II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2022/156

of 4 February 2022

implementing Article 12(2) of Regulation (EU) 2017/1770 concerning restrictive measures in view of the situation in Mali

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2017/1770 of 28 September 2017 concerning restrictive measures in view of the situation in Mali ([1]), and in particular Article 12(2) thereof,

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

Whereas:

(1) On 28 September 2017, the Council adopted Regulation (EU) 2017/1770.

(2) On 13 December 2021, the Council adopted Regulation (EU) 2021/2201 to give effects to Decision (CFSP) 2021/2208 ([2]), which established a new framework that allows for restrictive measures against individuals and entities responsible for threatening the peace, security or stability of Mali, or for obstructing or undermining the successful completion of Mali's political transition.

(3) As decided during the 15 September 2020 meeting of the Economic Community of West African States (ECOWAS) and as provided for in the Transition Charter, Mali's Transition Authorities were to have realised the political transition and the handover of power to elected civilian authorities within a 18-month transition period. Within that time frame, they were to have organised free and fair presidential and legislative elections, scheduled for 27 February 2022, along with regional and local elections and a constitutional referendum, as appropriate.

(4) On 8 January 2022, Mali's Transition Authorities submitted to ECOWAS Authority a new schedule for the conduct of the presidential elections for the end of December 2025, thus extending the duration of the transition to a total of five and a half years, contrary to the agreement reached with ECOWAS on 15 September 2020 and the commitment in the Transition Charter. The ECOWAS Authority regretfully observed the failure of the Transition Authorities in Mali to take the necessary steps for the organisation of the Presidential elections before 27 February 2022, contrary to the agreement reached with ECOWAS Authority on 15 September 2020 and the commitment in the Transition Charter. The ECOWAS Authority deeply deplored the obvious and blatant lack of political will from the Transition Authorities that led to the absence of any tangible progress in the preparations for the elections, despite the willingness of ECOWAS and all regional and international partners to support Mali in this process. As regards the conclusions of the "Assises National de la Refondation" (ANR) of 13 December 2021, which led to the adoption of the revised calendar for the elections, the ECOWAS Authority noted that important stakeholders did not participate in those ANR, thus reflecting a lack of consensus by national stakeholders with regard to the proposed calendar. In view of the above, on 9 January 2022, ECOWAS decided to uphold the initial sanctions already imposed on Mali and on the Transition Authorities on 7 November 2021 and imposed additional economic and financial sanctions.

([1]) OJ L 251, 29.9.2017, p. 1.

([2]) Council Decision (CFSP) 2021/2208 of 13 December 2021 amending Decision (CFSP) 2017/1775 concerning restrictive measures in view of the situation in Mali (OJ L 446, 14.12.2021, p. 44).

(5) In view of the continued gravity of the situation in Mali, five persons should be included in the list of natural and legal persons, entities and bodies subject to restrictive measures set out in Annex Ia to Regulation (EU) 2017/1770.

(6) Annex Ia to Regulation (EU) 2017/1770 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex Ia to Regulation (EU) 2017/1770 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.

Done at Brussels, 4 February 2022.

For the Council
The President
J.-Y. LE DRIAN

ANNEX

In Annex Ia to Regulation (EU) 2017/1770, the following entries are inserted under the heading 'List of natural or legal persons, entities and bodies referred to in Article 2b':

