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Memorandum of Understanding Between the Government of National Accord of the State of Libya and The Government of The Republic of Malta in the Field of Combatting Illegal Immigration

The Government of National Accord – State of Libya and the Government of the Republic of Malta (hereinafter referred to as the Two Parties)

Out of their desire to consolidate their historical relationship in a manner that serves the welfare of the two peoples and countries and on the basis of National Laws, and International Conventions and Controls

In order to achieve common goals based on the objectives and purposes of the United Nations Charter

And out of their conviction that the enforcement of cooperation and understanding will consolidate peace, security and stability in the region.

Article 1

There shall be the creation of two co-ordination centres, one in Valletta and another in Tripoli. These centres shall liaise between the two capitals and offer the necessary support relating to combatting illegal immigration in Libya and the Mediterranean region. The two centres shall commence their operations as from July 1st, 2020.

Article 2

The centres shall be manned by six officials – Three in Valletta (two appointed by the Maltese Government and one by the Libyan Government of National Accord), and three individuals in Tripoli (two appointed by the Libyan Government of National Accord and one appointed by the Maltese Government).

Article 3

Financing

The Maltese Government will finance in full both these centres (see annex A.)

Article 4

Implementation Mechanisms

The two centres operations shall be limited to support and coordination. An annex shall be prepared which indicate the locations of work for both centres in Tripoli and in Malta, and the points of contact. The annex will be considered as an integral part of this Memorandum.

Article 5

Financial Support

The Republic of Malta shall propose to the European Commission and the European member states the increase in financial support in order to help the Government of National Accord in securing the southern borders of Libya, and the provision of the necessary technologies for border control and protection, as

well as in the dismantling and follow up of human trafficking networks, and curtailing the operations of organized crime.

The Republic of Malta, in coordination with the European Union, shall propose funding towards additional maritime assets necessary for the interception and follow-up of human trafficking activities in the search and rescue region in the Mediterranean basin.

Article 6

The Two Parties' Obligations

Under other Institutional Conventions, the implementation of this Memorandum should not contravene with rights and obligations under other international conventions signed by either party, and this Memorandum shall not be used against the interests and territorial integrity, as well as security of other states.

Article 7

Settlement of Disputes

Any disputes pertaining to the implementation of this Memorandum shall be settled by amicable means, through communication channels and will not be referred to any judicial authority, any international entity, or any third party for settlement.

Article 8

Revision and Amendment

Both parties my propose the revision or amendment of the Memorandum via diplomatic channels, if required, on condition that negotiations start within (30) days from the date the proposal is received in writing. In case no outcome could be achieved within (60) days, both parties may terminate the Memorandum, in accordance with the procedure outlined in article (9). This agreed upon amendment shall become enforceable upon being signed, and will be considered an integral part of this Memorandum.

Article 9

Validity Expiry and Termination

This Memorandum shall become enforceable upon being signed and shall remain valid for (3) years.

The Memorandum shall be renewed automatically for one year unless one of the parties notifies the other in writing, through diplomatic channels, of its intention to terminate it, and this termination shall be valid after (90) days from the date of receiving the termination notice.

Termination of the Memorandum shall not affect the current commercial activities and programs between the two countries.

Article 10

Ratification and Signature

This Memorandum was drawn up and signed in Tripoli on 28,5,2020, in (3) original copies, in Arabic, Maltese and English, and in case of disputes , the English text shall prevail.

On behalf of the Government of National Accord – State of Libya

Signature

Fayez Mustafa al-Sarraj

(President of the Presidential Council)

On behalf of the Republic of Malta

Signature

Robert Abela

(Prime Minister)