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COUNCIL DECISION 2014/932/CFSP

of 18 December 2014

concerning restrictive measures in view of the situation in Yemen

(OJ L 365, 19.12.2014, p. 147)

Amended by:

		Official Journal		
		No	page	date
►**M1**	Council Decision (CFSP) 2015/882 of 8 June 2015	L 143	11	9.6.2015
►**M2**	Council Implementing Decision (CFSP) 2015/1927 of 26 October 2015	L 281	14	27.10.2015
►**M3**	Council Implementing Decision (CFSP) 2016/1747 of 29 September 2016	L 264	36	30.9.2016

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COUNCIL DECISION 2014/932/CFSP

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concerning restrictive measures in view of the situation in Yemen

▼M1

Article 1

1. The direct or indirect sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned to, or for the benefit of, the individuals and entities designated by the United Nations Security Council or the Committee established pursuant to paragraph 19 of UNSCR 2140 (2014), and those acting on their behalf or at their direction in Yemen, by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

The persons and entities referred to in this paragraph are listed in the Annex to this Decision.

2. It shall be prohibited to:

(a) provide technical assistance, training or other assistance, including the provision of armed mercenary personnel, related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts therefor, directly or indirectly to any natural or legal person, entity or body referred to in paragraph 1;

(b) provide financing or financial assistance related to military activities, including in particular grants, loans and export credit insurance, as well as insurance and reinsurance for any sale, supply, transfer or export of arms and related materiel, or for the provision of related technical or other assistance, directly or indirectly to any natural or legal person, entity or body referred to in paragraph 1.

Article 2

1. Member States shall inspect, in accordance with their national authorities and legislation and consistently with international law, in particular the law of the sea and relevant international civil aviation agreements, all cargo to Yemen in their territory, including their seaports and airports, if they have information that provides reasonable grounds to believe that the cargo contains items the supply, sale, transfer or export of which is prohibited under this Decision.

2. Member States shall, upon discovery, seize and dispose of, including through destruction, rendering inoperable, storage or

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transferring to a State other than the originating or destination States for disposal, items whose supply, sale, transfer or export is prohibited under this Decision.

3. Member States shall promptly submit to the Sanctions Committee an initial written report on the inspection referred to in paragraph 1 containing, in particular, an explanation of the grounds for the inspections, the results of such inspections, and whether or not cooperation was provided, and, if prohibited items were found. Furthermore, Member States shall submit to the Sanctions Committee within 30 days a subsequent written report containing relevant details on the inspection, seizure and disposal, and relevant details of the transfer, including a description of the items, their origin and intended destination, if this information is not in the initial written report.

Article 2a

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1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the persons designated by the Committee engaging in or providing support for acts that threaten the peace, security or stability of Yemen, including but not limited to:

(a) acts obstructing or undermining the successful completion of the political transition, as outlined in the Gulf Cooperation Council (GCC) Initiative and Implementation Mechanism Agreement;

(b) acts impeding the implementation of the outcomes of the final report of the Comprehensive National Dialogue Conference through violence, or attacks on essential infrastructure;

(c) planning, directing or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses, in Yemen; or

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(d) acts violating the arms embargo or obstructing the delivery of humanitarian assistance to Yemen or access to, or distribution of, humanitarian assistance in Yemen.

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The persons referred to in this paragraph are listed in the Annex to this Decision.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall not apply where entry or transit is necessary to take part in legal proceedings.

4. Paragraph 1 shall not apply where a Member State determines on a case-by-case basis that entry or transit is required to advance peace and stability in Yemen and the Member State subsequently notifies the Committee within 48 hours after making such determination.

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5. Paragraph 1 shall not apply where the Committee determines, on a case-by-case basis, that:

(a) entry or transit is needed on the grounds of humanitarian need, including religious obligations; or

(b) an exemption would further the objectives of peace and national reconciliation in Yemen.

6. In cases where, pursuant to paragraph 3, 4 or 5, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be limited to the purpose for which it is given and to the persons concerned by the authorisation.

