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**COUNCIL REGULATION (EC) No 1183/2005
of 18 July 2005**

imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo

(OJ L 193, 23.7.2005, p. 1)

Amended by:

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| ► <u>M1</u> | Commission Regulation (EC) No 1824/2005 of 9 November 2005 | L 294 | 3 | 10.11.2005 |
| ► <u>M2</u> | Commission Regulation (EC) No 84/2006 of 18 January 2006 | L 14 | 14 | 19.1.2006 |
| ► <u>M3</u> | Council Regulation (EC) No 1791/2006 of 20 November 2006 | L 363 | 1 | 20.12.2006 |
| ► <u>M4</u> | Commission Regulation (EC) No 201/2007 of 23 February 2007 | L 59 | 73 | 27.2.2007 |
| ► <u>M5</u> | Commission Regulation (EC) No 400/2007 of 12 April 2007 | L 98 | 20 | 13.4.2007 |
| ► <u>M6</u> | Commission Regulation (EC) No 933/2007 of 3 August 2007 | L 204 | 5 | 4.8.2007 |
| ► <u>M7</u> | Commission Regulation (EC) No 1096/2007 of 20 September 2007 | L 246 | 29 | 21.9.2007 |
| ► <u>M8</u> | Commission Regulation (EC) No 242/2009 of 20 March 2009 | L 75 | 8 | 21.3.2009 |
| ► <u>M9</u> | Commission Regulation (EU) No 1250/2010 of 22 December 2010 | L 341 | 11 | 23.12.2010 |
| ► <u>M10</u> | Commission Implementing Regulation (EU) No 1097/2011 of 25 October 2011 | L 285 | 2 | 1.11.2011 |
| ► <u>M11</u> | Commission Implementing Regulation (EU) No 7/2012 of 5 January 2012 | L 4 | 1 | 7.1.2012 |
| ► <u>M12</u> | Commission Implementing Regulation (EU) No 1251/2012 of 20 December 2012 | L 352 | 42 | 21.12.2012 |
| ► <u>M13</u> | Commission Implementing Regulation (EU) No 53/2013 of 22 January 2013 | L 20 | 46 | 23.1.2013 |



COUNCIL REGULATION (EC) No 1183/2005
of 18 July 2005

imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60, 301 and 308 thereof,

Having regard to Common Position 2005/440/CFSP of 13 June 2005 concerning restrictive measures against the Democratic Republic of the Congo ⁽¹⁾,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament ⁽²⁾,

Whereas:

- (1) In view of the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, the UN Security Council, acting under Chapter VII of the Charter of the United Nations, adopted Resolution 1596 (2005) of 18 April 2005 providing, *inter alia*, for financial restrictive measures against persons designated by the competent United Nations Sanctions Committee as acting in violation of the arms embargo imposed against the Democratic Republic of the Congo by UN Security Council Resolutions 1493 (2003) and 1596 (2005).
- (2) Common Position 2005/440/CFSP provides, *inter alia*, for implementation of the financial restrictive measures against persons designated by the competent United Nations Sanctions Committee. Those measures fall within the scope of the Treaty. In order to avoid any distortion of competition Community measures are therefore necessary to implement them as far as the Community is concerned. For the purposes of this Regulation, the territory of the Community should be deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty.
- (3) For reasons of expediency, the Commission should be empowered to amend the Annexes to this Regulation.
- (4) In order to ensure that the measures provided for in this Regulation are effective, this Regulation should enter into force on the day of its publication.

⁽¹⁾ OJ L 152, 15.6.2005, p. 22.

⁽²⁾ Opinion delivered on 23 June 2005 (not yet published in the Official Journal).

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- (5) The Treaty, in Articles 60 and 301, empowers the Council to take, under certain conditions, measures aimed at the interruption or reduction of payments or movement of capital and of economic relations with regard to third countries. The measures laid down in this Regulation, targeted also at individual persons not directly linked to the government of a third country, are necessary to attain this objective of the Community and Article 308 of the Treaty empowers the Council to take such measures if no other specific powers are provided for in the Treaty,

HAS ADOPTED THIS REGULATION:

Article 1

For the purposes of this Regulation, the following definitions shall apply:

1. 'Sanctions Committee' means the Committee of the Security Council of the United Nations which was established pursuant to paragraph 8 of UN Security Council Resolution 1533 (2004);
2. 'funds' means financial assets and benefits of every kind, including but not limited to:
 - (a) cash, cheques, claims on money, drafts, money orders and other payment instruments;
 - (b) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
 - (c) publicly and privately traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
 - (d) interest, dividends or other income on or value accruing from or generated by assets;
 - (e) credit, right of set-off, guarantees, performance bonds or other financial commitments;
 - (f) letters of credit, bills of lading, bills of sale;
 - (g) documents evidencing an interest in funds or financial resources;
 - (h) any other instrument of export-financing;

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3. 'freezing of funds' means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
4. 'economic resources' means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds but can be used to obtain funds, goods or services;
5. 'freezing of economic resources' means preventing their use to obtain funds, goods or services in any way, including, but not limited to, the selling, hiring or mortgaging of them.

Article 2

1. All funds and economic resources belonging to, or owned or held by the natural or legal persons, entities or bodies listed in Annex I shall be frozen.
2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex I.
3. The participation, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to circumvent the measures referred to in paragraphs 1 and 2 shall be prohibited.

