Council Implementing Regulation (EU) 2016/1752 of 30 September 2016 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya

COUNCIL IMPLEMENTING REGULATION (EU) 2016/1752

of 30 September 2016

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 from 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 31 March 2016 the Council added three persons to the list of persons subject to restrictive measures as set out in Annex III to Regulation (EU) 2016/44. The information concerning, and the reasons for three of those persons should be amended.

(3) Regulation (EU) 2016/44 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EU) 2016/44 is amended as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following 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) 2016/1752. (See end of Document for details)*

Done at Brussels, 30 September 2016.

For the Council

The President

M. LAJČÁK

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2016/1752. (See end of Document for details)*

ANNEX

The entries concerning the persons listed below, as set out in Annex III to Regulation (EU) 2016/44, are replaced by the following entries:

ANNEX III

LIST OF NATURAL AND LEGAL PERSONS, ENTITIES OR BODIES REFERRED TO IN ARTICLE 6(2)

A. Persons

	Name	**Identifying information**	**Reasons**	**Date of listing**
21.	SALEH ISSA GWAIDER, Agila	d.o.b. 1 June 1942 Place of birth: Elgubba, Libya. Passport: D001001 (Libya), issued 22 January 2015.	Agila Saleh has been the President of the Libyan House of Representatives since 5 August 2014. On 17 December 2015 Saleh stated his opposition to the Libya Political Agreement signed on 17 December 2015. As the President of the Council of Deputies, Saleh has obstructed and undermined the Libyan political transition, including by refusing several times to call a vote on the Government of National Accord ("GNA"). On 23 August 2016, Saleh addressed a letter to the Secretary-General of the United Nations, in which he criticised the	1.4.2016

Changes to legislation: *There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2016/1752. (See end of Document for details)*

			United Nations' support to the GNA which he described as the imposition "of a group of individuals on the Libyan people (…) in breach of the Constitution and the United Nations Charter". He criticised the adoption of United Nations Security Council Resolution 2259(2015) which endorsed the Skhirat Agreement, and he threatened to bring the United Nations, which he holds responsible for "unconditional and unjustified" support to an incomplete Presidency Council, as well as the UN Secretary-General, before the International Criminal Court for violating the UN Charter, the Libyan Constitution and the sovereignty of Libya. Those statements undermine the support for mediation by the UN and the UN Support Mission in Libya (UNSMIL), as

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			expressed by all relevant UN Security Council Resolutions, notably Resolution 2259(2015). On 6 September 2016, Saleh paid an official visit to Niger with Abdullah al-Thani, "Prime Minister" of the non-recognised government of Tobruk, even though Resolution 2259(2015) calls for the ceasing of support to and official contact with parallel institutions which claim to represent the legitimate authority but are not parties to the Agreement.	
22.	GHWELL, Khalifa a.k.a. AL GHWEIL, Khalifa AL-GHAWAIL, Khalifa	d.o.b. 1 January 1956 Place of birth: Misurata, Libya Nationality: Libya Passport: A005465 (Libya), issued 12 April 2015, expires 11 April 2017	Khalifa Ghwell was the so-called "Prime Minister and Defence Minister" of the internationally unrecognised General National Congress ("GNC") (also known as the "National Salvation Government"), and as such was responsible for their activities. On 7 July 2015 Khalifa Ghwell showed his support for the	1.4.2016