

## III

*(Acts adopted under the EU Treaty)*

## ACTS ADOPTED UNDER TITLE V OF THE EU TREATY

## COUNCIL COMMON POSITION 2009/66/CFSP

of 26 January 2009

**amending Common Position 2008/369/CFSP concerning restrictive measures against the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

(1) Following the adoption by the United Nations Security Council on 31 March 2008 of Resolution 1807 (2008) (UNSCR 1807 (2008)), the Council adopted Common Position 2008/369/CFSP on 14 May 2008 concerning restrictive measures against the Democratic Republic of the Congo <sup>(1)</sup>.

(2) On 22 December 2008, the United Nations Security Council adopted Resolution 1857 (2008) (UNSCR 1857 (2008)) providing for additional criteria for designation by the Sanctions Committee established pursuant to United Nations Security Council Resolution 1533 (2004) (UNSCR 1533 (2004)) of individuals and entities subject to an asset freeze and travel ban, and extending the measures imposed by UNSCR 1807 (2008) until 30 November 2009.

(3) Common Position 2008/369/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS COMMON POSITION:

*Article 1*

Article 3 of Common Position 2008/369/CFSP shall be replaced by the following:

*Article 3*

Restrictive measures as provided for in Articles 4(1) and 5(1) and (2) shall be imposed against the following persons and,

as appropriate, entities, designated by the Sanctions Committee:

— persons or entities acting in violation of the arms embargo and related measures as referred to in Article 1,

— political and military leaders of foreign armed groups operating in the DRC who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups,

— political and military leaders of Congolese militias receiving support from outside the DRC, who impede the participation of their combatants in disarmament, demobilisation and reintegration processes,

— political and military leaders operating in the DRC and recruiting or using children in armed conflicts in violation of applicable international law,

— individuals operating in the DRC and committing serious violations of international law involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement,

— individuals obstructing the access to or the distribution of humanitarian assistance in the eastern part of the DRC,

— individuals or entities supporting the illegal armed groups in the eastern part of the DRC through illicit trade of natural resources.

<sup>(1)</sup> OJ L 127, 15.5.2008, p. 84.

The relevant persons and entities are listed in the Annex.'

*Article 2*

This Common Position shall take effect on the date of its adoption.

*Article 3*

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Brussels, 26 January 2009.

*For the Council*  
*The President*  
A. VONDRA

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