Article 3

1. By way of derogation from Article 2 the competent authorities of the Member States, as listed in Annex II, may authorise the release of certain frozen funds or economic resources or the making available of certain frozen funds or economic resources, under such conditions as they deem appropriate, after having determined that the funds or economic resources concerned are:
 - (a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
 - (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
 - (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources;

provided that the Member State concerned has notified this determination to the Sanctions Committee and the Sanctions Committee has not objected within four working days of such notification.

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2. By way of derogation from Article 2 the competent authorities of the Member States, as listed in Annex II, may authorise the release of certain frozen funds or economic resources or the making available of certain frozen funds or economic resources, after having determined that the funds or economic resources are necessary for extraordinary expenses, provided that this determination has been notified by the Member State to the Sanctions Committee and that the determination has been approved by that Committee.

Article 4

By way of derogation from Article 2, the competent authorities of the Member States as listed in Annex II may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the funds or economic resources are subject of a judicial, administrative or arbitral lien established prior to 18 April 2005 or of a judicial, administrative or arbitral judgement rendered prior to that date;
- (b) the funds or economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgement, within the limits set by applicable laws and regulations governing the rights of persons having such claims;
- (c) the lien or judgement is not for the benefit of a person, entity or body listed in Annex I;
- (d) recognising the lien or judgement is not contrary to public policy in the Member State concerned;
- (e) the lien or judgement has been notified by the Member State to the Sanctions Committee.

Article 5

1. Article 2(2) shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings 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 this Regulation,

provided that any such interest, other earnings and payments are frozen in accordance with Article 2(1).

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2. Article 2(2) shall not prevent the crediting of the frozen accounts by financial or credit institutions that receive funds transferred by third parties to the account of the person, entity or body listed in Annex I, provided that any such additions to such accounts will also be frozen. The financial or credit institutions shall inform the competent authorities about such transactions without delay.

Article 6

1. Without prejudice to the applicable rules concerning reporting, confidentiality and professional secrecy and to the provisions of Article 284 of the Treaty, natural and legal persons, entities and bodies shall:

- (a) supply immediately any information which would facilitate compliance with this Regulation, such as accounts and amounts frozen in accordance with Article 2, to the competent authorities of the Member States listed in Annex II where they are resident or located, and shall transmit such information, directly or through these competent authorities, to the Commission;
- (b) cooperate with the competent authorities listed in Annex II in any verification of this information.

2. Any additional information directly received by the Commission shall be made available to the competent authorities of the Member State concerned.

3. Any information provided or received in accordance with paragraphs 1 and 2 shall be used only for the purposes for which it was provided or received.

Article 7

The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen as result of negligence.

Article 8

The Commission and Member States shall immediately inform each other of the measures taken under this Regulation and shall supply each other with any other relevant information at their disposal in connection with this Regulation, in particular information in respect of violation and enforcement problems and judgements handed down by national courts.

Article 9

1. The Commission shall be empowered to:
- (a) amend Annex I on the basis of determinations made by the Sanctions Committee; and
 - (b) amend Annex II on the basis of information supplied by Member States.

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2. Without prejudice to the rights and obligations of the Member States under the Charter of the United Nations, the Commission shall maintain all necessary contacts with the Sanctions Committee for the purpose of the effective implementation of this Regulation.

Article 10

Member States shall lay down the rules on penalties applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive.

Member States shall notify those rules to the Commission without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.

Article 11

This Regulation shall apply

- (a) within the territory of the Community, including its airspace;
- (b) on board any aircraft or any vessel under the jurisdiction of a Member State;
- (c) to any person inside or outside the territory of the Community who is a national of a Member State;
- (d) to any legal person, entity or body which is incorporated or constituted under the law of a Member State;
- (e) to any legal person, entity or body doing business within the Community.

Article 12

This Regulation shall enter into force on the day 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.

