

COUNCIL IMPLEMENTING DECISION (CFSP) 2023/1189**of 19 June 2023****implementing Decision 2010/788/CFSP 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 European Union, and in particular Article 31(2) thereof,

Having regard to Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo ⁽¹⁾ and in particular Article 6(2) thereof,

Having regard to the proposal from 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.
- (2) On 12 December 2016, the Council adopted Decision (CFSP) 2016/2231 ⁽²⁾ in response to the obstruction of the electoral process and the human rights violations in the Democratic Republic of the Congo. Decision (CFSP) 2016/2231 amended Decision 2010/788/CFSP and introduced autonomous restrictive measures in Article 3(2) thereof.
- (3) Following the judgments of the General Court in Cases T-93/22 ⁽³⁾ and T-94/22 ⁽⁴⁾, the Council considers that two entries should be deleted from the list of natural or legal persons, entities and bodies set out in Annex II to Decision 2010/788/CFSP.
- (4) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Decision 2010/788/CFSP is amended as set out in the Annex to this Decision.

Article 2

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

Done at Luxembourg, 19 June 2023.

For the Council
The President
E. BUSCH

⁽¹⁾ OJ L 336, 21.12.2010, p. 30.

⁽²⁾ Council Decision (CFSP) 2016/2231 of 12 December 2016 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (OJ L 336 I, 12.12.2016, p. 7).

⁽³⁾ Judgment of the General Court of 8 March 2023, *Ramazani Shadary v Council*, T-93/22, ECLI:EU:T:2023:122.

⁽⁴⁾ Judgment of the General Court of 8 March 2023, *Mutondo v Council*, T-94/22, ECLI:EU:T:2023:120.

ANNEX

The following entries are deleted from the list set out in Section A ('Persons') of Annex II to Decision 2010/788/CFSP:

‘8. Emmanuel Ramazani SHADARY;

9. Kalev MUTONDO.’.
