

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

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 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 ⁽¹⁾.
- (2) On 12 December 2016, the Council adopted Decision (CFSP) 2016/2231 ⁽²⁾ in response to the obstruction of the electoral process and the related human rights violations in the Democratic Republic of Congo (DRC). Decision (CFSP) 2016/2231 amended Decision 2010/788/CFSP and introduced additional restrictive measures in Article 3(2) of Decision 2010/788/CFSP.
- (3) In view of the gravity of the situation in the DRC, the Council considers that the designation criteria in Decision 2010/788/CFSP should be amended to allow for the application of targeted restrictive measures against natural or legal persons, entities or bodies that sustain, support or benefit from the armed conflict, instability or insecurity in the DRC.
- (4) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/788/CFSP is amended as follows:

- (1) in Article 3, paragraph 2 is replaced by the following:

‘2. Restrictive measures as provided for in Articles 4(1) and 5(1) and (2) shall be imposed against natural or legal persons, entities or bodies:

- (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) involved in planning, directing or committing acts that constitute serious human rights violations or abuses in the DRC;
- (c) 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) associated with natural or legal persons, entities or bodies referred to in points (a), (b), (c), (d), (e) or (f);

as listed in Annex II.’;

⁽¹⁾ 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⁾ 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).

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

'List of natural or legal persons, entities and bodies referred to in Article 3(2).'

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 Brussels, 5 December 2022.

For the Council
The President
M. KUPKA