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ANNEX I

List of natural and legal persons, entities or bodies referred to in Article 2

A. NATURAL PERSONS

- (1) Frank Kakolele **Bwambale** (*alias* (a) Frank Kakorere, (b) Frank Kakorere Bwambale). Nationality: Congolese. Function: FARDC General (without posting as of June 2011). Other information: (a) Left the CNDP in January 2008; (b) As of June 2011 resides in Kinshasa, DRC; (c) Since 2010 he has been involved in activities apparently on behalf of the DRC government's Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011; (d) Former RCD-ML leader. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (2) Jérôme **Kakwavu Bukande** (*alias* (a) Jérôme **Kakwavu**, (b) Commandant Jérôme). Title: General. Nationality: Congolese. Other information: (a) Former President of UCD/FAPC; (b) As of June 2011 detained in Makala Prison in Kinshasa. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (3) Gaston **Iyamuremye** (*alias*: (a) Rumuli, (b) Byiringiro Victor Rumuli, (c) Victor Rumuri, (d) Michel Byiringiro). Date of Birth: 1948. Place of Birth: (a) Musanze District (Northern Province), Rwanda; (b) Ruhengeri, Rwanda. Title: Brigadier General. Function: (a) FDLR President, (b) 2nd Vice-President of FDLR-FOCA. Nationality: Rwandan. Other information: (a) As of June 2011 based at Kalonge, North Kivu Province; (b) According to multiple sources, including the UNSC DRC Sanctions Committee's Group of Experts, Gaston Iyamuremye is the second vice president of the FDLR and is considered a core member of the FDLR military and political leadership; (c) Gaston Iyamuremye ran Ignace Murwanashyaka's (President of the FDLR) office in Kibua, DRC until December 2009. Date of designation referred to in Article 5(1)(b): 23.12.2010.
- (4) Germain **Katanga**. Title: General. Nationality: Congolese. Other information: (a) Handed over by the Government of the DR of the Congo to the International Criminal Court (ICC) on 18.10.2007; (b) FRPI chief. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (5) Thomas **Lubanga**. Place of birth: Ituri, DRC. Other information: (a) Transferred to the ICC by the Congolese authorities on 17.3.2006; (b) President of the UPC/L. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (6) Khawa Panga **Mandro** (*alias* (a) Kawa Panga, (b) Kawa Panga Mandro, (c) Kawa Mandro, (d) Yves Andoul Karim, (e) Chief Kahwa, (f) Kawa, (g) Mandro Panga Kahwa, (h) Yves Khawa Panga Mandro). Date of birth: 20.8.1973. Place of birth: Bunia, DRC. Nationality: Congolese. Other information: (a) Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges; (b) As of June 2011 detained at Makala Central Prison, Kinshasa; (c) Ex-President of PUSIC. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (7) Callixte **Mbarushimana**. Date of birth: 24.7.1963. Place of birth: Ndusu/Ruhengeri, Northern Province, Rwanda. Nationality: Rwandan. Other information: (a) Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011; (b) Executive Secretary of the FDLR and Vice-President of the FDLR military high command until his arrest. Date of designation referred to in Article 5(1)(b): 21.3.2009.

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- (8) Iruta Douglas **Mpamo** (*alias* (a) Mpano, (b) Douglas Iruta Mpamo). Date of birth: (a) 28.12.1965, (b) 29.12.1965. Place of birth: (a) Bashali, Masisi, DRC (refers to date of birth (a)), (b) Goma, DRC (refers to date of birth (b), (c) Uvira). Nationality: Congolese. Other information: (a) As of June 2011 resides in Gisenyi, Rwanda; (b) Owner/Manager of the Compagnie Aérienne des Grands Lacs and of Great Lakes Business Company. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (9) Sylvestre **Mudacumura** (*alias* (a) Radja, (b) Mupenzi Bernard, (c) General Major Mupenzi, (d) General Mudacumura). Function: (a) Military commander of FDLR-FOCA; (b) political 1st Vice-President and head of FOCA High Command. Nationality: Rwandan. Other information: As of June 2011 based at Kikoma forest, near Bogoyi, Walikale, North Kivu. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (10) Leodomir **Mugaragu** (*alias*: (a) Manzi Leon, (b) Leo Manzi). Date of Birth: (a) 1954, (b) 1953. Place of Birth: (a) Kigali, Rwanda, (b) Rushashi (Northern Province), Rwanda. Function: FDLR-FOCA Chief of Staff, in charge of administration. Other information: (a) According to open-source and official reporting, Leodomir Mugaragu is the Chief of Staff of the Forces Combattantes Abucunguzi/Combatant Force for the Liberation of Rwanda (FOCA), the FDLR's armed wing; (b) According to official reporting Mugaragu is a senior planner for FDLR's military operations in the eastern DRC; (c) As of June 2011 based at the FDLR HQ at Kikoma forest, Bogoyi, Walikale, North Kivu. Date of designation referred to in Article 5(1)(b): 23.12.2010.
- (11) Leopold **Mujambere** (*alias* (a) Musenyeri, (b) Achille, (c) Frere Petrus Ibrahim. Date of birth: (a) 17.3.1962, (b) 1966 (estimated). Place of birth: Kigali, Rwanda. Nationality: Rwandan. Other information: (a) As of June 2011 Commander of the South Kivu operational sector now called 'Amazon' of FDLR-FOCA; (b) Based at Nyakaleke (south-east of Mwenga, South Kivu). Date of designation referred to in Article 5(1)(b): 21.3.2009.
- (12) Ignace **Murwanashyaka** (*alias* Ignace). Title: Dr Date of birth: 14.5.1963. Place of birth: (a) Butera, Rwanda; (b) Ngoma, Butare, Rwanda. Nationality: Rwandan. Other information: (a) President of the FDLR and supreme commander of the FDLR armed forces; (b) Arrested by German authorities on 17 November 2009. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (13) Straton **Musoni** (*alias* I.O. Musoni). Date of birth: (a) 6.4.1961, (b) 4.6.1961. Place of birth: Mugambazi, Kigali, Rwanda. Nationality: Rwandan. Other information: (a) Arrested by German authorities on 17 November 2009; (b) Replaced as 1st Vice-President of the FDLR. Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (14) Jules **Mutebutsi** (*alias* (a) Jules Mutebusi, (b) Jules Mutebuzi, (c) Colonel Mutebutsi). Place of birth: 1964 Minembwe South Kivu, DRC. Nationality: Congolese. Other information: (a) Former FARDC Deputy Military Regional Commander of 10th Military Region; (b) In December 2007 arrested by Rwandan authorities and has lived since in semi-liberty in Kigali (not authorised to leave the country). Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (15) Mathieu Chui **Ngudjolo** (*alias* Cui Ngudjolo). Other information: (a) Arrested by MONUC in Bunia in October 2003; (b) Surrendered by the Government of the DR of the Congo to the International Criminal Court on 7 February 2008. Date of designation referred to in Article 5(1)(b): 10.11.2005.

