all key interlocutors at the Ministry of Foreign Affairs, Ministry of Interior, Ministry of Defense, and the Ministry of Labour, including the Libyan Coast Guard, the Border Guard, the Department for combatting Illegal Migration, the General Administration of Coastal Security. The mission also included the visit of the location of the Libyan maritime rescue coordination center and the nearby disembarkation point as well as the migrant shelter in Ein Zara.

Overall, the mission took stock of the challenges Libya faces and of spaces for improving cooperation to ensure human rights compliant lifesaving operations at sea and in the desert. The Libyan partners engaged positively and pro-actively during the visit, insisting on the political guidance they had received to be completely open and transparent in the exchanges with EU side. They all highlighted the positive steps already taken as a sign of their commitment and showed openness to discuss potential steps on how to further advance on-going work without however adding any innovative element to their usual narrative and operational proposals. At the same time, it is also clear that they have limited capacity to influence the activities of various armed groups controlling specific geographic areas, starting with the southern region and illegal migrants detention centers, or the activities of authorities in Eastern Libya, who is a completely independent operating actor.

A follow-up technical mission, including EUDEL and EUBAM, is scheduled 30 June/1 July to assess progress, following also the visit of a Libyan delegation in May 2024.

## **2. Overview of other actors' engagement**

### **United Nations:**

The international efforts to stabilise the country through the full implementation of the Libyan Political Agreement of 2015 and of the 2020 Berlin Conference were led by UNSMIL, under the principle of national ownership. Under the leadership of a Special Representative of the Secretary-General (SRSG), UNSMIL is overseen by the United Nations' Department of Political Affairs, which provides guidance and operational assistance.

UNSMIL has capacities in the areas of political affairs, human rights, transitional justice, mine action, demobilization, development, women's empowerment, public information and communication, and most recently on the preparation for a national ceasefire and its monitoring mechanism. UNSMIL is mandated to provide for the coordination of international assistance, advice and assistance to efforts led by the Government of National Unity to consolidate the governance, security and economic arrangements of the Libyan transition process.

After months of limited UN mediation, following the resignation of UNSE Jan Kubiš and the subsequent designation of Stephanie Williams as Special Advisor to the Secretary General, the formal designation of Abdoulaye Bathily, a former Senegalese senior diplomat, as the UN Special Representative (SRSG) for Libya on 2 September 2022, was perceived as an opportunity to reinvigorate the political process.. Bathily took up duties in Tripoli on 14 October 2022 and was leading efforts to break the political stalemate and make a new push to enable the holding of elections. To that end, the SRSG proposed in November 2023 to bring together the five representatives of the main Libyan institutional authorities – the Presidential Council (PC), the HoR, the High Council of State (HCS), the GNU and the LAAF – in a dialogue aimed at overcoming the obstacles that stand in the way of holding the elections. At the time of drafting this report, the so-called 'Big Five initiative' is the only one effectively proposed by the UN, although other parallel initiatives are gaining traction.'On 16 April 2024, Abdoulaye Bathily handed his resignation. Until a new Special Representative is chosen, the acting SRSG will be Stephanie Koury – Deputy Special Representative of the Secretary-General for Political Affairs.

# EEAS(2024)876

## *Limited*

### **United Kingdom:**

The UK has been an active player within the so-called P3+2 informal format (US, UK, FR + DE, IT) recently extended to EGY and TR. It also holds the key position of penholder on Libya in the UN Security Council. London has remained a keen supporter of a Libyan-led process.

### **United States:**

Since 2011, the United States has invested more than \$900 million in foreign assistance for Libya, including \$400 million in stabilisation, economic, and development support; \$160 million in security assistance; and over \$350 million in humanitarian assistance. The US co-chairs the international Economic Working Group together with the EU and Egypt, and is engaged with the political process since the appointment of a non resident Ambassador to Libya in 2019, who also acts as US Special Envoy for Libya since May 2021. A new Ambassador was nominated in January 2024. In 2022, and in line with the Libya Stabilization Act<sup>6</sup>, the US government announced that Libya would be one of the five priority geographical areas for the implementation of its 2019 Global Fragility Act.

### **African Union (AU):**

Since the establishment of the GNU, the AU has regularly expressed its interest in getting more involved in the resolution of the Libyan crisis, underlining in particular its concerns with the potential implications of the withdrawal of African mercenaries from Southern Libya. Practically, the AU's efforts have been limited, including in the joint Tripartite Task Force together with UN and the EU focused on advocacy to protect the lives of migrants and refugees inside Libya. During the latest AU-EU Summit in February 2022, a joint vision for 2030 was adopted, which includes a commitment to “revitalize the work of the joint AU-EU-UN Tripartite Task Force”.

Following months of coordination, on 31 March 2024, the TTF presented in Tripoli a démarche to the Ministry of Interior, Ministry of Foreign Affairs, Ministry of Social Affairs, Ministry of Justice, and hosted the first TTF meeting with embassies representing migrants' countries of origin at the European Union Delegation's initiative.

