Council Implementing Regulation (EU) 2017/401 of 7 March 2017 implementing Article 15(3) of Regulation (EU) No 747/2014 concerning restrictive measures in view of the situation in Sudan

COUNCIL IMPLEMENTING REGULATION (EU) 2017/401

of 7 March 2017

implementing Article 15(3) of Regulation (EU) No 747/2014 concerning restrictive measures in view of the situation in Sudan

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) No 747/2014 of 10 July 2014 concerning restrictive measures in view of the situation in Sudan and repealing Regulations (EC) No 131/2004 and (EC) No 1184/2005[(1)], and in particular Article 15(3) thereof,

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

Whereas:

(1) On 10 July 2014, the Council adopted Regulation (EU) No 747/2014.

(2) On 12 January 2017, the United Nations Security Council Committee established pursuant to of United Nations Security Council Resolution 1591(2005) updated the information relating to four persons subject to restrictive measures.

(3) Annex I to Regulation (EU) No 747/2014 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 747/2014 is amended as set out in 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.

Changes to legislation: *There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2017/401. (See end of Document for details)*

Done at Brussels, 7 March 2017.

For the Council

The President

L. GRECH

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2017/401. (See end of Document for details)*

ANNEX

The entries concerning the persons listed below are replaced by the following entries:

1. **ELHASSAN,** Gaffar Mohammed

Alias: Gaffar Mohmed Elhassan

Designation: Major-General and Commander of the Western Military Region for the Sudanese Armed Forces (SAF)

National identification no: Ex-serviceman's identification card 4302

Date of birth: 24 June 1952

Address: El Waha, Omdurman, Sudan

Date of UN designation: 25 April 2006

Other information: Retired from the Sudanese Army. INTERPOL-UN Security Council Special Notice web link: https://www.interpol.int/en/notice/search/un/5282254

Information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The Panel of Experts report that Major-General Gaffar Mohammed Elhassan stated to them that he had direct operational command (primarily tactical command) of all elements of the SAF in Darfur while he was in command of the Western Military Region. Elhassan held this position as Western Military Area Commander from November 2004 (approx.)-early 2006. The Panel's information is that Elhassan was responsible for violations of paragraph 7 of SCR 1591 as by virtue of this position he requested (from Khartoum) and authorised (since 29 March 2005) the transfer of military equipment into Darfur without the prior approval of the 1591 Committee. Elhassan himself admitted to the Panel of Experts that aircraft, aircraft engines and other military equipment had been brought into Darfur from other parts of Sudan between 29 March 2005 and December 2005. For example he informed the Panel that 2 Mi-24 attack helicopters were brought unauthorised into Darfur between 18 and 21 September 2005. There are also reasonable grounds to believe that Elhassan was directly responsible, as Western Military Area Commander, for authorising offensive military flights in the area around Abu Hamra, 23-24 July 2005 and in the Jebel Moon area of Western Darfur, on 19 November 2005. Mi-24 attack helicopters were involved in both operations and reportedly opened fire on both occasions. The Panel of Experts report that Elhassan indicated to the Panel that he himself approved requests for air support and other air operations in his capacity as Western Military Area Commander. (See Panel of Experts report, S/2006/65, paragraphs 266-269.) Through such actions Major-General Gaffar Mohammed Elhassan has breached relevant provisions of SCR 1591 and therefore meets the criteria to be designated by the Committee to be subjected to sanctions.

2. **ALNSIEM**, Musa Hilal Abdalla

Alias: (a) (Sheikh) Musa Hilal; (b) Abd Allah; (c) Abdallah; (d) AlNasim; (e) Al Nasim; (f) AlNaseem; (g) Al Naseem; (h) AlNasseem; (i) Al Nasseem

Designation: (a) Member of the National Assembly of Sudan, (b) In 2008, appointed by the President of Sudan as special adviser to the Ministry of Federal Affairs, (c) Paramount Chief of the Jalul Tribe in North Darfur

Date of birth: (a) 1 January 1964; (b) 1959

Place of birth: Kutum