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- (16) Floribert Ngabu **Njabu** (*alias* (a) Floribert Njabu, (b) Floribert Ndjabu, (c) Floribert Ngabu, (d) Ndjabu). Other information: (a) President of FNI; (b) Under house arrest in Kinshasa since March 2005; (c) Transferred to The Hague on 27 March 2011 to testify in the ICC trials. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (17) Laurent **Nkunda** (*alias* (a) Laurent Nkunda Bwatere, (b) Laurent Nkundabatware, (c) Laurent Nkunda Mahoro Batware, (d) Laurent Nkunda Batware, (e) General Nkunda, (f) Nkunda Mihigo Laurent, (g) Chairman, (h) Papa Six). Date of birth: (a) 6.2.1967, (b) 2.2.1967. Place of birth: North Kivu/Rutshuru, DRC (refers to date of birth (a)). Nationality: Congolese. Other information: (a) Former RCD-G General; (b) Founder, National Congress for the People's Defense, 2006; (c) Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; (d) Officer Rwandan Patriotic Front (RPF), 1992-1998; (e) Arrested by Rwandan authorities in Rwanda in January 2009 and replaced as commander of the CNDP; (f) Under house arrest in Kigali. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (18) Félicien **Nsanzubukire** (*alias* Fred Irakeza). Function: 1st battalion leader of the FDLR-FOCA (based in the Uvira-Sange area of South Kivu). Date of birth: 1967. Place of birth: Murama, Kinyinya, Rubungo, Kigali, Rwanda. Nationality: Rwandan. Other information: (a) Member of the FDLR since at least 1994 and operating in eastern DRC since October 1998; (b) As of June 2011 based in Magunda, Mwenga territory, South Kivu. Date of designation referred to in Article 5(1)(b): 23.12.2010.
- (19) Pacifique **Ntawunguka** (*alias* (a) Colonel Omega, (b) Nzeri, (c) Israel, (d) Pacifique Ntawungula). Function: Commander, Operational Sector North Kivu 'SONOKI' of FDLR-FOCA. Date of birth: (a) 1.1.1964, (b) 1964 (estimated). Place of birth: Gaseke, Gisenyi Province, Rwanda. Nationality: Rwandan. Other information: As of June 2011 based at Matembe, North Kivu. Date of designation referred to in Article 5(1)(b): 21.3.2009.
- (20) James **Nyakuni**. Nationality: Ugandan. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (21) Stanislas **Nzeyimana** (*alias* (a) Deogratias Bigaruka Izabayo, (b) Bigaruka, (c) Bigurura, (d) Izabayo Deo (e) Jules Mateso Mlamba). Function: Deputy Commander of the FDLR-FOCA. Date of birth: (a) 1.1.1966, (b) 1967 (estimated), (c) 28.8.1966. Place of birth: Mugusa (Butare), Rwanda. Nationality: Rwandan. Other information: As of June 2011 based at Mukoberwa, North Kivu. Date of designation referred to in Article 5(1)(b): 21.3.2009.
- (22) Dieudonné **Ozia Mazio** (*alias* (a) Ozia Mazio, (b) Omari, (c) Mr Omari). Function: President of FEC in Aru territory. Date of birth: 6.6.1949. Place of birth: Ariwara, DRC. Nationality: Congolese. Other information: Believed to have deceased in Ariwara on 23 September 2008. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (23) Bosco **Taganda** (*alias* (a) Bosco Ntaganda, (b) Bosco Ntagenda, (c) General Taganda, (d) Lydia, (e) Terminator, (f) Tango, (g) Tango Romeo, (h) Major. Title: Brigadier-General. Function: *de facto* Deputy Commander of consecutive anti-FDLR operations 'Umoja Wetu', 'Kimia II', and 'Amani Leo' in North and South Kivu (since January 2009). Nationality: Congolese. Date of birth: (a) 1973, (b) 1974. Place of birth: Bigogwe, Rwanda. Other information: (a) Moved to Nyamitaba, Masisi territory, North Kivu, when he was a child; (b) As of June 2011 resides in Goma and owns large farms in Ngungu area, Masisi territory, North Kivu; (c) Nominated FARDC Brigadier-General by Presidential Decree on

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11 December 2004, following Ituri peace agreements; (d) Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009; (e) UPC/L military commander; (f) CNDP Chief of Staff. Date of designation referred to in Article 5(1)(b): 10.11.2005.

- (24) Innocent **Zimurinda** (*alias* Zimulinda). Title: Lieutenant Colonel. Date of Birth: (a) 1.9.1972, (b) 1975. Place of Birth: Ngungu, Masisi Territory, North Kivu Province, DRC. Title: Colonel. Nationality: Congolese. Other information: (a) Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area; (b) In July 2009 promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations; (c) Whereas he did not appear in the 31 December 2010 DRC Presidential ordinance nominating high FARDC officers, he *de facto* maintained his command position of FARDC 22nd sector in Kitchanga and wears the newly issued FARDC rank and uniform. Date of designation referred to in Article 5(1)(b): 23.12.2010.

