

COUNCIL DECISION (CFSP) 2020/2033
of 10 December 2020
amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo

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 20 December 2010, the Council adopted Decision 2010/788/CFSP ⁽¹⁾ concerning restrictive measures against the Democratic Republic of the Congo (DRC).
- (2) On 12 December 2016, the Council adopted Decision (CFSP) 2016/2231 ⁽²⁾ in response to the obstruction of the electoral process and the related human rights violations in the DRC. Decision (CFSP) 2016/2231 amended Decision 2010/788/CFSP and introduced autonomous restrictive measures in Article 3(2) of Decision 2010/788/CFSP.
- (3) On the basis of a review of the restrictive measures laid down in Article 3(2) of Decision 2010/788/CFSP, those measures should be renewed until 12 December 2021 and one person should be removed from the list in Annex II to that Decision.
- (4) The statements of reasons relating to certain persons listed in Annex II to Decision 2010/788/CFSP should be amended.
- (5) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/788/CFSP is amended as follows:

- (1) in Article 9, paragraph 2 is replaced by the following:
‘2. The measures referred to in Article 3(2) shall apply until 12 December 2021. They shall be renewed, or amended as appropriate, if the Council deems that their objectives have not been met.’;
- (2) Annex II to Decision 2010/788/CFSP is replaced by the text appearing in the Annex to this Decision.

Article 2

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

Done at Brussels, 10 December 2020.

For the Council
The President
M. ROTH

⁽¹⁾ Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures against the Democratic Republic of the Congo and repealing Common Position 2008/369/CFSP (OJ L 336, 21.12.2010, p. 30).

⁽²⁾ Council Decision (CFSP) 2016/2231 of 12 December 2016 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ L 336I, 12.12.2016, p. 7).

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLE 3(2)

A. Persons

	Name	Identifying information	Grounds for listing	Date of listing
1	Ilunga KAMPETE	<p>a.k.a. Gaston Hughes Ilunga Kampete; Hugues Raston Ilunga Kampete</p> <p>DOB: 24.11.1964</p> <p>POB: Lubumbashi, DRC</p> <p>Nationality: DRC</p> <p>Military ID number: 1-64-86-22311-29</p> <p>Address: 69, avenue Nyangwile, Kinsuka Mimosas, Kinshasa/Ngaliema, DRC</p> <p>Gender: Male</p>	<p>As Commander of the Republican Guard (GR) until April 2020, Ilunga Kampete was responsible for the GR units deployed on the ground and involved in the disproportionate use of force and violent repression in September 2016 in Kinshasa.</p> <p>He was also responsible for the repression and infringement of human rights committed by GR agents, such as the violent repression of an opposition rally in Lubumbashi in December 2018.</p> <p>Since July 2020, he remains a high-ranking soldier, as a Lieutenant General in the Congolese Armed Forces (FARDC) and Commander of the Kitona military base in the province of Kongo Central. By virtue of his functions, he bears responsibility for the recent human rights violations committed by the FARDC.</p> <p>Ilunga Kampete was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p>	12.12.2016
2	Gabriel Amisi KUMBA	<p>a.k.a. Gabriel Amisi Nkumba; “Tango Fort”; “Tango Four”</p> <p>DOB: 28.5.1964</p> <p>POB: Malela, DRC</p> <p>Nationality: DRC</p> <p>Military ID number: 1-64-87-77512-30</p> <p>Address: 22, avenue Mbenseke, Ma Campagne, Kinshasa/Ngaliema, DRC</p> <p>Gender: Male</p>	<p>Former Commander of the first defence zone of the Congolese Armed Forces (FARDC), which took part in the disproportionate use of force and violent repression in September 2016 in Kinshasa.</p> <p>In his capacity as Deputy Chief of Staff of the FARDC in charge of operations and intelligence from July 2018 to July 2020, and owing to his senior duties as Inspector General of the FARDC since July 2020, he bears responsibility for recent human rights violations committed by the FARDC.</p> <p>Gabriel Amisi Kumba was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p>	12.12.2016

