



2024/3186

17.12.2024

COUNCIL DECISION (CFSP) 2024/3186

of 16 December 2024

amending Joint Action 2008/851/CFSP on a European Union military operation to contribute to maritime security in the West Indian Ocean and in the Red Sea (EUNAVFOR ATALANTA)

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 10 November 2008, the Council adopted Joint Action 2008/851/CFSP⁽¹⁾, which established the European Union military operation to contribute to maritime security in the West Indian Ocean and in the Red Sea (EUNAVFOR ATALANTA). On 12 December 2022, the Council adopted Decision (CFSP) 2022/2441⁽²⁾, amending Joint Action 2008/851/CFSP and extending the mandate of EUNAVFOR ATALANTA until 31 December 2024. On 4 April 2024, the Council adopted Decision (CFSP) 2024/1059⁽³⁾, updating Joint Action 2008/851/CFSP.
- (2) On 1 December 2023, the United Nations Security Council (UNSC) adopted Resolution 2713 (2023), which established an arms embargo on Al-Shabaab, and renewed until 31 December 2024 the provisions set out in paragraphs 15 and 17 of UNSC Resolution 2182 (2014), expanded by paragraph 5 of UNSC Resolution 2607 (2021) to cover IED components. The UNSC also adopted Resolution 2714 (2023), which lifted the arms embargo on Somalia established by UNSC Resolution 733 (1992).
- (3) In the context of the Holistic Strategic Review for the Horn of Africa and Somalia, the Political and Security Committee (PSC) agreed that EUNAVFOR ATALANTA should be extended until 28 February 2027 and that a strategic assessment of the operation should be conducted in 2025 synchronised with the strategic review of the European Union maritime security operation to safeguard freedom of navigation in relation to the Red Sea crisis (EUNAVFOR ASPIDES), established by Council Decision (CFSP) 2024/583⁽⁴⁾. Furthermore, the PSC agreed that the Maritime Security Centre – Horn of Africa (MSCHOA) should be renamed ‘Maritime Security Centre – Indian Ocean (MSC IO)’.
- (4) In addition, the functions of the EU Coordination Cell established by Council Joint Action 2008/749/CFSP⁽⁵⁾ have been taken over by the Operation Headquarters of EUNAVFOR ATALANTA and that Joint Action should therefore be repealed. Operation Enduring Freedom is no longer an active interlocutor of EUNAVFOR ATALANTA.
- (5) Joint Action 2008/851/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

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- ⁽¹⁾ Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to maritime security in the West Indian Ocean and in the Red Sea (EUNAVFOR ATALANTA) (OJ L 301, 12.11.2008, p. 33).
 - ⁽²⁾ Council Decision (CFSP) 2022/2441 of 12 December 2022 amending Joint Action 2008/851/CFSP on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (OJ L 319, 13.12.2022, p. 80).
 - ⁽³⁾ Council Decision (CFSP) 2024/1059 of 4 April 2024 amending Joint Action 2008/851/CFSP on a European Union military operation to contribute to maritime security in the West Indian Ocean and in the Red Sea (EUNAVFOR ATALANTA) (OJ L, 2024/1059, 5.4.2024, ELI: <http://data.europa.eu/eli/dec/2024/1059/oj>).
 - ⁽⁴⁾ Council Decision (CFSP) 2024/583 of 8 February 2024 on a European Union maritime security operation to safeguard freedom of navigation in relation to the Red Sea crisis (EUNAVFOR ASPIDES) (OJ L, 2024/583, 12.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/583/oj>).
 - ⁽⁵⁾ Council Joint Action 2008/749/CFSP of 19 September 2008 on the European Union military coordination action in support of UN Security Council resolution 1816 (2008) (EU NAVCO) (OJ L 252, 20.9.2008, p. 39).

Article 1

Joint Action 2008/851/CFSP is amended as follows:

(1) in Article 1, paragraph 4 is replaced by the following:

‘4. Furthermore, EUNAVFOR ATALANTA shall monitor, as a secondary non-executive task, narcotic drugs trafficking, arms trafficking, illegal, unreported and unregulated (IUU) fishing and illicit trade in charcoal off the coast of Somalia in accordance with UNSC Resolution 2713 (2023) and consistent with the United Nations Convention against Illicit Traffic In Narcotic Drugs And Psychotropic Substances of 20 December 1988.’;

(2) Article 2 is amended as follows:

(a) point (f) is replaced by the following:

‘(f) liaise with organisations and entities, as well as States, working in the region to combat acts of piracy and armed robbery off the Somali coast, in particular the “Combined Task Force 151” maritime force’;

(b) in point (h), the last sentence is replaced by the following:

‘Evidence found related to acts of piracy or armed robbery may be stored by EUNAVFOR ATALANTA. In particular, personal data concerning persons referred to in point (e) may be stored.’;

(3) in Article 2b, the heading is replaced by the following:

‘Contributing to the implementation of the United Nations arms embargo on Al Shabaab and to countering narcotic drugs trafficking off the coast of Somalia in the area of operations’;

(4) in Article 8, paragraphs 1a and 1b are replaced by the following:

‘1a. EUNAVFOR ATALANTA shall liaise closely with the shipping industry, in particular through the Maritime Security Centre – Indian Ocean (MSC IO).

1b. EUNAVFOR ATALANTA shall coordinate closely with the European Union maritime security operation to safeguard freedom of navigation in relation to the Red Sea crisis (EUNAVFOR ASPIDES) established by Council Decision (CFSP) 2024/583 (*). In particular, EUNAVFOR ATALANTA shall, as much as possible, facilitate logistical support to EUNAVFOR ASPIDES and close liaison between EUNAVFOR ASPIDES and the shipping industry, in particular through the Maritime Security Centre – Indian Ocean (MSC IO).

(*) Council Decision (CFSP) 2024/583 of 8 February 2024 on a European Union maritime security operation to safeguard freedom of navigation in relation to the Red Sea crisis (EUNAVFOR ASPIDES) (OJ L, 2024/583, 12.2.2024, ELI: <http://data.europa.eu/eli/dec/2024/583/oj>);

(5) in Article 14, the following paragraph is added:

‘9. The financial reference amount for the common costs of the EU military operation for the period from 1 January 2025 until 28 February 2027 shall be EUR 13 800 000. The percentage of the reference amount referred to in Article 51(2) of Decision (CFSP) 2021/509 shall be 0 % for commitments and 0 % for payments.’;

(6) Article 16 is amended as follows:

(a) paragraphs 2, 3 and 4 are replaced by the following:

‘2. Joint Action 2008/749 CFSP is hereby repealed.

3. A strategic assessment of EUNAVFOR ATALANTA shall be conducted in 2025, synchronised with the strategic review of EUNAVFOR ASPIDES.

4. EUNAVFOR ATALANTA shall terminate on 28 February 2027.’;

(b) the following paragraph is added:

‘5. This Joint Action shall be repealed as from the date of closure of the EU Operation Headquarters in accordance with the plans approved for the termination of EUNAVFOR ATALANTA and without prejudice to the procedures regarding the audit and presentation of the accounts of EUNAVFOR ATALANTA laid down in Decision (CFSP) 2021/509.’.

Article 2

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

Done at Brussels, 16 December 2024.

For the Council

The President

K. KALLAS