



Council of the
European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: POLITICAL AND SECURITY COMMITTEE DECISION on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2016/940 (ATALANTA/1/2017)

**POLITICAL AND SECURITY COMMITTEE DECISION
(CFSP) 2017/...**

of ...

**on the appointment of the EU Force Commander
for the European Union military operation
to contribute to the deterrence, prevention and repression of acts
of piracy and armed robbery off the Somali coast (Atalanta)
and repealing Decision (CFSP) 2016/940
(ATALANTA/1/2017)**

THE POLITICAL AND SECURITY COMMITTEE,

Having regard to the Treaty on European Union, and in particular Article 38 thereof,

Having regard to Council Joint Action 2008/851/CFSP of 10 November 2008 on a European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast¹, and in particular Article 6 thereof,

¹ OJ L 301, 12.11.2008, p. 33.

Whereas:

- (1) Pursuant to Article 6(1) of Joint Action 2008/851/CFSP, the Council authorised the Political and Security Committee (PSC) to take the relevant decisions on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast ('EU Force Commander').
- (2) On 9 June 2016, the PSC adopted Decision (CFSP) 2016/940¹ appointing Commodore René LUYCKX as EU Force Commander.
- (3) The EU Operation Commander has recommended the appointment of Rear Admiral Rafael FERNÁNDEZ-PINTADO MUÑOZ-ROJAS as the new EU Force Commander to succeed Commodore René LUYCKX as from 24 February 2017.

¹ Political and Security Committee Decision (CFSP) 2016/940 of 9 June 2016 on the appointment of the EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) and repealing Decision (CFSP) 2016/395 (ATALANTA/3/2016) (OJ L 155, 14.6.2016, p. 27).

- (4) On 19 January 2017, the EU Military Committee supported that recommendation.
- (5) Decision (CFSP) 2016/940 should therefore be repealed.
- (6) In accordance with Article 5 of Protocol No 22 on the position of Denmark, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and the implementation of decisions and actions of the Union which have defence implications,

HAS ADOPTED THIS DECISION:

Article 1

Rear Admiral Rafael FERNÁNDEZ-PINTADO MUÑOZ-ROJAS is hereby appointed EU Force Commander for the European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Atalanta) as from 24 February 2017.

Article 2

Decision (CFSP) 2016/940 is repealed.

Article 3

This Decision shall enter into force on 24 February 2017.

Done at ...,

*For the Political and Security Committee
The Chairperson*