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Article 2b

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1. All funds and economic resources belonging to or owned, held or controlled by persons or entities designated by the Committee as engaging in or providing support for acts that threaten the peace, security or stability of Yemen, including but not limited to:

(a) acts obstructing or undermining the successful completion of the political transition, as outlined in the Gulf Cooperation Council (GCC) Initiative and Implementation Mechanism Agreement;

(b) acts impeding the implementation of the outcomes of the final report of the comprehensive National Dialogue Conference through violence, or attacks on essential infrastructure;

(c) planning, directing or committing acts that violate applicable international human rights law or international humanitarian law, or acts that constitute human rights abuses, in Yemen; or

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(d) acts violating the arms embargo or obstructing the delivery of humanitarian assistance to Yemen or access to, or distribution of, humanitarian assistance in Yemen;

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or persons or entities acting on their behalf or at their direction, or entities owned or controlled by them, shall be frozen.

The persons and entities referred to in this paragraph are listed in the Annex to this Decision.

2. No funds or economic resources shall be made available directly or indirectly, to or for the benefit of the persons or entities listed in the Annex to this Decision.

3. Member States may allow for exemptions from the measures referred to in paragraphs 1 and 2 in respect of funds and economic resources which are:

(a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;

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(b) intended exclusively for the payment of reasonable professional fees and the reimbursement of incurred expenses associated with the provision of legal services;

(c) intended exclusively for the payment of fees or service charges for the routine holding or maintenance of frozen funds or economic resources;

after notification by the Member State concerned to the Committee of the intention to authorise, where appropriate, access to such funds or economic resources, and in the absence of a negative decision by the Committee within five working days of such notification.

4. Member States may also allow for exemptions from the measures referred to in paragraphs 1 and 2 in respect of funds or economic resources which are:

(a) necessary for extraordinary expenses, provided that such determination has been notified by the Member State concerned to the Committee and has been approved by the Committee; or

(b) the subject of a judicial, administrative or arbitral lien or judgment, in which case the funds and economic resources may be used to satisfy that lien or judgment provided that the lien was entered into or the judgment delivered prior to the date on which the person or entity was included in the Annex, the lien or judgment is not for the benefit of a person or entity referred to in Article 1, and has been notified by the Member State concerned to the Committee;

5. Paragraph 1 shall not prevent a designated person or entity from making payment due under a contract entered into before the listing of such a person or entity, provided that the relevant Member State has determined that the payment is not directly or indirectly received by a person or entity referred to in ►**M1** paragraph 1 ◄ and after notification by the relevant Member State to the Committee of the intention to make or receive such payments or to authorise, where appropriate, the unfreezing of funds or economic resources for this purpose, 10 working days prior to such authorisation.

6. Paragraph 2 shall not apply to the addition to frozen accounts of:

(a) interest or other earnings due on those accounts; or

(b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to restrictive measures under this Decision;

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

Article 3

The Council shall establish the list in the Annex and shall amend it in accordance with determinations made by the Security Council or by the Committee.

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Article 4

1. Where the Security Council or the Committee designates a person or entity, the Council shall include such a person or entity in the Annex. The Council shall communicate its decision, including the grounds for listing, to the person concerned, either directly, if the address is known, or through the publication of a notice, providing such person with an opportunity to present observations.

2. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person concerned accordingly.

Article 5

1. The Annex shall include the grounds for listing the persons and entities as provided by the Security Council or the Committee.

2. The Annex shall also include, where available, information provided by the Security Council or the Committee necessary to identify the persons or entities concerned. With regard to persons, such information may include names, including aliases, date and place of birth, nationality, passport and identity card numbers, gender, address if known, and function or profession. With regard to entities, such information may include names, place and date of registration, registration number and place of business.

Article 6

This Decision shall be amended or repealed as appropriate, in accordance with determinations made by the Security Council.

Article 7

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

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ANNEX

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List of persons and entities referred to in Articles 1(1), 2a(1) and Article 2b(1) and (2)

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PERSONS

1. **Abdullah Yahya Al Hakim** (***aliases***: **a)** Abu Ali al Hakim; **b)** Abu-Ali al-Hakim; **c)** Abdallah al-Hakim; **d)** Abu Ali Alhakim; **e)** Abdallah al-Mu'ayyad).

Original script: الحاكم عبد الله يحيى

Designation: Huthi group second-in-command. **Address**: Dahyan, Sa'dah Governorate, Yemen. **Date of Birth**: **a)** Approximately 1985; **b)** Between 1984 and 1986. **Place of Birth**: **a)** Dahyan, Yemen; **b)** Sa'dah Governorate, Yemen. **Nationality**: Yemen. **Other information**: Gender: male. **Date of UN designation**: 7.11.2014.