	Name	Identifying information	Grounds for listing	Date of listing
3	Ferdinand Ilunga LUYOYO	<p>DOB: 8.3.1973</p> <p>POB: Lubumbashi, DRC</p> <p>Nationality: DRC</p> <p>DRC passport number: OB0260335 (valid from 15.4.2011 to 14.4.2016)</p> <p>Address: 2, avenue des Orangers, Kinshasa/Gombe, DRC</p> <p>Gender: Male</p>	<p>As Commander of the anti-riot unit called the <i>Légion Nationale d'Intervention</i> of the Congolese National Police (PNC) until 2017, and Commander of the unit responsible for the protection of institutions and high-ranking officials within the PNC until December 2019, Ferdinand Ilunga Luyoyo was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa, and bears responsibility for the subsequent human rights violations committed by the PNC.</p> <p>Ferdinand Ilunga Luyoyo was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p> <p>Ferdinand Ilunga Luyoyo has retained his rank of General and remains active on the public scene in the DRC.</p>	12.12.2016
4	Célestin KANYAMA	<p>a.k.a. Kanyama Tshisiku Celestin; Kanyama Celestin Cishiku Antoine; Kanyama Cishiku Bilolo Célestin; "Esprit de mort"</p> <p>DOB: 4.10.1960</p> <p>POB: Kananga, DRC</p> <p>Nationality: DRC</p> <p>DRC passport number: OB0637580 (valid from 20.5.2014 to 19.5.2019)</p> <p>Schengen visa number 011518403, issued on 2.7.2016</p> <p>Address: 56, avenue Usika, Kinshasa/Gombe, DRC</p> <p>Gender: Male</p>	<p>As Commissioner of the Congolese National Police (PNC), Célestin Kanyama was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa.</p> <p>In July 2017, Célestin Kanyama was appointed Director-General of the PNC's training schools. Owing to his role as a senior PNC official, he bears responsibility for the recent human rights violations committed by the PNC. One example is the intimidation and deprivation of freedom imposed on journalists by police officers in October 2018, after the publication of a series of articles on the misappropriation of police cadet rations, and the role that Célestin Kanyama played in these events.</p> <p>Célestin Kanyama was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p>	12.12.2016
5	John NUMBI	<p>a.k.a. John Numbi Banza Tambo; John Numbi Banza Ntambo; Tambo Numbi</p> <p>DOB: 16.8.1962</p> <p>POB: Jadotville-Likasi-Kolwezi, DRC</p> <p>Nationality: DRC</p> <p>Address: 5, avenue Oranger, Kinshasa/Gombe, DRC</p> <p>Gender: Male</p>	<p>John Numbi was Inspector General of the Congolese Armed Forces (FARDC) from July 2018 until July 2020. Owing to his role, he bears responsibility for the recent human rights violations committed by the FARDC, such as disproportionate violence against illegal miners from June to July 2019 committed by FARDC troops under his direct authority.</p> <p>John Numbi was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p> <p>John Numbi retains a position of influence in the FARDC, especially in Katanga, where serious human rights violations committed by the FARDC have been reported.</p>	12.12.2016

	Name	Identifying information	Grounds for listing	Date of listing
6	Evariste BOSHAB	<p>a.k.a. Evariste Boshab Mabub Ma Bileng</p> <p>DOB: 12.1.1956</p> <p>POB: Tete Kalamba, DRC</p> <p>Nationality: DRC</p> <p>Diplomatic passport number: DP0000003 (valid from 21.12.2015 to 20.12.2020)</p> <p>Schengen visa expired on 5.1.2017</p> <p>Address: 3, avenue du Rail, Kinshasa/Gombe, DRC</p> <p>Gender: Male</p>	<p>In his capacity as Vice Prime Minister and Minister of Interior and Security from December 2014 to December 2016, Evariste Boshab was officially responsible for the police and security services and for coordinating the work of provincial governors. In this capacity, he was responsible for arrests of activists and opposition members, as well as disproportionate use of force, including between September 2016 and December 2016 in response to demonstrations in Kinshasa, which resulted in a large number of civilians being killed or injured by security services.</p> <p>Evariste Boshab was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p> <p>Evariste Boshab also played a part in the exploitation and aggravation of the crisis in the Kasai region, where he maintains a position of influence, in particular since becoming Senator of Kasai in March 2019.</p>	29.5.2017
7	Alex Kande MUPOMPA	<p>a.k.a. Alexandre Kande Mupomba; Kande-Mupompa</p> <p>DOB: 23.9.1950</p> <p>POB: Kananga, DRC</p> <p>Nationality: DRC and Belgian</p> <p>DRC passport number: OP0024910 (valid from 21.3.2016 to 20.3.2021)</p> <p>Addresses: Messidorlaan 217/25, 1180 Uccle, Belgium</p> <p>1, avenue Bumba, Kinshasa/Ngaliema, DRC</p> <p>Gender: Male</p>	<p>As Governor of Kasai Central until October 2017, Alex Kande Mupompa was responsible for the disproportionate use of force, violent repression and extrajudicial killings committed by security forces and the Congolese National Police (PNC) in Kasai Central from August 2016, including killings in the territory of Dibaya in February 2017.</p> <p>Alex Kande Mupompa was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p> <p>Alex Kande Mupompa also played a part in the exploitation and aggravation of the crisis in the Kasai region for which he was a representative until October 2019 and in which he maintains a position of influence as leader of the <i>Congrès des alliés pour l'action au Congo</i> (CAAC) which is part of the provincial government of Kasai.</p>	29.5.2017
8	Jean-Claude Kazembe MUSONDA	<p>DOB: 17.5.1963</p> <p>POB: Kashobwe, DRC</p> <p>Nationality: DRC</p> <p>Address: 7891, avenue Lubembe, Quartier Lido, Lubumbashi, Haut-Katanga, DRC</p>	<p>As Governor of Haut-Katanga until April 2017, Jean-Claude Kazembe Musonda was responsible for the disproportionate use of force and violent repression committed by security forces and the Congolese National Police (PNC) in Haut-Katanga, including between 15 and 31 December 2016, when 12 civilians were killed and 64 were injured as a result of the use of lethal force by security forces including PNC agents in response to protests in Lubumbashi.</p>	29.5.2017

