

(English version)

**Question for written answer E-002089/24
to the Commission
Tineke Strik (Verts/ALE)
(16 October 2024)**

Subject: Italian court ruling on Libyan Coast Guard rescue operations and its implications for the legal compliance of EU funding

In June 2024, Crotone Civil Court in Italy ruled ⁽¹⁾ that interceptions at sea conducted by the Libyan Coast Guard cannot legally qualify as rescue operations since the Libyan authorities are systematically armed, fire gunshots to intimidate civil society actors and migrants, and create an overall situation of danger. Furthermore, the court recalled that Libya cannot be considered a safe place for disembarkation due to its serious and systematic violations of human rights and the fact that it has never ratified the Geneva Convention.

1. Can the Commission confirm that it maintains the view that providing EU funds to the Libyan authorities through the programme entitled ‘Support to integrated border and migration management in Libya’ is justified on humanitarian grounds (see answers E-005612/2021 ⁽²⁾ and E-000363/2022 ⁽³⁾)?

2. If so, what implications will the Crotone ruling have for the provision of EU funds to Libya under this programme, considering the principle of sound financial management as enshrined in the Financial Regulation ⁽⁴⁾, which stipulates that EU funds should be effective in achieving the objectives of a project, and also considering the Italian court ruling, which states that Libyan border authorities are unable to carry out rescue operations in line with international standards?

Submitted: 16.10.2024

**Answer given by Ms Šuica on behalf of the European Commission
(1 April 2025)**

In line with the President of the Commission’s political guidelines presented in July 2024 ⁽¹⁾ there is a need to strengthen the coordination of search and rescue (SAR) operations to prevent loss of life at sea, including in cooperation with neighbouring third countries.

The Commission confirms that providing EU financial support to the training and capacity building of the Libyan coastguard for operations in its own SAR zone contributes to the efforts of saving lives of people who disembark on dangerous journeys, often resorting to smugglers and traffickers, and risking their lives.

Notably, in the framework of the EU-funded ‘Support to integrated border and migration management in Libya’ programme, the Commission aims at improving Libyan authorities’ capacity to carry out SAR operations and thus saving lives both at sea and in the desert, in respect of international rules and human rights obligations.

The Commission takes note of the June 2024 Croton Civil Court ruling. It is committed to continue to engage, alongside the international partners, with the Libyan authorities to ensure that SAR operations are carried out in line with international standards.

A regular dialogue at technical level has been established with Libyan authorities to address all issues in the context of migration and protection, including respect of human rights.

Five technical missions of the Commission took place between 2024 and 2025 and observed notable improvements on both engagement from the Libyan authorities and practical results in terms of access to disembarkation points and detention centres, release of vulnerable migrants, and the doubling of voluntary humanitarian returns, compared to the figures of 2023.

¹ Ruling No 348/2024, available at: https://www.asgi.it/wp-content/uploads/2024/07/2024_06_26_Court-of-Crotone_final-decision_ITA_geschwarzt.pdf.

² https://www.europarl.europa.eu/doceo/document/E-9-2021-005612-ASW_EN.html.

³ https://www.europarl.europa.eu/doceo/document/E-9-2022-000363-ASW_EN.html.

⁴ Article 33 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, OJ L 193, 30.7.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1046/oj>.

⁽¹⁾ https://commission.europa.eu/document/download/e6cd4328-673c-4e7a-8683-f63ffb2cf648_en?filename=Political%20Guidelines%202024-2029_EN.pdf