

► B **► M6 COUNCIL DECISION 2012/285/CFSP**
of 31 May 2012
concerning restrictive measures in view of the situation in Guinea-Bissau and repealing
Decision 2012/237/CFSP ◀
(OJ L 142, 1.6.2012, p. 36)

Amended by:

			Official Journal		
			No	page	date
► <u>M1</u>	Council Implementing Decision 2012/516/CFSP of 24 September 2012	L 257	20	25.9.2012	
► <u>M2</u>	Council Implementing Decision 2013/293/CFSP of 18 June 2013	L 167	39	19.6.2013	
► <u>M3</u>	Council Implementing Decision (CFSP) 2017/415 of 7 March 2017	L 63	117	9.3.2017	
► <u>M4</u>	Council Implementing Decision (CFSP) 2018/36 of 10 January 2018	L 6	48	11.1.2018	
► <u>M5</u>	Council Implementing Decision (CFSP) 2021/1306 of 5 August 2021	L 283	20	6.8.2021	
► <u>M6</u>	Council Decision (CFSP) 2022/1335 of 28 July 2022	L 201	29	1.8.2022	
► <u>M7</u>	Council Decision (CFSP) 2023/1598 of 3 August 2023	L 196	23	4.8.2023	
► <u>M8</u>	Council Decision (CFSP) 2024/2504 of 23 September 2024	L 2504	1	24.9.2024	

Corrected by:

- C1 Corrigendum, OJ L 200, 10.8.2023, p. 46 (2023/1598)

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COUNCIL DECISION 2012/285/CFSP

of 31 May 2012

**concerning restrictive measures in view of the situation in
Guinea-Bissau and repealing Decision 2012/237/CFSP**

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Article 1

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of:

- (a) persons listed in the Annex to UNSCR 2048 (2012), and additional persons designated by the Security Council or by the Committee established pursuant to paragraph 9 of UNSCR 2048 (2012) ('the Committee'), in accordance with paragraph 6 of UNSCR 2048 (2012), as listed in Annex I;
- (b) persons not covered by Annex I engaging in or providing support for acts that threaten the peace, security or stability of the Republic of Guinea-Bissau and persons associated with them, as listed in Annex II.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1(a) shall not apply where the Committee determines that:

- (a) travel is justified on the grounds of humanitarian need, including religious obligation; or
- (b) an exemption would further the objectives of peace and national reconciliation in the Republic of Guinea-Bissau and stability in the region.

4. Paragraph 1(a) shall not apply where entry or transit is necessary for the fulfilment of a judicial proceeding.

5. Paragraph 1(b) shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

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- (a) as a host country of an international intergovernmental organisation;
- (b) as a host country to an international conference convened by, or under the auspices of, the United Nations;
- (c) under a multilateral agreement conferring privileges and immunities; or
- (d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

6. Paragraph 5 shall be considered as applying also in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).

7. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraph 5 or 6.

8. Member States may grant exemptions from the measures imposed under paragraph 1(b) where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, including those promoted by the Union, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in the Republic of Guinea-Bissau.

9. A Member State wishing to grant exemptions referred to in paragraph 8 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the Council members raise an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more of the Council members raise an objection, the Council, acting by a qualified majority, may none the less decide to grant the proposed exemption.

10. In cases where, pursuant to paragraphs 5, 6, 8 and 9, a Member State authorises the entry into, or transit through, its territory of persons listed in Annex II, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

Article 2

1. All funds and economic resources belonging to, owned, held or controlled by natural or legal persons, entities or bodies engaging in or providing support for acts that threaten the peace, security or stability of the Republic of Guinea-Bissau and natural or legal persons, entities or bodies associated with them, as listed in Annex III, shall be frozen.

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2. No funds or economic resources shall be made available, directly or indirectly, to or for the benefit of the natural or legal persons, entities or bodies listed in Annex III.

3. The competent authority of a Member State may authorise the release of certain frozen funds or economic resources or the making available of certain funds or economic resources, under such conditions as it deems appropriate, after having determined that the funds or economic resources concerned are:

- (a) necessary to satisfy the basic needs of the persons listed in Annex III and their dependent family members, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums, and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds and economic resources;
- (d) necessary for extraordinary expenses, provided that the competent authority has notified the grounds on which it considers that a specific authorisation should be granted to the other competent authorities and the Commission at least two weeks prior to the authorisation.

