Council Implementing Regulation (EU) 2018/1115 of 10 August 2018 implementing Article 20(1) of Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan

COUNCIL IMPLEMENTING REGULATION (EU) 2018/1115

of 10 August 2018

implementing Article 20(1) of Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2015/735 of 7 May 2015 concerning restrictive measures in respect of the situation in South Sudan, and repealing Regulation (EU) No 748/2014[(1)], and in particular Article 20(1) thereof,

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

Whereas:

(1) On 7 May 2015, the Council adopted Regulation (EU) 2015/735.

(2) On 13 July 2018, the United Nations Security Council adopted Resolution 2428 (2018) which notably adds two persons to the list of persons and entities subject to restrictive measures. These persons should therefore be added to Annex I to Regulation (EU) 2015/735. Since these two persons were already designated under Annex II to Regulation (EU) 2015/735, they should therefore be removed from Annex II to Regulation (EU) 2015/735 in order that they be designated under Annex I.

(3) Annex I and II to Regulation (EU) 2015/735 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2015/735 is hereby amended as set out in Annex I to this Regulation.

Article 2

Annex II to Regulation (EU) 2015/735 is hereby amended as set out in Annex II to this Regulation.

Article 3

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.

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2018/1115. (See end of Document for details)*

Done at Brussels, 10 August 2018.

For the Council

The President

G. BLÜMEL

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2018/1115. (See end of Document for details)*

ANNEX I

The following persons are added to the list set out in Annex I to Regulation (EU) 2015/735:

7. **Malek REUBEN RIAK RENGU (alias: a) Malek Ruben)**

Title: Lieutenant General

Designation: a) Deputy Chief of General Staff for Logistics; b) Deputy Chief of Defence Staff and Inspector General of the Army

Date of birth: 1 Jan. 1960

Place of birth: Yei, South Sudan

Nationality: South Sudan

Date of UN designation: 13 July 2018

Other information: As SPLA Deputy Chief of Staff for Logistics, Riak was one of the senior officials of the Government of South Sudan who planned and oversaw an offensive in Unity state in 2015 that resulted in widespread destruction and large population displacement.

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

Malek Ruben Riak was listed on 13 July 2018 pursuant to paragraphs 6, 7 (a), and 8 of resolution 2206 (2015), as reaffirmed in resolution 2418 (2018), for "actions or policies that threaten the peace, security or stability of South Sudan"; "Actions or policies that have the purpose or effect of expanding or extending the conflict in South Sudan …," and as a leader "of any entity, including any South Sudanese government, opposition, militia, or other group, that has, or whose members have, engaged in any of the activities described in paragraphs 6 and 7," and pursuant to paragraph 14 (e) of this resolution for "planning, directing, or committing acts involving sexual and gender-based violence in South Sudan".

According to the report by the Panel of Experts on South Sudan in January 2016 (S/2016/70), Riak was one of a group of senior security officials who planned a Unity state offensive against the SPLM-IO beginning in January 2015, and subsequently oversaw its execution from late April 2015 onwards. The Government of South Sudan began arming Bul Nuer youth in early 2015 to facilitate their participation in the offensive. Most Bul Nuer youth already had access to AK-pattern automatic rifles, but ammunition was critical to sustaining their operations. The Panel of Experts reported evidence, including testimony from military sources, that ammunition was supplied to youth groups by SPLA headquarters specifically for the offensive. Riak was the SPLA Deputy Chief of Staff for Logistics at the time. The offensive resulted in systematic destruction of villages and infrastructure, the forced displacement of the local population, the indiscriminate killing and torturing of civilians, the widespread use of sexual violence, including against the elderly and children, the abduction and recruitment of children as soldiers, and large population displacement. Following the destruction of much of the southern and central parts of the state, numerous media and humanitarian organisations, as well as the United Nations Mission in South Sudan (UNMISS) published reports about the scale of the abuses that were perpetrated.

8. **Paul MALONG AWAN (alias: a) Paul Malong Awan Anei, b) Paul Malong, c) Bol Malong)**

Title: General