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

Abdullah Yahya al Hakim was designated for sanctions on 7 November 2014 pursuant to paragraphs 11 and 15 of UNSCR 2140 (2014), as meeting the designation criteria set out in paragraphs 17 and 18 of the Resolution.

Abdullah Yahya al Hakim has engaged in acts that threaten the peace, security, or stability of Yemen, such as acts that obstruct the implementation of the agreement of 23 November 2011, between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power in Yemen, and that obstruct the political process in Yemen.

In June 2014, Abdullah Yahya al Hakim reportedly held a meeting in order to plot a coup against Yemeni President Abdrabuh Mansour Hadi. Al Hakim met with military and security commanders, and tribal chieftains; leading partisan figures loyal to former Yemeni President Ali Abdullah Saleh also attended the meeting, which aimed to coordinate military efforts to take over Sana'a, Yemen's capital.

In a 29 August 2014 public statement, the President of the United Nations Security Council stated that the Council condemned the actions of forces commanded by Abdullah Yahya al Hakim who overran Amran, Yemen, including the Yemeni Army Brigade headquarters on 8 July 2014. Al Hakim led the July 2014 violent takeover of the Amran Governorate and was the military commander responsible for making decisions regarding ongoing conflicts in the Amran Governorate and Hamdan, Yemen.

As of early September 2014, Abdullah Yahya al Hakim remained in Sana'a to oversee combat operations in case fighting began. His role was to organise military operations so as to be able to topple the Yemeni government, and he was also responsible for securing and controlling all routes in and out of Sana'a.

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2. **Abd Al-Khaliq Al-Houthi** (*aliases*: (a) Abd-al-Khaliq al-Huthi; (b) Abd-al-Khaliq Badr-al-Din al Huthi; (c) 'Abd al-Khaliq Badr al-Din al-Huthi; (d) Abd al-Khaliq al-Huthi; (e) Abu-Yunus).

Original script: عبدالخالق الحوثي

Designation: Huthi military commander. **Date of Birth:** 1984. **Nationality:** Yemen. **Other information:** Gender: Male. Date of UN designation: 7.11.2014 (amended on 20.11.2014, 26.8.2016).

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

Abd al-Khaliq al-Houthi was designated for sanctions on 7 November 2014 pursuant to paragraphs 11 and 15 of UNSCR 2140 (2014), as meeting the designation criteria set out in paragraphs 17 and 18 of the Resolution.

Abd al-Khaliq al-Houthi has engaged in acts that threaten the peace, security, or stability of Yemen, such as acts that obstruct the implementation of the agreement of 23 November 2011 between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power in Yemen, and acts that obstruct the political process in Yemen.

In late October 2013, Abd al-Khaliq al-Houthi led a group of fighters dressed in Yemeni military uniforms in an attack on locations in Dimaj, Yemen. The ensuing fighting resulted in multiple deaths.

In late September 2014, an unknown number of unidentified fighters allegedly were prepared to attack diplomatic facilities in Sana'a, Yemen, upon receiving orders from Abd al-Khaliq al-Houthi. On 30 August 2014, al-Houthi coordinated to move weapons from Amran to a protest camp in Sana'a.

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3. **Ali Abdullah Saleh** (**alias**: Ali Abdallah Salih).

Original script: علي عبد الله صالح

Designation: a) President of Yemen's General People's Congress party; **b)** Former President of the Republic of Yemen. **Date of Birth**: **a)** 21.3.1945; **b)** 21.3.1946; **c)** 21.3.1942; d) 21.3.1947. **Place of Birth**: **a)** Bayt al-Ahmar, Sana'a Governorate, Yemen; **b)** Sana'a, Yemen; **c)** Sana'a, Sanhan, Al-Rib' al-Sharqi. **Nationality**: Yemen. **Passport no**: 00016161 (Yemen). **National identification no: 01010744444. Other information**: Gender: Male. **Date of UN designation**: 7.11.2014.

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

Ali Abdullah Saleh was designated for sanctions on 7 November 2014 pursuant to paragraphs 11 and 15 of Resolution 2140 (2014), as meeting the designation criteria set out in paragraphs 17 and 18 of the Resolution.

Ali Abdullah Saleh has engaged in acts that threaten the peace, security or stability of Yemen, such as acts that obstruct the implementation of the agreement of 23 November 2011 between the Government of Yemen and those in opposition to it, which provides for a peaceful transition of power in Yemen, and acts that obstruct the political process in Yemen.