Member States shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

4. By way of derogation from paragraph 1, the competent authority of a Member State may authorise the release of certain frozen funds or economic resources, if the following conditions are met:

- (a) the funds or economic resources in question are the subject of a judicial, administrative or arbitral lien established prior to the date on which the natural or legal person, entity or body referred to in paragraph 1 was included in Annex III or of a judicial, administrative or arbitral judgment rendered prior to that date;
- (b) the funds and economic resources will be used exclusively to satisfy claims secured by such a lien or recognised as valid in such a judgment, within the limits set by applicable laws and regulations governing the rights of persons having such claims;

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- (c) the lien or judgment is not for the benefit of a natural or legal person, entity or body listed in Annex III;
- (d) recognising the lien or judgment is not contrary to public policy in the Member State concerned.

Member States shall inform the other Member States and the Commission of any authorisation granted under this paragraph.

5. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts; or
- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to the provisions of this Decision;

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

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6. Paragraphs 1 and 2 shall not apply to the provision, processing or payment of funds, other financial assets or economic resources or to the provision of goods and services, which are necessary to ensure the timely delivery of humanitarian assistance or to support other activities that support basic human needs where such assistance and other activities are carried out by:

- (a) the United Nations, including its programmes, funds and other entities and bodies, as well as its specialised agencies and related organisations;
- (b) international organisations;
- (c) humanitarian organisations having observer status with the United Nations General Assembly and members of those humanitarian organisations;
- (d) bilaterally or multilaterally funded non-governmental organisations participating in the United Nations Humanitarian Response Plans, Refugee Response Plans, other United Nations appeals or humanitarian clusters coordinated by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA); or by
- (e) the employees, grantees, subsidiaries, or implementing partners of the entities mentioned in points (a) to (d) while and to the extent that they are acting in those capacities.

▼B*Article 3*

1. The Council shall implement modifications to Annex I on the basis of the determinations made by the Security Council or by the Committee.

2. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt amendments to the lists contained in Annexes II and III as required.

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3. The Council shall communicate its decision, including the grounds for the listing, to the natural or legal person, entity or body concerned listed in Annex III, either directly, if the address is known, or through the publication of a notice, providing such natural or legal person, entity or body with an opportunity to present observations.

4. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the natural or legal person, entity or body concerned listed in Annex III accordingly.

Article 4

In order to maximise the impact of the measures set out in this Decision, the Union shall encourage third States to adopt restrictive measures similar to those contained in this Decision.

Article 5

1. This Decision shall be reviewed, amended or repealed as appropriate, notably in the light of relevant decisions by the Security Council.

2. The measures referred to in Articles 1(1)(b) and 2 shall be reviewed at regular intervals and at least every 12 months. They shall cease to apply in respect of the persons and entities concerned if the Council determines, in accordance with the procedure referred in Article 3(2), that the conditions for their application are no longer met.

Article 6

Decision 2012/237/CFSP is hereby repealed.

Article 7

This Decision shall enter into force on the date of its publication in the *Official Journal of the European Union*.

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ANNEX I

List of persons referred to in Article 1(1)(a)

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing
1.	António INJAI (a.k.a. 'António INDJAI')	Nationality: Guinea-Bissau d.o.b.: 20.1.1955 p.o.b.: Encheia, Sector de Bissorá, Região de Oio, Guiné-Bissau Parentage: Wasna Injai (father's name) and Quiritché Cofte (mother's name) Designation: a) Lieutenant-General b) Chief of Staff of the Armed Forces Passport: Diplomatic passport No AAID00435 Date of issue: 18.2.2010 Place of issue: Guinea-Bissau Date of expiry: 18.2.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782445	António Injai was personally involved in planning and leading the mutiny of 1 April 2010, culminating with the illegal appre- hension of the Prime Minister, Carlo Gomes Junior, and the then Chief of Staff of the Armed Forces, José Zamora Induta; during the 2012 electoral period, in his capacity as Chief of Staff of the Armed Forces, Injai made statements threatening to overthrow the elected authorities and to put an end to the electoral process; António Injai has been involved in the operational planning of the coup d'état of 12 April 2012. In the aftermath of the coup, the first communiqué by the 'Military Command' was issued by the Armed Forces General Staff, which is led by General Injai.
2.	Mamadu TURE (a.k.a. 'N'Krumah')	Nationality — Guinea-Bissau d.o.b. 26.4.1947 Designation: a) Major General b) Deputy Chief of Staff of the Armed Forces Diplomatic Passport No DA0002186 Date of issue: 30.3.2007 Place of issue: Guinea-Bissau Date of expiry: 26.8.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782456	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing
3.	Estêvão NA MENA	Nationality: Guinea-Bissau d.o.b. 7.3.1956 Designation: Inspector-General of the Armed Forces Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782449	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.
4.	Ibraima CAMARÁ (a.k.a. 'Papa Camará')	Nationality — Guinea-Bissau d.o.b. 11.5.1964 Parentage: Suareba Camará (father's name) and Sale Queita (mother's name) Designation: a) Brigadier-General b) Chief of Staff of the Air Force Diplomatic Passport No AAID00437 Date of Issue: 18.2.2010 Place of issue: Guinea-Bissau Date of expiry: 18.2.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5781782	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.
5.	Daba NAUALNA (a.k.a. 'Daba Na Walna')	Nationality — Guinea-Bissau d.o.b. 6.6.1966 Parentage: Samba Nualna (Father's name) and In-Uasne Nanfafe (Mother's name) Designation: a) Lieutenant-Colonel b) Spokesperson of the 'Military Command' Passport No SA 0000417 Date of issue: 29.10.2003	Spokesperson of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing
		Place of issue: Guinea-Bissau Date of expiry: 10.3.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782452	