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- (25) Jamil **Mukulu** (*alias* (a) Professor Musharaf, (b) Steven Alirabaki, (c) David Kyagulanyi (d) Musezi Talengelanimiro (e) Mzee Tutu (f) Abdullah Junjuaka (g) Alilabaki Kyagulanyi, (h) Hussein Muhammad (i) Nicolas Luumu (j) Talengelanimiro. Date of birth: (a) 1965 (b) 1 January 1964. Place of birth: Ntoke Village, Ntenjeru Sub County, Kayunga District, Uganda. Function: (a) Head of the Allied Democratic Forces (ADF) (b) Commander, Allied Democratic Forces. Nationality: Ugandan. Other information: According to open-source and official reporting, including the UNSC DRC Sanctions Committee's Group of Experts' reports, Jamil Mukulu is the military leader of the Allied Democratic Forces (ADF), a foreign armed group operating in the DRC that impedes the disarmament and voluntary repatriation or resettlement of ADF combatants, as described in paragraph 4(b) of resolution 1857 (2008). The UNSC DRC Sanction Committee's Group of Experts has reported that Jamil Mukulu has provided leadership and material support to the ADF, an armed group operating in the territory of the DRC. According to multiple sources including the UNSC DRC Sanctions Committee's Group of Experts' reports, Jamil Mukulu has also continued to exercise influence over the policies, provided financing, and maintained direct command and control over the activities of ADF forces in the field, including overseeing links with international terrorist networks. Date of designation referred to in Article 5(1)(b): 12.10.2011.

- (26) Ntabo Ntaberi **Sheka**. Date of birth: 4 April 1976. Place of birth: Walikale Territory, Democratic Republic of the Congo. Function: Commander-in-Chief, Nduma Defence of Congo, Mayi Mayi Sheka group. Nationality: Congolese. Other information: Ntabo Ntaberi Sheka, Commander-in-Chief of the political branch of the Mayi Mayi Sheka, is the political leader of a Congolese armed group that impedes the disarmament, demobilisation, or reintegration of combatants. The Mayi Mayi Sheka is a Congo-based militia group that operates from bases in Walikale territory in eastern DRC. The Mayi Mayi Sheka group has carried out attacks on mines in eastern DRC, including taking over the Bisiye mines and extorting from locals. Ntabo Ntaberi Sheka has also committed serious violations of international law involving the targeting of children. Ntabo Ntaberi Sheka planned and ordered a series of attacks in Walikale territory from 30 July to 2 August 2010, to punish local populations accused of collaborating with Congolese government forces. In the course of the attacks, children were raped and were abducted, subjected to forced labour and subjected to cruel, inhumane or degrading treatment. The Mayi Mayi Sheka militia group also forcibly recruits boys and holds children in their ranks from recruitment drives. Date of designation referred to in Article 5(1)(b): 28.11.2011.

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- (27) Sultani **Makenga** (*alias* (a) Colonel Sultani Makenga, (b) Emmanuel Sultani Makenga). Date of birth: 25 December 1973. Place of birth: Rutshuru, Democratic Republic of the Congo. Nationality: Congolese. Other information: Military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo. Date of designation referred to in Article 5(1)(b): 12.11.2012.
- (28) Baudoin **Ngaruye Wa Myamuro** (*alias* Colonel Baudoin Ngaruye). Date of Birth: 1978. Place of Birth: Lusamambo, Lubero territory, Democratic Republic of the Congo. Other information: Military leader of the Mouvement du 23 Mars (M23). FARDC ID: 1-78-09-44621-80. Date of designation referred to in Article 5(1)(b): 30.11.2012.
- (29) Innocent **Kaina** (*alias* (a) Colonel Innocent Kaina, (b) India Queen). Place of Birth: Bunagana, Rutshuru territory, Democratic Republic of the Congo. Date of designation referred to in Article 5(1)(b): 30.11.2012.

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- (30) Eric **Badege**. Date of birth: 1971. Date of designation referred to in Article 5(1)(b): 31.12.2012.
- (31) Jean-Marie Lugerero **Runiga**. Date of Birth: Approximately 1960. Date of designation referred to in Article 5(1)(b): 31.12.2012.

