Council Implementing Regulation (EU) No 943/2012 of 15 October 2012 implementing Article 12(1) and Article 13 of Regulation (EU) No 356/2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia

COUNCIL IMPLEMENTING REGULATION (EU) No 943/2012

of 15 October 2012

implementing Article 12(1) and Article 13 of Regulation (EU) No 356/2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia

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 356/2010[(1)], and in particular Article 12(1) and Article 13 thereof,

Whereas:

(1) On 26 April 2010, the Council adopted Regulation (EU) No 356/2010.

(2) On 11 July 2012, 25 July 2012 and 23 August 2012, the Sanctions Committee, established pursuant to United Nations Security Council Resolution 751 (1992) concerning Somalia, updated the list of persons and entities subject to restrictive measures.

(3) Annex I to Regulation (EU) No 356/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Section I of Annex I to Regulation (EU) No 356/2010 is hereby amended as follows:

(1) point 11 is replaced by the text appearing in Annex I to this Regulation;

(2) the persons listed in Annex II to this Regulation are added.

Article 2

This Regulation shall enter into force on the day 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) No 943/2012. (See end of Document for details)

Done at Luxembourg, 15 October 2012.

For the Council

The President

C. ASHTON

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) No 943/2012. (See end of Document for details)*

ANNEX I

Text referred to at point (1) of Article 1

11. Jim'ale, Ali Ahmed Nur (aka (a) Jim'ale, Ahmed Ali, (b) Jim'ale, Ahmad Nur Ali, (c) Jim'ale, Sheikh Ahmed, (d) Jim'ale, Ahmad Ali, (e) Jim'ale, Shaykh Ahmed Nur)

Date of birth: 1954. Place of birth: Eilbur, Somalia. Nationality: Somalia. Alt. nationality: Djibouti. Passport: A0181988 (Somalia), exp. 23 January 2011. Location: Djibouti, Republic of Djibouti. Date of UN designation: 17 February 2012.

Ali Ahmed Nur Jim'ale (Jim'ale) has served in leadership roles with the former Somali Council of Islamic Courts, also known as the Somali Islamic Courts Union, which was a radical-Islamist element. The most radical elements of the Somali Islamic Courts Union eventually formed the group known as Al-Shabaab. Al-Shabaab was listed for targeted sanctions in April 2010 by the United Nations Security Council Committee established pursuant to Resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (the 'Somalia/Eritrea Sanctions Committee'). The Committee listed Al-Shabaab for being an entity engaged in acts that directly or indirectly threaten the peace, security, or stability of Somalia, including but not limited to acts that pose a threat to Somali Transitional Federal Government.

According to the 18 July 2011 report of the Somalia/Eritrea Sanctions Committee's Monitoring Group (S/2011/433), Jim'ale is identified as a prominent businessman and figure in the Al-Shabaab charcoal-sugar trading cycle and benefitting from privileged relationships with Al-Shabaab.

Jim'ale is identified as one of Al-Shabaab's chief financiers and is ideologically aligned with Al-Shabaab. Jim'ale has provided key funding and political support for Hassan Dahir Aweys ('Aweys'), who was also listed by the Somalia/Eritrea Sanctions Committee. Former Al-Shabaab Deputy Emir Muktar Robow reportedly continued to engage in political posturing within the Al-Shabaab organisation during the mid-2011. Robow engaged Aweys and Jim'ale in an effort to advance their shared objectives and consolidate their overall stance within the context of the Al-Shabaab leadership rift.

As of fall 2007, Jim'ale established a front company in Djibouti for extremist activities called the Investors Group. The short-term goal of the group was, through the funding of extremist activities and weapons purchases, to destabilise Somaliland. The group assisted in smuggling small arms from Eritrea through Djibouti into the fifth region of Ethiopia where extremists received the shipment. As of mid-2008, Jim'ale continued to operate the Investors Group.

As of late September 2010, Jim'ale established ZAAD, a mobile-to-mobile money-transfer business and struck a deal with Al-Shabaab to make money transfers more anonymous by eliminating the need to show identification.

As of late 2009, Jim'ale had a known hawala fund where he collected zakat, which was provided to Al-Shabaab.

As of December 2011, unidentified donors from the Middle East were transferring money to Jim'ale, who in turn used financial intermediaries to send the money to al-Shabaab.

In 2009, Jim'ale worked with other like-minded individuals to undermine the Somali TFG by not participating in Somali reconciliation efforts. As of late 2011, Jim'ale actively supported al-Shabaab by offering free communications, use of vehicles, food aid and political advisement and set up fundraisers for al-Shabaab through various business groups.