	Name	Identifying information	Reasons	Date of listing
'1.	DIAW, Malick	Place of birth: Ségou Date of birth: 2.12.1979 Nationality: Malian Passport number: B0722922 valid until 13.8.2018 Gender: male Position: President of the National Transition Council (legislative organ of the transition), Colonel Address: Koulouba – Présidence de la République. 00223 BAMAKO	Malick Diaw is a key member of Colonel Assimi Goïta's inner circle. As chief of staff of the third military region of Kati, he was one of the instigators and leaders of the 18 August 2020 coup alongside Colonel-Major Ismaël Wagué, Colonel Assimi Goïta, Colonel Sadio Camara and Colonel Modibo Koné. Malick Diaw is therefore responsible for actions or policies that threaten the peace, security and stability of Mali. Malick Diaw is also a key actor in the context of the Transition, as President of the National Transitional Council (CNT) since December 2020. No significant progress has been made by the CNT on the "missions" enshrined in the Transition Charter of 1 October 2020 and that were supposed to be completed within 18 months, as illustrated by the CNT's failure to endorse the draft electoral bill. This contributes to delaying the organization of the elections and thus the successful completion of the political transition of Mali. ECOWAS adopted individual sanctions against the Transition Authorities (including Malick Diaw) in November 2021 for their delay in organising the elections and the completion of the Transition. Malick Diaw is therefore obstructing and undermining the successful completion of the political transition of Mali.	4.2.2022
2.	WAGUÉ, Ismaël	Place of birth: Bamako Date of birth: 2.3.1975 Nationality: Malian Passport number: diplomatic passport AA0193660 valid until 15.2.2023 Gender: male Position: Minister for Reconciliation, Colonel-major	Colonel-Major Ismaël Wagué is a key member of Colonel Assimi Goïta's inner circle and was one of the main actors responsible for the August 2020 coup, alongside Colonel Goïta, Colonel Sadio Camara, Colonel Modibo Koné and Malick Diaw. On 19 August 2020, he announced that the army had taken power, and he then became spokesperson for the National Committee for the Salvation of the People (CNSP). Ismaël Wagué is therefore responsible for actions that threaten the peace, security, and stability of Mali.	4.2.2022

		Address: Koulouba – Présidence de la République. 00223 BAMAKO	As Minister for Reconciliation in the Transition government since October 2020, Ismaël Wagué is in charge of the implementation of the Agreement for Peace and Reconciliation in Mali. Through his statement in October 2021, he contributed to the blocking of the Monitoring Committee of the Agreement for Peace and Reconciliation in Mali (Comité de suivi de l'accord, CSA), and therefore also to the implementation of the Agreement as provided for in Article 2 of the Transition Charter. ECOWAS adopted individual sanctions against the Transition Authorities (including Ismaël Wagué) in November 2021 for their delay in organising the elections and the completion of the Transition. Ismaël Wagué is therefore responsible for actions that threaten the peace, security, and stability of Mali, as well as for obstructing and undermining the successful completion of the political transition of Mali.	
3.	MAÏGA, Choguel	Place of birth: Tabango, Gao, Mali Date of birth: 31.12.1958 Nationality: Malian Passport number: Diplomatic Passport n° DA0004473, issued by Mali, Schengen visa issued Gender: male Position: Prime Minister Address: Koulouba – Présidence de la République. 00223 BAMAKO	As Prime Minister since June 2021, Choguel Maïga leads the Transition Government of Mali established following the coup of 24 May 2021. Contrary to the timetable for reform and elections previously agreed with ECOWAS in line with the Transition Charter, he announced in June 2021 the organization of the "Assises nationales de la refondation" (ANR) as a pre-reform process and a precondition to the organization of the elections scheduled for 27 February 2022. As announced by Choguel Maïga himself, the ANR were then postponed several times and the elections delayed. The ANR, which were eventually held in December 2021, were boycotted by multiple stakeholders. On the basis of the final recommendations of the ANR, the Transition Government presented a new timetable providing for the holding of presidential elections in December 2025, thus allowing the Transition Authorities to stay in power for more than 5 years. ECOWAS adopted individual sanctions against the Transition Authorities (including Prime Minister Maïga) in November 2021 for their delay in organising the elections and the completion of the Transition. ECOWAS underlined that the Transition Authorities have used the need to implement reforms as a pretext to justify the extension of the Transition and to maintain themselves in power without democratic elections. In his position as Prime Minister, Choguel Maïga is directly responsible for postponing the elections foreseen in the Transition Charter, and he is therefore obstructing and undermining the successful completion of the political transition of Mali, in particular by obstructing and undermining the holding of elections and the handover of power to elected authorities.	4.2.2022

