Council Decision (CFSP) 2018/1940 of 10 December 2018 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo

COUNCIL DECISION (CFSP) 2018/1940

of 10 December 2018

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 of 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 DRC. That Decision amended Decision 2010/788/CFSP by, inter alia, introducing autonomous restrictive measures under Article 3(2) thereof.

(3) On the basis of a review of the measures referred to in Article 3(2) of Decision 2010/788/CFSP, the restrictive measures should be renewed until 12 December 2019.

(4) In its conclusions of December 2017, the Council called on all Congolese actors, and above all the Congolese authorities and institutions, to play a constructive role in the electoral process. Considering the upcoming elections, the Council reiterates the importance of holding credible, transparent, peaceful and inclusive elections in line with the aspiration of the Congolese people to elect their representatives. The Council will further review the restrictive measures in the light of and following the elections in DRC and stands ready to adjust them accordingly.

(5) The statements of reasons relating to eight persons listed in Annex II should be amended. Moreover, information concerning all persons listed in that Annex should be updated.

(6) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Paragraph (2) of Article 9 of Decision 2010/788/CFSP is replaced by the following:

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (CFSP) 2018/1940. (See end of Document for details)*

2. The measures referred to in Article 3(2) shall apply until 12 December 2019. They shall be renewed, or amended as appropriate, if the Council deems that their objectives have not been met.

Article 2

The list in Annex II to Decision 2010/788/CFSP is replaced by the list set out in the Annex to this Decision.

Article 3

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 2018.

For the Council

The President

F. MOGHERINI

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (CFSP) 2018/1940. (See end of Document for details)*

ANNEX

ANNEX II

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

A. Persons

	Name	**Identifying information**	**Grounds for designation**	**Date of listing**
1.	Ilunga Kampete	a.k.a. Gaston Hughes Ilunga Kampete; a.k.a. Hugues Raston Ilunga Kampete. DOB: 24.11.1964. POB: Lubumbashi (DRC). Military ID number: 1-64-86-22311-29. Nationality: DRC. Address: 69, avenue Nyangwile, Kinsuka Mimosas, Kinshasa/ Ngaliema, RDC.	As Commander of the Republican Guard (GR), 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. In this capacity, Ilunga Kampete was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	12.12.2016
2.	Gabriel Amisi Kumba	a.k.a. Gabriel Amisi Nkumba; ‘Tango Fort’; ‘Tango Four’. DOB: 28.5.1964. POB: Malela (DRC). Military ID number: 1-64-87-77512-30. Nationality: DRC. Address: 22, avenue	Former Commander of the 1st defence zone of the Congolese Army (FARDC), whose forces took part in the disproportionate use of force and violent repression in September 2016 in Kinshasa. In	12.12.2016

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		Mbenseke, Ma Campagne, Kinshasa/ Ngaliema, RDC.	this capacity, Gabriel Amisi Kumba was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2018, Gabriel Amisi Kumba was appointed Deputy Chief of Staff of the Congolese Armed Forces (FARDC), with responsibility for operations and intelligence.	
3.	Ferdinand Ilunga Luyoyo	DOB: 8.3.1973. POB: Lubumbashi (DRC). Passport no: OB0260335 (valid from 15.4.2011 to 14.4.2016). Nationality: DRC. Address: 2, avenue des Orangers, Kinshasa/ Gombe, RDC.	As Commander of the anti-riot unit *Légion Nationale d'Intervention* of the Congolese National Police (PNC), Ferdinand Ilunga Luyoyo was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Ferdinand Ilunga Luyoyo was therefore involved in planning, directing, or committing acts that constitute serious human	12.12.2016

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (CFSP) 2018/1940. (See end of Document for details)*

			rights violations in DRC. In July 2017, Ferdinand Ilunga Luyoyo was appointed Commander of the PNC unit responsible for the protection of institutions and high-ranking officials.	
4.	Celestin Kanyama	a.k.a. Kanyama Tshisiku Celestin; Kanyama Celestin Cishiku Antoine; Kanyama Cishiku Bilolo Célestin; Esprit de mort. DOB: 4.10.1960. POB: Kananga (DRC). Nationality: DRC. Passport no: OB0637580 (valid from 20.5.2014 to 19.5.2019). Was granted Schengen visa no. 011518403, issued on 2.7.2016. Address: 56, avenue Usika, Kinshasa/ Gombe, RDC.	As Commissioner of the Congolese National Police (PNC), Celestin Kanyama was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Celestin Kanyama was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2017, Celestin Kanyama was appointed Director-General of the National Police's training schools.	12.12.2016
5.	John Numbi	a.k.a. John Numbi Banza Tambo; John Numbi Banza	Former Inspector-General of the Congolese National Police	12.12.2016