▼ **M10**

B. LEGAL PERSONS, ENTITIES AND BODIES

- (1) **Butembo Airlines** (*alias* BAL). Address: Butembo, DRC. Other information: Since December 2008, BAL no longer holds an aircraft operating license in the DRC. Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (2) **Congomet Trading House**. Address: Butembo, North Kivu, DRC. Other information: (a) No longer exists as a gold trading house in Butembo, North Kivu; (b) Formerly listed as CONGOCOM. Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (3) **Compagnie Aérienne des Grands Lacs** (CAGL), (*alias* Great Lakes Business Company (GLBC)). Address: (a) CAGL: Avenue President Mobutu, Goma, (CAGL also has an office in Gisenyi, Rwanda); (b) GLBC: PO Box 315, Goma, DRC (GLBC also has an office in Gisenyi, Rwanda). Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (4) **Machanga Ltd** Address: Kampala, Uganda. Other information: (a) Gold export company (Directors: Mr Rajendra Kumar Vaya and Mr Hirendra M. Vaya); (b) In 2010 assets belonging to Machanga held in the account of Emirates Gold were frozen by Bank of Nova Scotia Mocatta (UK). Date of designation referred to in Article 5(1)(b): 13.4.2007.
- (5) **Tous Pour la Paix et le Développement** (*alias* TPD). Address: Goma, North Kivu, DRC. Other information: (a) TPD is a non-governmental organisation; (b) Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema; (c) Officially suspended all activities since 2008; (d) In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community reconciliation initiatives, land conflict settlements, etc. Date of designation referred to in Article 5(1)(b): 10.11.2005.
- (6) **Uganda Commercial Impex (UCI) Ltd** Address: (a) Kajoka Street, Kisemente, Kampala, Uganda, (b) PO Box 22709, Kampala, Uganda. Other information: (a) Gold export company (Former directors: Mr Kunal Lodhia

▼ M10

and Mr J.V. Lodhia); (b) In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts. Date of designation referred to in Article 5(1)(b): 13.4.2007.

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- (7) **Forces Democratiques De Liberation Du Rwanda** (*alias* (a) FDLR, (b) Force Combattante Abacunguzi, (c) FOCA, (d) Combatant Force for the Liberation of Rwanda). E-mail addresses: Fdlr@fmx.de; fldrse@yahoo.fr; fdlr@gmx.net. Location: North and South Kivu, Democratic Republic of the Congo. Date of designation referred to in Article 5(1)(b): 31.12.2012.
- (8) **M23** (*alias* Mouvement Du 23 Mars). Date of designation referred to in Article 5(1)(b): 31.12.2012.

▼B*ANNEX II***List of competent authorities referred to in Articles 3, 4, 5 and 6**

BELGIUM

Federale Overheidsdienst Financiën
Thesaurie
Kunstlaan 30
B-1040 Brussel
Fax: 00 32 2 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

Service Public Fédéral des Finances
Trésorerie
30 Avenue des Arts
B-1040 Bruxelles
Fax: 00 32 2 233 74 65
E-mail: Quesfinvragen.tf@minfin.fed.be

▼M3

BULGARIA

Министерство на финансите
ул. 'Г.С. Раковски' № 102
София 1000
Тел: (359-2) 985 91
Факс: (359-2) 988 1207
E-mail: feedback@minfin.bg

Ministry of Finance
102 'G.S. Rakovsky' street
Sofia 1000
Tel.: (359-2) 985 91
Fax: (359-2) 988 1207
E-mail: feedback@minfin.bg

▼B

CZECH REPUBLIC

Ministerstvo financí
Finanční analytický útvar
P.O. BOX 675
Jindřišská 14
111 21 Praha 1
Tel.: + 420 2 5704 4501
Fax: + 420 2 5704 4502

Ministerstvo zahraničních věcí
Odbor společné zahraniční a bezpečnostní politiky EU
Loretánské nám. 5
118 00 Praha 1
Tel.: + 420 2 2418 2987
Fax: + 420 2 2418 4080

DENMARK

Erhvervs- og Byggestyrelsen
Langelinie Allé 17
DK-2100 København K
Tlf. (45) 35 46 62 81
Fax (45) 35 46 62 03

Udenrigsministeriet
Asiatisk Plads 2
DK-1448 København K
Tlf. (45) 33 92 00 00
Fax (45) 32 54 05 33

Justitsministeriet
Slotholmsgade 10
DK-1216 København K
Tlf. (45) 33 92 33 40
Fax (45) 33 93 35 10

▼B

GERMANY

Concerning freezing of funds:

Deutsche Bundesbank
Servicezentrum Finanzsanktionen
Postfach
D-80281 München
Tel. (49) 89 28 89 38 00
Fax (49) 89 35 01 63 38 00

Concerning technical assistance:

Bundesamt für Wirtschaft und Ausfuhrkontrolle (BAFA)
Frankfurter Straße 29—35
D-65760 Eschborn
Tel. (49) 61 96 908-0
Fax (49) 61 96 908-800

ESTONIA

Eesti Välisministeerium
Islandi väljak 1
15049 Tallinn
Tel.: + 372 6317 100
Faks: + 372 6317 199

Finantsinspektsioon
Sakala 4
15030 Tallinn
Tel.: + 372 6680 500
Faks: + 372 6680 501

GREECE

A. Freezing of Assets

Ministry of Economy and Finance
General Directory of Economic Policy
Address: 5 Nikis Str.
10 563 Athens — Greece
Tel.: + 30 210 3332786
Fax: + 30 210 3332810

A. Δέσμευση κεφαλαίων

Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/ση Οικονομικής Πολιτικής
Δ/ση: Νίκης 5
10 563 Αθήνα
Τηλ.: + 30 210 3332786
Φαξ: + 30 210 3332810

B. Import-Export restrictions

Ministry of Economy and Finance
General Directorate for Policy Planning and Management
Address Kornaroy Str.
10 563 Athens
Tel.: + 30 210 3286401-3
Fax: + 30 210 3286404