	Name	Identifying information	Grounds for listing	Date of listing
		Gender: Male	Jean-Claude Kazembe Musonda was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC. Jean-Claude Kazembe Musonda is the leader of the CONAKAT party, which has remained loyal to the <i>Front Commun pour le Congo</i> (FCC).	
9	Éric RUHORIMBERE	a.k.a. Eric Ruhorimbere Ruhanga; “Tango Two”; “Tango Deux” DOB: 16.7.1969 POB: Minembwe, DRC Nationality: DRC Military ID number: 1-69-09-51400-64 DRC passport number: OB0814241 Address: Mbujimayi, Kasai Province, DRC Gender: Male	As Deputy Commander of the 21st military region from September 2014 to July 2018, Éric Ruhorimbere was responsible for the disproportionate use of force and extrajudicial killings perpetrated by the Congolese Armed Forces (FARDC), in particular against the Nsapu militia and women and children. Éric Ruhorimbere has been the Commander of the Nord Equateur operational sector since July 2018. Owing to his role, he bears responsibility for the recent human rights violations committed by the FARDC. Éric Ruhorimbere was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.	29.5.2017
10	Emmanuel Ramazani SHA-DARI	a.k.a. Emmanuel Ramazani Shadari Mulanda; Shadary DOB: 29.11.1960 POB: Kasongo, DRC Nationality: DRC Address: 28, avenue Ntela, Mont Ngafula, Kinshasa, DRC Gender: Male	As Vice Prime Minister and Minister of Interior and Security until February 2018, Emmanuel Ramazani Shadari was officially responsible for the police and security services and for coordinating the work of provincial governors. In this capacity, he was responsible for the arrests of activists and opposition members, as well as for the disproportionate use of force, such as the violent crackdown on members of the Bundu Dia Kongo (BDK) movement in Kongo Central, the repression in Kinshasa from January to February 2017 and the disproportionate use of force and violent repression in the Kasai provinces. In this capacity, Emmanuel Ramazani Shadari was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC. Since February 2018, Emmanuel Ramazani Shadari has been permanent secretary of the <i>Parti du peuple pour la reconstruction et le développement</i> (PPRD), the main party in the coalition under former President Joseph Kabila.	29.5.2017

	Name	Identifying information	Grounds for listing	Date of listing
11	Kalev MUTONDO	<p>a.k.a. Kalev Katanga Mutondo; Kalev Motono; Kalev Mutundo; Kalev Mutoid; Kalev Mutombo; Kalev Mutond; Kalev Mutondo Katanga; Kalev Mutund</p> <p>DOB: 3.3.1957</p> <p>Nationality: DRC</p> <p>DRC passport number: DB0004470 (valid from 8.6.2012 to 7.6.2017)</p> <p>Address: 24, avenue Ma Campagne, Kinshasa, DRC</p> <p>Gender: Male</p>	<p>As Head of the National Intelligence Service (ANR) until February 2019, Kalev Mutondo was involved in and responsible for the arbitrary arrest, detention and mistreatment of opposition members, civil society activists and others.</p> <p>Kalev Mutondo was therefore involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC.</p> <p>In May 2019, he signed a declaration of past and future loyalty to Joseph Kabila, to whom he remains close.</p> <p>Kalev Mutondo still wields a high degree of political influence, in his new role as “political advisor” to the Prime Minister of the DRC.</p>	29.5.2017

B. Entities'