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7.	Cranha DANFÁ	Nationality: Guinea-Bissau D.o.b.: 5.3.1957 Designation: a) Colonel b) Head of Operations of the Armed Forces Joint Staff Passport: AAIN29392 Date of issue: 29.9.2011 Place of issue: Guinea-Bissau Date of expiry: 29.9.2016 Date of UN designation: 18.7.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782442	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012. Close advisor to Armed Forces Chief of Staff António Injai.
8.	Idrissa DJALÓ (a.k.a.: Idriça Djaló)	Nationality: Guinea-Bissau D.o.b.: 18 December 1954 Designation: a) Major b) Protocol advisor to the Armed Forces Chief of Staff c) Colonel d) Chief of Protocol of the Headquarters of the Armed Forces (subsequently) Passport: AAISO40158 Date of issue: 12.10.2012 Place of issue: Guinea-Bissau	Point of Contact for the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012 and one of its most active members. He was one of the first officers to publicly assume his affiliation to the 'Military Command', having signed one of its first commu- niqués (No 5, dated 13 April 2012). Major Djaló also belongs to the Military Intelligence.

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing
		<p>Date of expiry: 2.10.2015</p> <p>Date of UN designation: 18.7.2012 (pursuant to para. 4 of UNSCR 2048 (2012))</p> <p>INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782443</p>	
9.	Tchipa NA BIDON	<p>Nationality: Guinea-Bissau</p> <p>D.o.b.: 28.5.1954</p> <p>Parentage: 'Nabidom'</p> <p>Designation: a) Lieutenant-colonel b) Head of Intelligence</p> <p>Passport: Diplomatic Passport DA0001564</p> <p>Date of issue: 30.11.2005</p> <p>Place of issue: Guinea-Bissau</p> <p>Date of expiry: 15.5.2011</p> <p>Date of UN designation: 18.7.2012 (pursuant to para. 4 of UNSCR 2048 (2012))</p> <p>INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782446</p>	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.
10.	Tcham NA MAN (a.k.a. Namam)	<p>Nationality: Guinea-Bissau</p> <p>D.o.b.: 27.2.1953</p> <p>Parentage: Biute Naman (Father's name) and Ndjade Na Noa (Mother's name)</p> <p>Designation: a) Lieutenant-colonel b) Head of the Armed Forces Military Hospital</p> <p>Passport: SA0002264</p> <p>Date of issue: 24.7.2006</p> <p>Place of issue: Guinea-Bissau</p> <p>Date of expiry: 23.7.2009</p> <p>Date of UN designation: 18.7.2012 (pursuant to para. 4 of UNSCR 2048 (2012))</p>	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012. Also a member of the Military High Command (highest hierarchy of the Bissau- Guinean Armed Forces).

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport/ID card number, etc.)	Grounds for listing
		INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782448	
11.	Júlio NHATE	Nationality: Guinea-Bissau D.o.b.: 28.9.1965 Designation: a) Lieutenant-colonel b) Commander of the Paratroops Regiment Date of UN designation: 18.7.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https:// www.interpol.int/en/notice/ search/un/5782454	Member of the ‘Military Command’ which has assumed responsibility for the coup d’état of 12 April 2012. A loyal ally of António Injai, Lt. Col. Júlio Nhate has the material responsibility for the 12 April 2012 coup, having conducted the military operation.