B. Περιορισμοί εισαγωγών — εξαγωγών

Υπουργείο Οικονομίας και Οικονομικών
Γενική Δ/ση Σχεδιασμού και Διαχείρισης Πολιτικής
Δ/ση: Κορνάρου 1
T.K. 10 563 Αθήνα — Ελλάδα
Τηλ.: + 30 210 3286401-3
Φαξ: + 30 210 3286404

▼B

SPAIN

Dirección General del Tesoro y Política Financiera
Subdirección General de Inspección y Control de Movimientos de Capitales
Ministerio de Economía
Paseo del Prado, 6
E-28014 Madrid
Tel. (34) 912 09 95 11

Dirección General de Comercio e Inversiones
Subdirección General de Inversiones Exteriores
Ministerio de Industria, Comercio y Turismo
Paseo de la Castellana, 162
E-28046 Madrid
Tel. (34) 913 49 39 83

FRANCE

Ministère de l'économie, des finances et de l'industrie
Direction générale du Trésor et de la politique économique
Service des affaires multilatérales et du développement
Sous-direction Politique commerciale et investissements Service Services, Investissements et Propriété intellectuelle
139, rue du Bercy
75572 Paris Cedex 12
Tél.: (33) 1 44 87 72 85
Télécopieur: (33) 1 53 18 96 55

Ministère des affaires étrangères
Direction générale des affaires politiques et de sécurité
Direction des Nations unies et des organisations internationales
Sous-direction des affaires politiques
Tél.: (33) 1 43 17 59 68
Télécopieur (33) 1 43 17 46 91
Service de la politique étrangère et de sécurité commune
Tél.: (33) 1 43 17 45 16
Télécopieur: (33) 1 43 17 45 84

IRELAND

United Nations Section
Department of Foreign Affairs
Iveagh House
79-80 Saint Stephen's Green
Dublin 2
Tel.: + 353 1 478 0822
Fax: + 353 1 408 2165

Central Bank and Financial Services Authority of Ireland
Financial Markets Department
Dame Street
Dublin 2
Tel.: + 353 1 671 6666
Fax: + 353 1 679 8882

ITALY

Ministero degli Affari Esteri
Piazzale della Farnesina, 1
I-00194 Roma
D.G.A.S. — Ufficio III
Tel. (39) 06 3691 8221
Fax. (39) 06 3691 5296

Ministero dell'Economia e delle Finanze
Dipartimento del Tesoro
Comitato di Sicurezza Finanziaria
Via XX Settembre, 97
I-00187 Roma
Tel. (39) 06 4761 3942
Fax. (39) 06 4761 3032

▼B

CYPRUS

Ministry of Commerce, Industry and Tourism
6 Andrea Araouzou
1421 Nicosia
Tel: + 357 22 86 71 00
Fax: + 357 22 31 60 71

Central Bank of Cyprus
80 Kennedy Avenue
1076 Nicosia
Tel: + 357 22 71 41 00
Fax: + 357 22 37 81 53

Ministry of Finance (Department of Customs)
M. Karaoli
1096 Nicosia
Tel: + 357 22 60 11 06
Fax: + 357 22 60 27 41/47

LATVIA

Latvijas Republikas Prokuratūra
Noziedzīgi iegūtu līdzekļu legalizācijas novēršanas dienests
Kalpaka bulvāris 6
Rīga, LV 1801
Tāl. Nr. (371) 70144431
Fakss: (371) 7044804
E-pasts: gen@lrp.gov.lv

Latvijas Republikas Ārlietu ministrija
Brīvības iela 36
Rīga, LV 1395
Tāl. Nr. (371) 7016201
Fakss: (371) 7828121
E-pasts: mfa.cha@mfa.gov.lv

LITHUANIA

Security Policy Department
Ministry of Foreign Affairs of the Republic of Lithuania
J. Tumo-Vaižganto 2
LT-01511 Vilnius
Lithuania
Tel. (370-5) 236 25 16
Faks. (370-5) 236 30 90

LUXEMBOURG

Ministère des Affaires étrangères et de l'Immigration
Direction des Relations économiques internationales
5, rue Notre-Dame
L-2240 Luxembourg
Tél.: (352) 478 2346
Fax: (352) 22 20 48

Ministère des Finances
3, rue de la Congrégation
L-1352 Luxembourg
Tél.: (352) 478 2712
Fax: (352) 47 52 41

HUNGARY

Hungarian National Police Headquarters
Teve u. 4–6.
H-1139 Budapest
Hungary
Tel./fax: + 36-1-443-5554

▼B

Országos Rendőrfőkapitányság
1139 Budapest, Teve u. 4–6.
Magyarország
Tel./fax: + 36-1-443-5554

Ministry of Finance
József nádor tér. 2–4.
H-1051 Budapest
Hungary
Postbox: 1369 Pf.: 481
Tel.: + 36-1-318-2066, + 36-1-327-2100
Fax: + 36-1-318-2570, + 36-1-327-2749

Pénzügyminisztérium
1051 Budapest, József nádor tér. 2–4.
Magyarország
Postafiók: 1369 Pf.: 481
Tel.: + 36-1-318-2066, + 36-1-327-2100
Fax: + 36-1-318-2570, + 36-1-327-2749

