Council Implementing Regulation (EU) 2017/904 of 29 May 2017 implementing Article 9(2) of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo

COUNCIL IMPLEMENTING REGULATION (EU) 2017/904

of 29 May 2017

implementing Article 9(2) of Regulation (EC) No 1183/2005 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 on the Functioning of the European Union,

Having regard to 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[(1)], and in particular Article 9(2) thereof,

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

Whereas:

(1) On 18 July 2005, the Council adopted Regulation (EC) No 1183/2005.

(2) On 12 December 2016, the Council adopted Regulation (EU) 2016/2230[(2)] in response to the obstruction of the electoral process and the related human rights violations in the Democratic Republic of the Congo (DRC). On 6 March 2017, the Council adopted conclusions expressing its deep concern at the political situation in DRC caused by the blockage in the implementation of the inclusive political agreement of 31 December 2016, as well as by the security situation in several parts of the country, where the disproportionate use of force has been observed.

(3) In view of the gravity of the situation in DRC, nine persons should be added to the list of persons and entities subject to restrictive measures in Annex Ia to Regulation (EC) No 1183/2005.

(4) Annex Ia to Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex Ia to Regulation (EC) No 1183/2005 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, 29 May 2017.

For the Council

The President

C. CARDONA

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2017/904. (See end of Document for details)*

ANNEX

The following persons are added to the list of persons and entities set out in Annex Ia to Regulation (EC) No 1183/2005:

A. Persons

	Name	**Identifying information**	**Grounds for designation**	**Date of listing**
‘8.	Evariste Boshab, former Vice Prime Minister and Minister of Interior and Security	a.k.a Evariste Boshab Mabub Ma Bileng. DOB: 12.1.1956. POB: Tete Kalamba (DRC). Diplomatic passport number: DP 0000003 (valid: 21.12.2015 – expiry: 20.12.2020). Schengen visa expired on 5.1.2017. DRC nationality.	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 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. Evariste Boshab was therefore involved in	29.5.2017

Changes to legislation: *There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2017/904. (See end of Document for details)*

			planning, directing, or committing acts that constitute serious human rights violations in DRC.	
9.	Gédéon Kyungu Mutanga	DOB: circa 1974 in Tanganyika province. DRC nationality.	As he was the leader of the Bakata Katanga militia between 2011 and 2016, Gédéon Kyungu Mutanga was involved in serious human rights violations and war crimes such as killings and attacks against civilians, notably in rural zones of the Katanga region. Gédéon Kyungu Mutanga is currently the leader of an armed group involved in human rights abuses in the Kasai Province and supporting governmental forces committing human rights violations. Gédéon Kyungu Mutanga has therefore been involved in planning, directing, or committing acts that constitute serious human rights abuses or violations in DRC.	29.5.2017

***Changes to legislation:** There are currently no known outstanding effects for the Council Implementing Regulation (EU) 2017/904. (See end of Document for details)*

10.	Alex Kande Mupompa, Governor of Kasai Central	a.k.a Alexandre Kande Mupomba; Kande-Mupompa. DOB: 23.9.1950. POB: Kananga (DRC). DRC passport number: OP 0024910 (valid: 21.3.2016 – expiry: 20.3.2021). Address: Messidorlaan 217/25, 1180 Uccle, Belgium DRC and Belgian nationalities.	As Governor of Kasai Central, Alex Kande Mupompa is responsible for the ongoing disproportionate use of force, violent repression and extrajudicial killings committed by security forces and the PNC in Kasai Central from 2016, including the alleged unlawful killings of Kamiuna Nsapu militia members and civilians in Mwanza Lomba, Kasai Central, in February 2017. Alex Kande Mupompa was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017
11.	Jean-Claude Kazembe Musonda, former Governor of Haut-Katanga	DOB: 17.5.1963. POB: Kashobwe (DRC). DRC nationality.	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 PNC in	29.5.2017