Per the 23 November 2011 agreement backed by the Gulf Cooperation Council, Ali Abdullah Saleh stepped down as President of Yemen after more than 30 years.

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As of autumn 2012, Ali Abdullah Saleh had reportedly become one of the primary supporters of violent Huthi actions in northern Yemen.

Clashes in the south of Yemen in February 2013 were a result of the combined efforts of Saleh, AQAP and southern secessionist Ali Salim al-Bayd to cause trouble before the 18 March 2013 National Dialogue Conference in Yemen. More recently, as of September 2014, Saleh has been destabilising Yemen by using others to undermine the central government and create enough instability to threaten a coup. According to a September 2014 report by the United Nations Panel of Experts for Yemen, interlocutors alleged that Saleh supports violent actions of some Yemenis by providing them with funds and political support, as well as ensuring that GPC members continue to contribute to the destabilisation of Yemen through various means.

▼M3

4. **Abdulmalik al-Houthi** (*alias*: Abdulmalik al-Huthi)

Other information: Leader of Yemen's Houthi Movement. Has engaged in acts that threaten the peace, security, or stability of Yemen. **Date of UN designation:** 14.4.2015 (amended on 26.8.2016).

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

Abdulmalik al-Houthi was designated for sanctions on 14 April 2015 pursuant to paragraphs 11 and 15 of resolution 2140 (2014) and paragraph 14 of resolution 2216 (2015).

Abdul Malik al-Houthi is a leader of a group that has engaged in acts that threaten the peace, security, or stability of Yemen.

In September 2014, Houthi forces captured Sana'a and in January 2015 they attempted to unilaterally replace the legitimate government of Yemen with an illegitimate governing authority that the Houthis dominated. Al-Houthi assumed the leadership of Yemen's Houthi movement in 2004 after the death of his brother, Hussein Badredden al-Houthi. As leader of the group, al-Houthi has repeatedly threatened Yemeni authorities with further unrest if they do not respond to his demands and detained President Hadi, Prime Minister, and key cabinet members. Hadi subsequently escaped to Aden. The Houthis then launched another offensive towards Aden assisted by military units loyal to former president Saleh and his son, Ahmed Ali Saleh.

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5. **Ahmed Ali Abdullah Saleh** (*alias:* Ahmed Ali Abdullah Al-Ahmar)

Title: Former Ambassador, former Brigadier General, **Date of birth:** 25 July 1972, **Nationality:** Yemeni, **Passport No: a)** Yemeni passport number 17979 issued under name Ahmed Ali Abdullah Saleh (referred to in the diplomatic identity number No: 31/2013/20/003140 below) **b)** Yemeni passport number 02117777 issued on 8.11.2005 under name Ahmed Ali Abdullah Al-Ahmar **c)** Yemeni passport number 06070777 issued on 3.12.2014 under name Ahmed Ali Abdullah Al-Ahmar, **Address:** United Arab Emirates, **Other information:** Has played a key role in facilitating the Houthi military expansion. Has engaged in acts that threaten the peace, security, or stability of Yemen. Ahmed Saleh is the son of the former President of the Republic of Yemen, Ali Abdullah Saleh. Ahmed Ali Abdullah Saleh comes from an area known as Bayt Al-Ahmar, which lies some 20 kilometres southeast of the capital, Sana'a. Diplomatic identity card No: 31/2013/20/003140, issued on 7.7.2013 by the United Arab Emirates' Ministry of Foreign Affairs under name Ahmed Ali Abdullah Saleh; current status: cancelled. **Date of UN designation:** 14.4.2015.

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

Ahmed Ali Saleh has been working to undermine President Hadi's authority, thwart Hadi's attempts to reform the military, and hinder Yemen's peaceful transition to democracy. Saleh played a key role in facilitating the Houthi military expansion. As of mid-February 2013, Ahmed Ali Saleh had issued thousands of new rifles to Republican Guard brigades and unidentified tribal shaykhs. The weapons were originally procured in 2010 and reserved to purchase the loyalties of the recipients for political gain at a later date.

After Saleh's father, former Republic of Yemen President Ali Abdullah Saleh, stepped down as President of Yemen in 2011, Ahmed Ali Saleh retained his post as commander of Yemen's Republican Guard. A little over a year later, Saleh was dismissed by President Hadi but he retained significant influence within the Yemeni military, even after he was removed from command. Ali Abdullah Saleh was designated by the UN under UNSCR 2140 in November 2014.