4.	MAÏGA, Ibrahim Ikassa	Place of birth: Tondibi, Gao region, Mali Date of birth: 5.2.1971 Nationality: Malian Passport number: Diplomatic passport issued by Mali Gender: male Position: Minister of Refoundation Address: Koulouba – Présidence de la République. 00223 BAMAKO	Ibrahim Ikassa Maïga is a member of the strategic committee of M5-RFP (Mouvement du 5 juin-Rassemblement des forces patriotiques), which played a key role in the overthrow of President Keita. As Minister of Refoundation since June 2021, Ibrahim Ikassa Maïga was entrusted with planning the "Assises nationales de la Refondation" (ANR), announced by Prime Minister Choguel Maiga. Contrary to the timetable for reform and elections previously agreed with ECOWAS in line with the Transition Charter, the ANR were announced by the Transition Government as a pre-reform process and a precondition to the organization of the elections scheduled for 27 February 2022. As announced by Choguel Maïga, the ANR were then postponed several times and the elections delayed. The ANR, which were eventually held in December 2021, were boycotted by multiple stakeholders. On the basis of the final recommendations of the ANR, the Transition Government presented a new timetable providing for the holding of presidential elections in December 2025, thus allowing the Transition Authorities to stay in power for more than 5 years. ECOWAS adopted individual sanctions against the Transition Authorities (including Ibrahim Ikassa Maïga) in November 2021 for their delay in organising the elections and the completion of the Transition. ECOWAS underlined that the Transition Authorities have used the need to implement reforms as a pretext to justify the extension of the Transition and to maintain themselves in power without democratic elections. In his position as Minister of Refoundation, Ibrahim Ikassa Maïga is obstructing and undermining the successful completion of the political transition of Mali, in particular by obstructing and undermining the holding of elections and the handover of power to elected authorities..	4.2.2022
5.	DIARRA, Adama Ben Aka Ben Le Cerveau	Place of birth: Kati, Mali Nationality: Malian Passport number: Diplomatic passport issued by Mali, Schengen Visa issued Gender: male Position: Member of the National Transition Council (legislative organ of the Transition)	Adama Ben Diarra, known as Camarade Ben Le Cerveau, is one of the young leaders of the M5-RFP (Mouvement du 5 Juin-Rassemblement des Forces Patriotiques), which played a key role in the overthrow of President Keita. Adama Ben Diarra is also the leader of Yéréwolo, which is the main organisation supporting the Transition Authorities, and a member of the National Transitional Council (CNT) since 3 December 2021. No significant progress has been made by the CNT on the "missions" enshrined in the Transition Charter of 1 October 2020 and that were supposed to be completed within 18 months, as illustrated by the CNT's failure to endorse the draft electoral bill. This contributes to delaying the organization of the elections and thus the successful completion of the political transition of Mali.	4.2.2022'

		Address: Koulouba – Présidence de la République. 00223 BAMAKO	Adama Ben Diarra has been actively advocating and supporting the prolongation of the Transition during political rallies and on social networks, stating that the five-year extension of the transition period decided by the Transition Authorities following the "Assises nationales de la Refondation" (ANR) was a deep aspiration of the Malian people. Contrary to the timetable of reform and elections previously agreed with ECOWAS in line with the Transition Charter, these ANR were announced by the Transition government, as a pre-reform process and a precondition to the organization of the elections scheduled for 27 February 2022. As announced by Choguel Maïga, the ANR were then postponed several times and the elections delayed. The ANR, which were eventually held in December 2021, were boycotted by multiple stakeholders. On the basis of the final recommendations of the ANR, the Transition Government presented a new timetable providing for the holding of presidential elections in December 2025, thus allowing the Transition to stay in power for more than 5 years. ECOWAS adopted individual sanctions against the Transition Authorities (including Adama Ben Diarra) in November 2021 for their delay in organising the elections and the completion of the Transition. ECOWAS underlined that the Transition Authorities have used the need to implement reforms as a pretext to justify the extension of the Transition and to maintain themselves in power without democratic elections. Adama Ben Diarra is therefore obstructing and undermining the successful completion of the political transition of Mali, in particular by obstructing and undermining the holding of elections and the handover of power to elected authorities.	