

COUNCIL REGULATION (EU) 2022/2373**of 5 December 2022****amending Regulation (EC) No 1183/2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2022/2377 of 5 December 2022 amending Decision 2010/788/CFSP concerning restrictive measures in view of the situation in the Democratic Republic of the Congo ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 1183/2005 ⁽²⁾ gives effect to Council Decision 2010/788/CFSP ⁽³⁾ and provides for certain measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (DRC), including a freezing of their assets.
- (2) Decision (CFSP) 2022/2377 enlarges the criteria for Union autonomous listings.
- (3) Regulatory action at the Union level is therefore necessary to give effect to Decision (CFSP) 2022/2377 in particular with a view to ensure uniform application by economic operators in all Member States.
- (4) Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1183/2005 is amended as follows:

- (1) in Article 2b, paragraph 1 is replaced by the following:

‘1. Annex Ia shall include the natural or legal persons, entities or bodies designated by the Council on any of the following grounds:

- (a) obstructing a consensual and peaceful solution towards elections in the DRC, including by acts of violence, repression or inciting violence, or by undermining the rule of law;
- (b) planning, directing, or committing acts that constitute serious human rights violations or abuses in the DRC;
- (c) being responsible for sustaining the armed conflict, instability or insecurity in the DRC;
- (d) providing support to natural or legal persons, entities or bodies referred to in point (c);
- (e) inciting violence in connection with the actions mentioned in points (b), (c) and (d);
- (f) exploiting the armed conflict, instability or insecurity in the DRC, including through the illicit exploitation or trade of natural resources and wildlife;
- (g) being associated with natural or legal persons, entities or bodies referred to in points (a), (b), (c), (d), (e) or (f).’;

⁽¹⁾ See page 97 of this Official Journal.

⁽²⁾ Council Regulation (EC) No 1183/2005 of 18 July 2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L 193, 23.7.2005, p. 1).

⁽³⁾ Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L 336, 21.12.2010, p. 30).

(2) in Annex Ia, the title is replaced by the following:

'List of natural or legal persons, entities and bodies referred to in Article 2b'.

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, 5 December 2022.

For the Council
The President
M. KUPKA