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ANNEX II

List of persons referred to in Articles 1(1)(b)

	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport /ID card number, etc.)	Grounds for listing	Date of desig- nation
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▼ <u>M6</u> —				
▼ <u>M1</u> —				
▼ <u>M6</u> —				
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▼ <u>M5</u> —				
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▼ <u>M5</u> —				
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ANNEX III

List of persons, entities or bodies referred to in Article 2

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport /ID card number, etc.)	Grounds for listing	Date of designation
1.	António INJAI (a.k.a. 'António INDJAI')	Nationality: Guinea-Bissau d.o.b.: 20.1.1955 p.o.b.: Encheia, Sector de Bissorá, Região de Oio, Guiné-Bissau Parentage: Wasna Injai (father's name) and Quiritché Cofte (mother's name) Designation: a) Lieutenant-General b) Chief of Staff of the Armed Forces Passport: Diplomatic passport No AAID00435 Date of issue: 18.2.2010 Place of issue: Guinea-Bissau Date of expiry: 18.2.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https://www.interpol.int/en/notice/search/un/5782445	António Injai was personally involved in planning and leading the mutiny of 1 April 2010, culminating with the illegal apprehension of the Prime Minister, Carlo Gomes Junior, and the then Chief of Staff of the Armed Forces, José Zamora Induta; during the 2012 electoral period, in his capacity as Chief of Staff of the Armed Forces, Injai made statements threatening to overthrow the elected authorities and to put an end to the electoral process; António Injai has been involved in the operational planning of the coup d'état of 12 April 2012. In the aftermath of the coup, the first communiqué by the 'Military Command' was issued by the Armed Forces General Staff, which is led by General Injai.	3.5.2012
2.	Mamadu TURE (a.k.a. 'N'Krumah')	Nationality — Guinea-Bissau d.o.b. 26.4.1947 Designation: a) Major General b) Deputy Chief of Staff of the Armed Forces Diplomatic Passport No DA0002186 Date of issue: 30.3.2007 Place of issue: Guinea-Bissau Date of expiry: 26.8.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https://www.interpol.int/en/notice/search/un/5782456	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport /ID card number, etc.)	Grounds for listing	Date of designation
3.	Estêvão NA MENA	Nationality: Guinea-Bissau d.o.b. 7.3.1956 Designation: Inspector-General of the Armed Forces Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https://www.interpol.int/en/notice/search/un/5782449	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
4.	Ibraima CAMARÁ (a.k.a. 'Papa Camará')	Nationality — Guinea-Bissau d.o.b. 11.5.1964 Parentage: Suareba Camará (father's name) and Sale Queita (mother's name) Designation: a) Brigadier-General b) Chief of Staff of the Air Force Diplomatic Passport No AAID00437 Date of Issue: 18.2.2010 Place of issue: Guinea-Bissau Date of expiry: 18.2.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https://www.interpol.int/en/notice/search/un/5781782	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012
5.	Daba NAUALNA (a.k.a. 'Daba Na Walna')	Nationality — Guinea-Bissau d.o.b. 6.6.1966 Parentage: Samba Nualna (Father's name) and In-Uasne Nanfafe (Mother's name) Designation: a) Lieutenant-Colonel b) Spokesperson of the 'Military Command' Passport No SA 0000417 Date of issue: 29.10.2003 Place of issue: Guinea-Bissau Date of expiry: 10.3.2013 Date of UN designation: 18.5.2012 (pursuant to para. 4 of UNSCR 2048 (2012))	Spokesperson of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012.	3.5.2012

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	Name	Identifying information (date and place of birth (d.o.b. and p.o.b.), passport /ID card number, etc.)	Grounds for listing	Date of designation
		INTERPOL-UNSC Special Notice web link: https://www.interpol.int/en/notice/search/un/5782452		
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▼ <u>M4</u>				
▼ <u>M3</u>	12. Júlio NHATE	Nationality: Guinea-Bissau D.o.b.: 28.9.1965 Designation: a) Lieutenant-colonel b) Commander of the Paratroops Regiment Date of UN designation: 18.7.2012 (pursuant to para. 4 of UNSCR 2048 (2012)) INTERPOL-UNSC Special Notice web link: https://www.interpol.int/en/notice/search/un/5782454	Member of the 'Military Command' which has assumed responsibility for the coup d'état of 12 April 2012. A loyal ally of António Injai, Lt. Col. Júlio Nhate has the material responsibility for the 12 April 2012 coup, having conducted the military operation.	1.6.2012
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▼ <u>M5</u>				
▼ <u>M6</u>				
▼ <u>M5</u>				
▼ <u>M6</u>				
▼ <u>M8</u>				