Council Implementing Regulation (EU) 2020/1309 of 21 September 2020 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya

COUNCIL IMPLEMENTING REGULATION (EU) 2020/1309

of 21 September 2020

implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2016/44 of 18 January 2016 concerning restrictive measures in view of the situation in Libya and repealing Regulation (EU) No 204/2011[(1)], and in particular Article 21(2) thereof,

Having regard to the proposal of the High Representative of the Union for Foreign Affairs and Security Policy,

Whereas:

(1) On 18 January 2016, the Council adopted Regulation (EU) 2016/44.

(2) On 27 March 2020, the High Representative of the Union for Foreign Affairs and Security Policy ('High Representative') issued a declaration, on behalf of the Union, on Libya in which all parties were called upon to respect human rights and international law.

(3) On 12 May 2020, the High Representative issued a declaration, on behalf of the Union, which stated that the Union remains determined to see the UN arms embargo in Libya fully respected. It was also underlined that all efforts must be made to ensure the full and effective implementation of the relevant UNSC resolutions, also through the land and air borders with Libya.

(4) Moreover, the Declaration reminded the parties that they must respect international law, including international humanitarian law, and that those who violate it will be held accountable.

(5) The Council remains gravely concerned about the situation in Libya and in particular about acts that threaten the peace, security or stability of Libya, including violations of the UN arms embargo and illicit attempts to smuggle Libyan oil as well as human rights abuses.

(6) In this context, and in view of the continued escalation of violence in Libya, two persons responsible for human rights abuses and three entities involved in violating the UN arms embargo, should be added to the list of persons and entities subject to restrictive measures as set out in Annex III to Regulation (EU) 2016/44.

(7) Annex III to Regulation (EU) 2016/44 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EU) 2016/44 is amended in accordance with the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 21 September 2020.

For the Council

The President

J. BORRELL FONTELLES

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2020/1309. (See end of Document for details)*

ANNEX

(1) In Regulation (EU) 2016/44, Annex III, Part (A) (Persons), the following entries are added:

	Name	Identifying information	Reasons	Date of listing
‘20.	AL-WERFALLI, Mahmoud Mustafa Busayf a.k.a. AL-WARFALLI, Mahmud	Date of birth: 1978 Place of birth: Werfalla Tribe, West of Libya or Elrseefa (Bani Walid) Gender: male	Mahmoud al-Werfalli serves as a commander (lieutenant) of the Benghazi-based al#Saiqa Brigade. In this role, al-Werfalli is responsible for and has directly or indirectly engaged in serious human rights abuses including killings and executions. Al-Werfalli has been linked to the killing of thirty-three persons between June 2016 and July 2017 in several incidents as well as a mass execution of ten persons on 24 January 2018.	21.9.2020
21.	DIAB, Moussa a.k.a. DIAB, Mousa	Gender: male	Moussa Diab is responsible for and has directly engaged in serious human rights abuses including human trafficking and the kidnapping, raping and killing of migrants and refugees. He held migrants and refugees in	21.9.2020’