

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2019/2101

of 9 December 2019

implementing Article 9 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,

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) Further to the review of the autonomous restrictive measures laid down in Article 2b of Regulation (EC) No 1183/2005, the statements of reasons of persons listed in Annex Ia to Regulation (EC) No 1183/2005 should be amended and two persons should be removed from the list in that Annex.
- (3) Annex Ia to Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The list set out in Annex Ia to Regulation (EC) No 1183/2005 is replaced by the list as set out in the Annex to this Regulation.

Article 2

This Regulation shall enter into force on the day following that 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, 9 December 2019.

For the Council
The President
J. BORRELL FONTELLES

⁽¹⁾ OJ L 193, 23.7.2005, p. 1.

LIST OF PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 2b

A. Persons

| | Name | Identifying information | Grounds for designation | Date of designation |
|----|-------------------------|--|---|---------------------|
| 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. Gender: Male | 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. Owing to his continuing role as head of the GR, he is responsible for the repression and infringements of human rights committed by GR agents, such as the violent repression of an opposition rally in Lubumbashi in December 2018. Ilunga Kampete was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses 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 Mbenseke, Ma Campagne, Kinshasa/Ngaliema, RDC. Gender: Male | Former Commander of the first 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. Gabriel Amisi Kumba has been Deputy Chief of Staff of the Congolese Armed Forces (FARDC) since July 2018, with responsibility for operations and intelligence. Owing to his role, he bears responsibility for the recent human rights violations committed by the FARDC. Gabriel Amisi Kumba was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC. | 12.12.2016 |
| 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. Gender: Male | As Commander of the anti-riot unit <i>Légion Nationale d'Intervention</i> 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. Ferdinand Ilunga Luyoyo has been Commander of the PNC unit responsible for the protection of institutions and high-ranking officials since July 2017. Owing to his role, he bears responsibility for the recent human rights violations committed by the PNC. Ferdinand Ilunga Luyoyo was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC. | 12.12.2016 |

| | Name | Identifying information | Grounds for designation | Date of designation |
|----|------------------|---|---|---------------------|
| 4. | Célestin 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. Gender: Male | 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. In July 2017, Célestin Kanyama was appointed Director-General of the National Police'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 General Kanyama played in these events. Célestin Kanyama was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC. | 12.12.2016 |
| 5. | John Numbi | a.k.a. John Numbi Banza Tambo; John Numbi Banza Ntambo; Tambo Numbi. DOB: 16.8.1962. POB: Jadotville-Likasi-Kolwezi (DRC). Nationality: DRC. Address: 5, avenue Oranger, Kinshasa/Gombe, RDC. Gender: Male | John Numbi has been Inspector-General of the Congolese Armed Forces (FARDC) since July 2018. Owing to his role, he bears responsibility for the recent human rights violations committed by the FARDC, such as disproportionate violence committed in June-July 2019 by FARDC troops under his direct authority against people who were mining illegally. John Numbi was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC. | 12.12.2016 |
| 6. | Delphin Kahimbi | a.k.a. Delphin Kahimbi Kasagwe; Delphin Kayimbi Demba Kasangwe; Delphin Kahimbi Kasangwe; Delphin Kahimbi Demba Kasangwe; Delphin Kasagwe Kahimbi. DOB: 15.1.1969 (alternatively: 15.7.1969). POB: Kiniezire/Goma (DRC). Nationality: DRC. Diplomatic passport no: DB0006669 (valid from 13.11.2013 to 12.11.2018). Address: 1, 14eme rue, Quartier Industriel, Linete, Kinshasa, RDC. Gender: Male | Delphin Kahimbi has been assistant Chief of Staff within the FARDC General Staff since July 2018, with responsibility for intelligence. Owing to his role, he bears responsibility for the recent human rights violations committed by the FARDC. Delphin Kahimbi was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC. | 12.12.2016 |
| 7. | Evariste Boshab | a.k.a. Evariste Boshab Mabub Ma Bileng. DOB: 12.1.1956. POB: Tete Kalamba (DRC). Nationality: DRC. Diplomatic passport number: DP0000003 (valid: 21.12.2015 — expiry: 20.12.2020). Schengen visa expired on 5.1.2017. Address: 3, avenue du Rail, Kinshasa/Gombe, RDC. Gender: Male | 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 | 29.5.2017 |

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|-----|-----------------------------|---|--|---------------------|
| | | | <p>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 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, particularly since becoming senator of Kasai in March 2019.</p> | |
| 8. | Alex Kande Mupompa | <p>a.k.a. Alexandre Kande Mupomba; Kande-Mupompa. DOB: 23.9.1950. POB: Kananga (DRC). Nationality: DRC and Belgian. DRC passport number: OP0024910 (valid: 21.3.2016 — expiry: 20.3.2021). Addresses: Messidorlaan 217/25, 1180 Uccle, Belgium 1, avenue Bumba, Kinshasa/Ngaliema, RDC. 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 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 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 through 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 |
| 9. | Jean-Claude Kazembe Musonda | <p>DOB: 17.5.1963. POB: Kashobwe (DRC). Nationality: DRC. Address: 7891, avenue Lubembe, Quartier Lido, Lubumbashi, Haut-Katanga, RDC. Gender: Male</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 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> <p>Jean-Claude Kazembe Musonda was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC.</p> <p>Jean-Claude Kazembe Musonda is the leader of the CONAKAT party, which is part of the coalition under former President Joseph Kabila.</p> | 29.5.2017 |
| 10. | Éric Ruhorimbere | <p>a.k.a. Eric Ruhorimbere Ruhanga; Tango Two; Tango Deux. DOB: 16.7.1969. POB: Minembwe (DRC). Military ID number: 1-69-09-51400-64. Nationality: DRC. DRC passport number OB0814241. Address: Mbujimayi, Kasai Province, RDC. Gender: Male</p> | <p>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 FARDC forces, notably against the Nsapu militia and women and children.</p> | 29.5.2017 |

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|-----|---------------------------|---|--|---------------------|
| | | | <p>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.</p> <p>Éric Ruhorimbere was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC.</p> | |
| 11. | Emmanuel Ramazani Shadari | <p>a.k.a. Emmanuel Ramazani Shadari Mulanda; Shadary. DOB: 29.11.1960. POB: Kasongo (DRC). Nationality: DRC. Address: 28, avenue Ntela, Mont Ngafula, Kinshasa, RDC. Gender: Male</p> | <p>As Vice Prime Minister and Minister of Interior and Security until February 2018, 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 in January-February 2017 and the disproportionate use of force and violent repression in the Kasai provinces.</p> <p>In this capacity, Ramazani Shadari was therefore involved in planning, directing, or committing acts that constitute serious human rights violations or abuses in DRC.</p> <p>Ramazani Shadari has been permanent secretary of the <i>Parti du peuple pour la reconstruction et le développement</i> (PPRD) since February 2018, the main party in the coalition under former President Joseph Kabila.</p> | 29.5.2017 |
| 12. | Kalev Mutondo | <p>a.k.a. Kalev Katanga Mutondo, Kalev Motono, Kalev Mutundo, Kalev Mutoid, Kalev Mutombo, Kalev Mutond, Kalev Mutondo Katanga, Kalev Mutund. DOB: 3.3.1957. Nationality: DRC. Passport number: DB0004470 (issued: 8.6.2012 — expires: 7.6.2017). Address: 24, avenue Ma Campagne, Kinshasa, RDC. 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 DRC.</p> <p>In May 2019, he signed a declaration of past and future loyalty to Joseph Kabila, and he remains his close associate for security matters.</p> | 29.5.2017 |

B. Entities

[...].