### **Türkiye:**

Over the reporting period, Ankara has been reaping the dividends of its security investment and unwavering support to different actors in Tripolitania, and soon after its establishment, the Libyan

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<sup>6</sup> <https://www.congress.gov/bill/117th-congress/house-bill/1228/text>

interim GNU immediately demonstrated close ties to Türkiye and agreed to enhance a broad and multi-sectoral cooperation. Initially, Ankara adopted a non-committal, “wait and see” approach following the designation by the HoR of the Government of National Stability (GNS), trying to preserve privileged relations with both Bashaga and Dbeibah. Bashaga played indeed a key role in the signing of the Libyan-Turkish agreements of 2019 that granted Türkiye maritime exploration rights and a military presence on the ground in Tripolitania.

However, following the third failed attempt by the GNS to establish itself in Tripoli, Ankara has shown support to the GNU as the UN-appointed government, not least in relation to military assistance. On 3 October 2022, Türkiye signed non-binding Memoranda of Understanding on hydrocarbons exploration, leading to international criticisms. On 25 October 2022, Türkiye and the GNU signed a new MoU on the reinforcement of Libyan aviation capabilities and added Protocols to the previous agreements on security cooperation. At the end of 2023, and upon proposal by President Erdogan, the Turkish Parliament extended the deployment of Turkish forces in Libya for a further 24 months, from January 2024 to January 2026. A rapprochement between Egypt and Türkiye on the Libyan file is ongoing. Türkiye continues to carry on its outreach efforts towards the Eastern stakeholders. Türkiye has also been involved in the reconstruction efforts following the Derna disastrous floods of September 2023.

**Qatar:**

Doha is one of the closest partner of Türkiye in Libya and traditionally close to politicians in the Western region. In October 2020, Qatar signed a Security Cooperation Agreement with the then Government of National Accord in Tripoli. In the aftermath of the postponement of the elections and following the start of the executive crisis in March, Qatar held a prudent position between PM Dbeibah and Parliament’s designate PM Bashaga, ultimately siding with the GNU government.

**United Arab Emirates:**

The UAE has been an influential actor in Libya for many years and has been traditionally close to the LAAF. However, Abu Dhabi’s approach has changed significantly since the establishment of the GNU in 2021 and has shifted its focus on securing reconstruction contracts and commercial opportunities in particular with a view to getting more involved in the control of Libya’s energy sector. Against this backdrop, the Emiratis have conducted over the past years a number of discreet mediation efforts with key Libyan actors, leading to the facilitation in July 2022 of a rapprochement between PM Dbeibah and Haftar (whose forces were blocking the oil fields), which allowed the

## **EEAS(2024)876**

### ***Limited***

resumption of oil production and the designation of a new head of the Libyan National Oil Company (NOC), Farhat Bengdara, who has strong links with Abu Dhabi. Beyond political aspects, the UAE's aspiration is to have tighter control over Libya's energy sector, critical supply chains and to secure key reconstruction contracts.

#### **Egypt:**

Strongly siding with the Eastern authorities and particularly the House of Representative (HoR) Speaker, Egypt has been highly engaged in Libyan affairs. In March 2024, under the auspices of the Arab League, Egypt organised a Tripartite meeting in Cairo, including HoR Speaker Saleh, PC President Al Mnefi, and HCS President Takala, where they "agreed to agree" on several key points ostensibly aimed at relaunching the political process. The statement issued after the meeting by the Arab League proposed to create a technical committee that would consider amendments to broaden the acceptance of the electoral laws agreed by the 6+6 Committee. In a step aimed at removing Dbeibah, the statement also called for forming a new unified government tasked with supervising the electoral process and providing essential services to citizens, while securing support from the UN and the international community. A second meeting of the three political actors is allegedly planned also to take place in Cairo under Egyptian custodianship to ensure the agreement's implementation. However, successive statements by the HoR and the HCS point at growing differences on the points allegedly agreed at the first Cairo meeting.

#### **Russia:**

Russia has a long-standing military presence in Libya, building on decades of cooperation with the former Gaddafi regime and on the presence of the former Wagner private military group, now transitioning into the Russian African Corps, which has seemingly chosen Libya as its HQ in Africa. The security-military cooperation with Eastern Libya and the Haftar clan runs deep and entails delivery of Russian military equipment, use of air bases, surveillance of oil fields and occasional use of Libyan ports (with recent rumours on the possible establishment of a permanent Russian port in or near Tobruq). Although it is the only country officially recognising the GNS, Russia also maintains good relations with the West/GNU, having recently reopened its Embassy and Tripoli, and formally supports the UN-led Libyan political process. After the invasion of Ukraine in February 2022, Libya only grew in significance for Russia, representing an important bridgehead to the Sahel and Southern Europe, as well as a possible grip on oil resources, as well as another opportunity to circumvent Western sanctions.



