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## Legislation

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## II

(Non-legislative acts)

## REGULATIONS

## COUNCIL REGULATION (EU) 2015/612

of 20 April 2015

**amending Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe**

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

Whereas:

- (1) The Union measures implementing Council Decision 2011/101/CFSP <sup>(1)</sup>, including the freezing of funds and economic resources of certain natural or legal persons, entities and bodies, are set out in Council Regulation (EC) No 314/2004 <sup>(2)</sup>.
- (2) Annex IV to Regulation (EC) No 314/2004 lists the persons and entities benefiting from a suspension of the freezing of funds and economic resources under that Regulation.
- (3) On 19 February 2015, the Council adopted Decision 2015/277/CFSP <sup>(3)</sup> by which it removed the names of five deceased persons from Annexes I and II to Decision 2011/101/CFSP.
- (4) That measure falls within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to give effect to it, in particular with a view to ensuring its uniform application by economic operators in all Member States.
- (5) On 19 February 2015, Commission Implementing Regulation (EU) 2015/275 <sup>(4)</sup> removed the names of the five deceased persons from Annex III to Regulation (EC) No 314/2004.
- (6) Annex IV to Regulation (EC) No 314/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex IV to Regulation (EC) No 314/2004 is amended in accordance with the Annex to this Regulation.

<sup>(1)</sup> Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures against Zimbabwe (OJ L 42, 16.2.2011, p. 6).

<sup>(2)</sup> Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe (OJ L 55, 24.2.2004, p. 1).

<sup>(3)</sup> Council Decision 2015/277/CFSP of 19 February 2015 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe (OJ L 47, 20.2.2015, p. 20).

<sup>(4)</sup> Commission Implementing Regulation (EU) 2015/275 of 19 February 2015 amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe (OJ L 47, 20.2.2015, p. 15).

*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 Luxembourg, 20 April 2015.

*For the Council*

*The President*

F. MOGHERINI

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*ANNEX*

In Annex IV to Regulation (EC) No 314/2004, the names of the following natural persons are deleted from the section 'I. Persons':

I. Persons

	Name (and any aliases)
	Chindori-Chininga, Edward Takaruza
	Karakadzai, Mike Tichafa
	Sakupwanyana, Stanley Urayayi
	Sekeremayi, Lovemore
	Shamuyarira, Nathan Marwirakuwa

**COUNCIL REGULATION (EU) 2015/613****of 20 April 2015****amending Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo, and repealing Regulation (EC) No 889/2005**

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 2010/788/CFSP of 20 December 2010 concerning restrictive measures against the Democratic Republic of the Congo and repealing Common Position 2008/369/CFSP <sup>(1)</sup>,

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

Whereas:

- (1) Council Regulation (EC) No 1183/2005 <sup>(2)</sup> gives effect to Decision 2010/788/CFSP 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 the freezing of their assets.
- (2) Council Regulation (EC) No 889/2005 <sup>(3)</sup> imposes certain restrictive measures regarding the prohibition on providing technical and financial assistance related to military activities in the DRC, in accordance with Council Decision 2010/788/CFSP.
- (3) United Nations Security Council Resolution (UNSCR) 2198 (2015) amended the criteria for the designation of persons and entities subject to the restrictive measures set out in paragraphs 9 and 11 of UNSCR 1807 (2008). By Decision (CFSP) 2015/620 <sup>(4)</sup>, the Council decided to extend the scope of those criteria accordingly.
- (4) That measure falls within the scope of the Treaty and regulatory action at the level of the Union is necessary in order to implement it, in particular with a view to ensuring its uniform application by economic operators in all Member States. Consequently, Regulation (EC) No 1183/2005 should be amended accordingly.
- (5) The provisions of Regulation (EC) No 889/2005 should be integrated into Regulation (EC) No 1183/2005 and Regulation (EC) No 889/2005 should be repealed.
- (6) Some provisions of Regulation (EC) No 1183/2005 should also be updated to reflect standard wording used in recent legal acts on restrictive measures concerning liability, satisfaction of claims, and circumvention of prohibitions.
- (7) 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) Article 1 is replaced by the following:

*'Article 1*

For the purposes of this Regulation, the following definitions shall apply:

<sup>(1)</sup> OJ L 336, 21.12.2010, p. 30.

<sup>(2)</sup> Council Regulation (EC) No 1183/2005 of 18 July 2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (OJ L 193, 23.7.2005, p. 1).

<sup>(3)</sup> Council Regulation (EC) No 889/2005 of 13 June 2005 imposing certain restrictive measures in respect of the Democratic Republic of Congo and repealing Regulation (EC) No 1727/2003 (OJ L 152, 15.6.2005, p. 1).

<sup>(4)</sup> Council Decision (CFSP) 2015/620 of 20 April 2015 amending Council Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo (See page 43 of this Official Journal).

- (a) “claim” means any claim, whether asserted by legal proceedings or not, made before or after the date of entry into force of this Regulation, under or in connection with a contract or transaction, and includes in particular a claim:
- (i) for performance of any obligation arising under or in connection with a contract or transaction;
  - (ii) for extension or payment of a bond, financial guarantee or indemnity of whatever form;
  - (iii) for compensation in respect of a contract or transaction;
  - (iv) which is a counterclaim;
  - (v) for the recognition or enforcement, including by the procedure of *exequatur*, of a judgment, an arbitration award or an equivalent decision, wherever made or given;
- (b) “contract or transaction” means any transaction of whatever form and whatever the applicable law, whether comprising one or more contracts or similar obligations made between the same or different parties; for this purpose “contract” includes a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, and credit, whether legally independent or not, as well as any related provision arising under, or in connection with, the transaction;
- (c) “competent authorities” refers to the competent authorities of the Member States as identified on the websites listed in Annex II;
- (d) “economic resources” means assets of every kind, whether tangible or intangible, movable or immovable, which are not funds, but may be used to obtain funds, goods or services;
- (e) “freezing of economic resources” means preventing the use of economic resources to obtain funds, goods or services in any way, including, but not limited to, by selling, hiring or mortgaging them;
- (f) “freezing of funds” means preventing any move, transfer, alteration, use of, access to, or dealing with funds in any way that would result in any change in their volume, amount, location, ownership, possession, character, destination or other change that would enable the funds to be used, including portfolio management;
- (g) “funds” means financial assets and benefits of every kind, including, but not limited to:
- (i) cash, cheques, claims on money, drafts, money orders and other payment instruments;
  - (ii) deposits with financial institutions or other entities, balances on accounts, debts and debt obligations;
  - (iii) publicly-and privately-traded securities and debt instruments, including stocks and shares, certificates representing securities, bonds, notes, warrants, debentures and derivatives contracts;
  - (iv) interest, dividends or other income on or value accruing from or generated by assets;
  - (v) credit, right of set-off, guarantees, performance bonds or other financial commitments;
  - (vi) letters of credit, bills of lading, bills of sale; and
  - (vii) documents showing evidence of an interest in funds or financial resources;
- (h) “technical assistance” means any technical support related to repairs, development, manufacture, assembly, testing, maintenance, or any other technical service, in the form of an instruction, advice, training, transmission of working knowledge or skills or consulting services and including verbal forms of assistance;
- (i) “brokering services” means:
- (i) the negotiation or arrangement of transactions for the purchase, sale or supply of goods and technology or of financial and technical services, from a third country to any other third country, or
  - (ii) the selling or buying of goods and technology or of financial and technical services, that are located in third countries for their transfer to another third country;
- (j) “territory of the Union” means the territories of the Member States to which the Treaty is applicable, under the conditions laid down in the Treaty, including their airspace.’

(2) The following Articles are inserted:

*Article 1a*

1. It shall be prohibited to provide, directly or indirectly:
  - (a) technical assistance or brokering services related to the goods and technology listed in the Common Military List of the European Union (\*) ("Common Military List") or related to the provision, manufacture, maintenance and use of goods included in that list, to any non-governmental entity or person operating in the territory of the Democratic Republic of Congo ("DRC");
  - (b) financing or financial assistance related to the sale, supply, transfer or export of goods and technology listed in the Common Military List, including in particular grants, loans and export credit insurance, as well as insurance and reinsurance, for any sale, supply, transfer or export of such items, or for any provision of related technical assistance or brokering services to any non-governmental entity or person operating in the territory of the DRC;
2. The provision of technical assistance, financing or financial assistance or brokering services to any non-governmental or other person, entity or body in the DRC, or for use in the DRC, other than provision of that assistance to the United Nations Organisation Stabilisation Mission in the DRC ("Monusco") or the African Union Regional Task Force in accordance with Article 1b(1), shall be notified in advance to the Committee of the Security Council of the United Nations established pursuant to paragraph 8 of UN Security Council Resolution 1533 (2004) ("Sanctions Committee"). Those notifications shall contain all relevant information, including, where appropriate, the end-user, the proposed date of delivery and the itinerary of shipments.

*Article 1b*

1. By way of derogation from Article 1a, the competent authorities may authorise the provision of:
  - (a) technical assistance, financing or financial assistance or brokering services related to arms and related material intended solely for the support of or use by Monusco;
  - (b) technical assistance, financing or financial assistance or brokering services related to non-lethal military equipment intended solely for humanitarian or protective use, where the provision of such assistance or services has been notified in advance to the Sanctions Committee in accordance with Article 1a(2);
  - (c) technical assistance, financing or financial assistance or brokering services related to arms and related material intended solely for the support of or use by the African Union Regional Task Force.
2. No authorisations shall be granted for activities that have already taken place.

(\*) OJ C 69, 18.3.2010, p. 19.

(3) In Article 2, paragraph 3 is deleted.

(4) In Article 2a, paragraph 1 is replaced by the following:

'1. Annex I shall include the natural or legal persons, entities or bodies designated by the Sanctions Committee for engaging in or providing support for acts that undermine the peace, stability or security of the DRC. Such acts shall include:

- (a) acting in violation of the arms embargo and related measures as referred to in Article 1 of Decision 2010/788/CFSP and Article 1a of this Regulation;
- (b) being 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;
- (c) being political and military leaders of Congolese militias, including those receiving support from outside the DRC, who impede the participation of their combatants in disarmament, demobilisation and reintegration processes;
- (d) recruiting or using children in armed conflict in violation of applicable international law;
- (e) being involved in planning, directing or participating in the targeting of children or women in situations of armed conflict, including killing and maiming, rape and other sexual violence, abduction, forced displacement and attacks on schools and hospitals;

- (f) obstructing the access to or the distribution of humanitarian assistance in the DRC;
- (g) supporting individuals or entities, including armed groups, involved in destabilising activities in the DRC through illicit trade of natural resources, including gold or wildlife as well as wildlife products;
- (h) acting on behalf of or at the direction of a designated person or entity, or acting on behalf of or at the direction of an entity owned or controlled by a designated person or entity;
- (i) planning, directing, sponsoring or participating in attacks against MONUSCO peacekeepers or UN personnel;
- (j) providing financial, material, or technological support for, or goods or services to a designated person or entity.’.

(5) Article 7 is replaced by the following:

*Article 7*

1. The freezing of funds and economic resources or the refusal to make funds or economic resources available, carried out in good faith on the basis that such action is in accordance with this Regulation, shall not give rise to liability of any kind on the part of the natural or legal person, entity or body implementing it, or its directors or employees, unless it is proved that the funds and economic resources were frozen as result of negligence.

2. Actions by natural or legal persons, entities or bodies shall not give rise to any liability of any kind on their part if they did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibitions set out in this Regulation.’.

(6) The following Articles are inserted:

*Article 7a*

1. No claims in connection with any contract or transaction the performance of which has been affected, directly or indirectly, in whole or in part, by the measures imposed under this Regulation, including claims for indemnity or any other claim of this type, such as a claim for compensation or a claim under a guarantee, notably a claim for extension or payment of a bond, guarantee or indemnity, particularly a financial guarantee or financial indemnity, of whatever form, shall be satisfied, if they are made by:

- (a) designated natural or legal persons, entities or bodies listed in Annex I;
- (b) any natural or legal person, entity or body acting through or on behalf of one of the persons, entities or bodies referred to in point (a).

2. In any proceedings for the enforcement of a claim, the onus of proving that satisfying the claim is not prohibited under paragraph 1 shall be on the natural or legal person, entity or body seeking the enforcement of that claim.

3. This Article is without prejudice to the right of the natural or legal persons, entities and bodies referred to in paragraph 1 to judicial review of the legality of the non-performance of contractual obligations in accordance with this Regulation.

*Article 7b*

It shall be prohibited to participate, knowingly and intentionally, in activities the object or effect of which is to circumvent the measures referred to in Articles 1a and 2.’.

(7) Annex II is replaced by the Annex to this Regulation.

*Article 2*

Regulation (EC) No 889/2005 is hereby repealed.



*Article 3*

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 Luxembourg, 20 April 2015.

