

II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2020/415

of 19 March 2020

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(5),

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 25 February 2020, the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 1533 (2004) updated the information relating to one person subject to restrictive measures.
- (3) Annex I to Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EC) No 1183/2005 is hereby amended as set out in the Annex to this Regulation.

Article 2

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.

Done at Brussels, 19 March 2020.

For the Council
The President
A. METELKO-ZGOMBIĆ

⁽¹⁾ OJL 193, 23.7.2005, p. 1.

ANNEX

In Annex I to Regulation (EC) No 1183/2005, Part (a) (List of persons referred to in Articles 2 and 2a), entry 16 is replaced by the following:

‘16. Ignace MURWANASHYAKA

(*alias*: Dr Ignace)

Title: Dr.

Designation: FDLR President

Address: Germany (in prison)

Date of Birth: 14 May 1963

Place of Birth: a) Butera, Rwanda b) Ngoma, Butare, Rwanda

Nationality: Rwanda

Date of UN designation: 1 Nov. 2005

Other information: Died in prison in Germany on 16 April 2019. Arrested by German authorities on 17 November 2009 and found guilty by a German court on 28 September 2015 of leadership of a foreign terrorist group and aiding in war crimes. Received a 13-year sentence and is in prison in Germany as of June 2016. Re-elected FDLR President on 29 November 2014 for a five-year term. INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/How-we-work/Notices/View-UN-Notices-Individuals>.

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

Ignace Murwanashyaka is the President of the FDLR, exercising influence over policies of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. He was in telephone communication with FDLR military field commanders (including during the Busurungi massacre in May 2009); he gave military orders to the high command; he was involved in coordinating the transfer of arms and ammunition to FDLR units and relaying specific instructions for use; and he managed large sums of money raised through illicit sale of natural resources in areas of FDLR control. According to the Office of the SRSG on Children and Armed Conflict, he held command responsibility as President and military commander of FDLR for recruitment and use of children by the FDLR in Eastern Congo. He was arrested by German authorities on 17 November 2009 and found guilty by a German court on 28 September 2015 of leadership of a foreign terrorist group and aiding in war crimes. He received a 13-year sentence and was in prison in Germany as of June 2016. He was re-elected as FDLR President on 29 November 2014 for a five-year term.’