Ministry of Economic Affairs and Transport (in view of Article 4)
Hungarian Trade Licencing Office
Margit krt.85.
H-1024 Budapest Hungary
Postbox: 1537 Pf.: 345
Tel.: + 36-1-336-7327

Gazdasági és Közlekedési Minisztérium – Kereskedelmi
Engedélyezési Hivatal
Margit krt.85.
H-1024 Budapest Magyarország
Postafiók: 1537 Pf.: 345
Tel.: + 36-1-336-7327

MALTA

Bord ta' Sorveljanza dwar is-Sanzjonijiet
Ministeru ta' l-Affarjiet Barranin
Palazzo Parisio
Triq il-Merkanti
Valletta CMR 02
Tel.: + 356 21 24 28 53
Fax: + 356 21 25 15 20

NETHERLANDS

De minister van Financiën
De Directie Financiële Markten/Afdeling Integriteit
Postbus 20201
NL-2500 EE Den Haag
Tel.: 070-342 8997
Fax: 070-342 7984

AUSTRIA

Oesterreichische Nationalbank
Otto Wagner Platz 3
A-1090 Wien
Tel. (+ 43-1) 404 20-0
Fax (+ 43-1) 404 20-7399

POLAND

Main authority:

Ministry of Finance
General Inspector of Financial Information (GIFF)
ul. Świętokrzyska 12
00-916 Warsaw
Poland
Tel. (+ 48 22) 694 59 70
Fax. (+ 48 22) 694 54 50

▼B*Coordinating authority:*

Ministry of Foreign Affairs
 Department of Law and Treaties
 Al. J. Ch. Szucha 23
 00-580 Warsaw
 Poland
 Tel. (+ 48 22) 523 94 27 or 93 48
 Fax. (+ 48 22) 523 83 29

PORTUGAL

Ministério dos Negócios Estrangeiros
 Direcção-Geral dos Assuntos Multilaterais
 Largo do Rilvas
 P-1350-179 Lisboa
 Tel. (351) 21 394 67 02
 Fax (351) 21 394 60 73

Ministério das Finanças
 Direcção-Geral dos Assuntos Europeus e Relações Internacionais
 Avenida Infante D. Henrique n.º 1, C, 2.º
 P-1100 Lisboa
 Tel. (351) 21 882 3390/8
 Fax (351) 21 882 3399

▼M3

ROMANIA

Ministerul Afacerilor Externe
 Aleea Alexandru, nr. 31
 Sector 1, Bucureşti
 Tel.: (40) 21 319 2183
 Fax: (40) 21 319 2226
 e-mail: cabinet@mae.ro

Ministerul Finanţelor Publice
 Strada Apolodor nr. 17,
 Sector 5, Bucureşti
 Tel.: (40) 21 319 9743
 Fax: (40) 21 312 1630
 e-mail: cabinet.ministru@mfinante.ro

Ministerul Economiei şi Comerţului
 Calea Victoriei, nr. 152
 Sector 1, Bucureşti
 Tel.: (40) 21 231 02 62
 Fax: (40) 21 312 05 13

▼B

SLOVENIA

Ministry of Foreign Affairs
 Prešernova 25
 SI-1000 Ljubljana
 Tel.: 00386 1 4782000
 Faks: 00386 1 4782341

Ministry of the Economy
 Kotnikova 5
 SI-1000 Ljubljana
 Tel.: 00386 1 4783311
 Faks: 00386 1 4331031

Ministry of Defence
 Kardeljeva pl. 25
 SI-1000 Ljubljana
 Tel.: 00386 1 4712211
 Faks: 00386 1 4318164

SLOVAKIA

Ministerstvo financií Slovenskej republiky
 Štefanovičova 5
 P.O. BOX 82
 817 82 Bratislava
 Tel.: 00421/2/5958 1111
 Fax: 00421/2/5249 8042

▼ B

Ministerstvo zahraničných vecí Slovenskej republiky
Hlboká cesta 2
83336 Bratislava
Tel: 00421/2/5978 1111
Fax: 00421/2/5978 3649

FINLAND

Ulkoasiainministeriö/Utrikesministeriet
PL/PB 176
FIN-00161 Helsinki/Helsingfors
P./Tfn (358-9) 16 00 5
Faksi/Fax (358-9) 16 05 57 07

SWEDEN

Articles 3 and 4:

Försäkringskassan
103 51 Stockholm
Tfn (46-8) 786 90 00
Fax (46-8) 411 27 89

Articles 5 and 6:

Finansinspektionen
Box 6750
113 85 Stockholm
Tfn (46-8) 787 80 00
Fax (46-8) 24 13 35

UNITED KINGDOM

HM Treasury
Financial Systems and International Standards
1, Horse Guards Road
London SW1A 2HQ
United Kingdom
Tel. + 44 (0) 20 7270 5977
Fax. + 44 (0) 20 7270 5430

Bank of England
Financial Sanctions Unit
Threadneedle Street
London EC2R 8AH
United Kingdom
Tel. + 44 (0) 20 7601 4768
Fax. + 44 (0) 20 7601 4309

▼ M12

Address for notifications to the European Commission:

European Commission
Service for Foreign Policy Instruments (FPI)
Office EEAS 02/309
B-1049 Bruxelles/Brussel (Belgium)
E-mail: relex-sanctions@ec.europa.eu