2025/1283

27.6.2025

COUNCIL DECISION (CFSP) 2025/1283

of 26 June 2025

amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah)

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 12 December 2005, the Council adopted Joint Action 2005/889/CFSP [1] establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah).

(2) On 25 June 2024, the Council adopted Decision (CFSP) 2024/1806 [2], which extended the mandate of EU BAM Rafah until 30 June 2025.

(3) In its conclusions of 20 March 2025, the European Council stated that the European Union remains firmly committed to a lasting and sustainable peace based on the two-state solution and is ready to contribute to all efforts towards that solution, and called on all parties to refrain from actions that undermine its viability. The European Council further stated that the Union will continue to work with regional and international partners to that end and will continue supporting the Palestinian Authority and its reform agenda.

(4) On 30 April 2025, in the context of the coordinated strategic review of EU BAM Rafah and the European Union Police Mission for the Palestinian Territories (EUPOL COPPS), the Political and Security Committee (PSC) agreed that the mandates of both missions should be extended until 30 June 2027. The PSC further agreed that EU BAM Rafah should be enabled to implement projects, including with external funds, and should therefore be endowed with a project cell for that purpose.

(5) Taking into account information provided by Israel and the Palestinian Authority, EU BAM Rafah should be extended by one year.

(6) Joint Action 2005/889/CFSP should therefore be amended accordingly.

(7) EU BAM Rafah will be conducted in the context of a situation which may deteriorate and could impede the achievement of the objectives of the Union's external action as set out in Article 21 of the Treaty,

HAS ADOPTED THIS DECISION:

Article 1

Joint Action 2005/889/CFSP is amended as follows:

(1) in Article 13(1), the following subparagraph is added:

'The financial reference amount intended to cover the expenditure related to EU BAM Rafah for the period from 1 July 2025 to 30 June 2026 shall be EUR 7 493 238,13.';

[1] Council Joint Action 2005/889/CFSP of 25 November 2005 on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) (OJ L 327, 14.12.2005, p. 28, ELI: http://data.europa.eu/eli/joint_action/2005/889/oj).

[2] Council Decision (CFSP) 2024/1806 of 25 June 2024 amending Joint Action 2005/889/CFSP on establishing a European Union Border Assistance Mission for the Rafah Crossing Point (EU BAM Rafah) (OJ L, 2024/1806, 26.6.2024, ELI: http://data.europa.eu/eli/dec/2024/1806/oj).

(2) the following article is inserted:

'*Article 13a*

Project Cell

1. EU BAM Rafah shall have a Project Cell for identifying and implementing projects which are consistent with the Mission's objectives and which facilitate the mandate's delivery. EU BAM Rafah shall, as appropriate, facilitate and provide advice on projects, implemented by Member States and third States, under their responsibility in areas related to EU BAM Rafah and in support of its objectives.

2. Subject to paragraph 3, EU BAM Rafah shall be authorised to seek recourse to financial contributions from the Union and Member States or third States to implement projects identified as supplementing in a consistent manner EU BAM Rafah's other actions, where the projects are:

(a) provided for in the financial statement relating to this Decision; or

(b) integrated during the mandate by means of an amendment to the financial statement requested by the Head of Mission.

Once the Commission or those States have formally proposed that their financial contribution be managed by EU BAM Rafah, EU BAM Rafah shall conclude an arrangement with the Commission or those States, covering in particular the specific procedures for dealing with any complaint from third parties concerning damage caused as a result of acts or omissions by EU BAM Rafah in the use of the funds provided by those States.

Under no circumstances may the contributing States hold the Union or the HR liable for acts or omissions by EU BAM Rafah in the use of the funds provided by those States.

3. Financial contributions from the Union, the Member States or third States to the Project Cell shall be subject to acceptance by the PSC.';

(3) in Article 16, the second paragraph is replaced by the following:

'It shall expire on 30 June 2026.'.

Article 2

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

It shall apply from 1 July 2025.

Done at Brussels, 26 June 2025.

For the Council

The President

A. SZŁAPKA