

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4525 of 03 December, 2018

LEGAL NOTICE NO.273 OF 2018.

EXPORT CONTROL ACT 2005

EXPORT CONTROL (SANCTIONS ETC.) (AMENDMENT NO.35) ORDER 2018

In exercise of the powers conferred upon him by sections 3,4,5,6, 7 and 9 of the Export Control Act 2005 and all other enabling powers, the Minister has made the following Order for the purposes of implementing Council Implementing Regulation (EU) 2018/1863 of 28 November 2018 implementing Article 21(1) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya-

Title.

1. This Order may be cited as the Export Control (Sanctions etc.) (Amendment No.35) Order 2018.

Commencement.

2. This Order comes into operation on the day of publication.

Amendment to Schedule 4 of the Export Control (Sanctions etc.) Order 2006.

3. Schedule 4 of the Export Control (Sanctions etc.) Order 2006 is amended after the heading “**LIBYA**” and after the headings “**COUNCIL REGULATION (EU) 2016/44–ANNEX II**” and “**List of natural and legal persons, entities or bodies referred to in Article 6(1)**” by adding the following entry to the list of persons-

“**28. Name** 1: Salah 2: Badi 3: na 4: na

Title: na **Designation:** Senior commander of the armed anti-GNA Al-Somood front, also known as Fakhr or “Pride of Libya”, and the Misratan Al Marsa Central Shield brigade **DOB:** na **POB:** na **Good quality a.k.a.:** na **Low quality a.k.a.:** na **Nationality:** na **Passport no:** na **National**

identification no: na **Address:** na **Listed on:** 16 Nov. 2018 **Other information:** Listed pursuant to paragraphs 15 and 17 of resolution 1970 (Travel Ban, Asset Freeze).

Listed pursuant to paragraph 22 (a) of resolution 1970 (2011), paragraph 4 (a) of resolution 2174 (2014) and paragraph 11 (a) of resolution 2213 (2015).

Additional information:

Salah Badi has consistently attempted to undermine a political resolution in Libya through his support for armed resistance. Open source evidence confirms Salah Badi is a senior commander of the armed anti-GNA Al-Somood front, also known as Fakhr or “Pride of Libya”, and the Misratan Al Marsa Central Shield brigade.

He has played a leading role in the recent fighting in Tripoli which began on 27 August 2018, in which at least 115 people were killed, most of which are civilians. Forces under his command were specifically referred to by UNSMIL when it called on all parties to the fighting to cease acts of violence (and reminded them that targeting civilians and civilian installations is prohibited by IHL).

During late 2016 and 2017, Salah Badi led anti-GNA militias in attacks on Tripoli in repeated attempts to remove power from the GNA and restore the unrecognised “National Salvation Government” of Khalifa Ghwell. On 21 February 2017, Badi appeared next to tanks in a YouTube video recorded outside the Rixos hotel in Tripoli, and threatened to confront the Unrecognised Government of National Accord. On 26 and 27 May 2017 Fakhr Libya (“Pride of Libya”) forces led by Salah Badi attacked locations in Tripoli including the Abu Sleem area and airport road. Reliable media reports, corroborated by social media,

said Badi's forces used tanks and heavy artillery in the attack.”.

Dated: 3rd December, 2018.

F R PICARDO,
Minister with responsibility for finance.

EXPLANATORY MEMORANDUM

This Order implements Council Implementing Regulation (EU) 2018/1863 of 28 November 2018 implementing Article 21(1) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya.