Council Decision (CFSP) 2020/490 of 2 April 2020 amending Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen

COUNCIL DECISION (CFSP) 2020/490

of 2 April 2020

amending Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

(1) On 18 December 2014, the Council adopted Decision 2014/932/CFSP[(1)] concerning restrictive measures in view of the situation in Yemen.

(2) On 25 February 2020, the United Nations Security Council adopted Resolution 2511 (2020) expressing concern at the ongoing political, security, economic and humanitarian challenges in Yemen, and reiterating its call for all parties in Yemen to resolve their differences through dialogue and consultation.

(3) United Nations Security Council Resolution (UNSCR) 2511 (2020) emphasises the importance of facilitating humanitarian assistance and provides that the Committee established by paragraph 19 of UNSCR 2140 (2014) may, on a case-by-case basis, exempt any activity from the sanctions measures imposed by the Security Council in UNSCR 2140 (2014) and UNSCR 2216 (2015) if the Committee determines that such an exemption is necessary to facilitate the work of the United Nations and other humanitarian organisations in Yemen or for any other purpose consistent with the objectives of those Resolutions.

(4) UNSCR 2511 (2020) also affirms that sexual violence in armed conflict, or the recruitment or use of children in armed conflict in violation of international law, could constitute an act, as specified in paragraph 18(c) of UNSCR 2140 (2014), and therefore a sanctionable act of engaging in or providing support for acts that threaten the peace, security or stability of Yemen, as described in paragraph 17 of that Resolution.

(5) Further action by the Union is necessary to implement certain measures in this Decision.

(6) Decision 2014/932/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2014/932/CFSP is amended as follows:

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2020/490. (See end of Document for details)*

(1) in Article 2a(1), point (c) is replaced by the following:

(c) planning, directing or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses, including sexual violence in armed conflict, or the recruitment or use of children in armed conflict in violation of international law, in Yemen; or;

(2) in Article 2b(1), point (c) is replaced by the following:

(c) planning, directing or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses, including sexual violence in armed conflict, or the recruitment or use of children in armed conflict in violation of international law, in Yemen; or;

(3) the following article is inserted:

Article 6a

By way of derogation from the measures imposed by UNSCR 2140 (2014) and UNSCR 2216 (2015), provided that the Sanctions Committee has determined on a case-by-case basis that an exemption is necessary to facilitate the work of the United Nations and other humanitarian organisations in Yemen or for any other purpose consistent with the objectives of those Resolutions, the competent authority of a Member State shall grant the necessary authorisation..

Article 2

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

Done at Brussels, 2 April 2020.

For the Council

The President

A. METELKO-ZGOMBIĆ