*For the Council*  
*The President*  
F. MOGHERINI

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## ANNEX

## ANNEX II

**Websites for information on the competent authorities and address for notification to the European Commission**

## BELGIUM

<http://www.diplomatie.be/eusanctions>

## BULGARIA

<http://www.mfa.bg/en/pages/135/index.html>

## CZECH REPUBLIC

<http://www.mfcr.cz/mezinarodnisankce>

## DENMARK

<http://um.dk/da/politik-og-diplomati/retsorden/sanktioner/>

## GERMANY

<http://www.bmwi.de/DE/Themen/Aussenwirtschaft/aussenwirtschaftsrecht,did=404888.html>

## ESTONIA

[http://www.vm.ee/est/kat\\_622/](http://www.vm.ee/est/kat_622/)

## IRELAND

<http://www.dfa.ie/home/index.aspx?id=28519>

## GREECE

<http://www.mfa.gr/en/foreign-policy/global-issues/international-sanctions.html>

## SPAIN

<http://www.exteriores.gob.es/Portal/es/PoliticaExteriorCooperacion/GlobalizacionOportunidadesRiesgos/Documents/ORGANISMOS%20COMPETENTES%20SANCIONES%20INTERNACIONALES.pdf>

## FRANCE

<http://www.diplomatie.gouv.fr/autorites-sanctions/>

## CROATIA

<http://www.mvep.hr/sankcije>

## ITALY

[http://www.esteri.it/MAE/IT/Politica\\_Europea/Deroghe.htm](http://www.esteri.it/MAE/IT/Politica_Europea/Deroghe.htm)

## CYPRUS

<http://www.mfa.gov.cy/sanctions>

## LATVIA

<http://www.mfa.gov.lv/en/security/4539>

## LITHUANIA

<http://www.urm.lt/sanctions>

## LUXEMBOURG

<http://www.mae.lu/sanctions>

## HUNGARY

<http://2010-2014.kormany.hu/download/b/3b/70000/ENSZBT-ET-szankcios-tajekoztato.pdf>

## MALTA

<https://www.gov.mt/en/Government/Government%20of%20Malta/Ministries%20and%20Entities/Officially%20Appointed%20Bodies/Pages/Boards/Sanctions-Monitoring-Board-.aspx>

## NETHERLANDS

<http://www.rijksoverheid.nl/onderwerpen/internationale-sancties>

## AUSTRIA

[http://www.bmeia.gv.at/view.php3?f\\_id=12750&LNG=en&version=](http://www.bmeia.gv.at/view.php3?f_id=12750&LNG=en&version=)

## POLAND

<http://www.msz.gov.pl>

## PORTUGAL

<http://www.portugal.gov.pt/pt/os-ministerios/ministerio-dos-negocios-estrangeiros/quero-saber-mais/sobre-o-ministerio/medidas-restritivas/medidas-restritivas.aspx>

## ROMANIA

<http://www.mae.ro/node/1548>

## SLOVENIA

[http://www.mzz.gov.si/si/omejevalni\\_ukrepi](http://www.mzz.gov.si/si/omejevalni_ukrepi)

## SLOVAKIA

[http://www.mzv.sk/sk/europske\\_zalezitosti/europske\\_politiky-sankcie\\_eu](http://www.mzv.sk/sk/europske_zalezitosti/europske_politiky-sankcie_eu)

## FINLAND

<http://formin.finland.fi/kvyhteisty/pakotteet>

## SWEDEN

<http://www.ud.se/sanktioner>

## UNITED KINGDOM

<https://www.gov.uk/sanctions-embargoes-and-restrictions>

Address for notifications to the European Commission:

European Commission  
Service for Foreign Policy Instruments (FPI)  
EEAS 02/309  
B-1049 Brussels  
Belgium  
E-mail: [relex-sanctions@ec.europa.eu](mailto:relex-sanctions@ec.europa.eu)

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**COUNCIL IMPLEMENTING REGULATION (EU) 2015/614****of 20 April 2015****implementing Article 9(4) of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union,

Having regard to Council Regulation (EC) No 1183/2005 of 18 July 2005 concerning restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of Congo <sup>(1)</sup>, and in particular Article 9(4) thereof,

Whereas:

- (1) On 18 July 2005, the Council adopted Regulation (EC) No 1183/2005.
- (2) On 5 February 2015, the Security Council Committee established pursuant to United Nations Security Council Resolution 1533 (2004) concerning the Democratic Republic of the Congo issued an updated list of individuals and entities subject to restrictive measures.
- (3) Annex I to Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 1183/2005 is replaced by the text appearing in the Annex to this Regulation.

*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 Luxembourg, 20 April 2015.

*For the Council*  
*The President*  
F. MOGHERINI

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<sup>(1)</sup> OJ L 193, 23.7.2005, p. 1.

## ANNEX

## ‘ANNEX I

## a) List of persons referred to in Articles 2 and 2a.

## 1. Eric BADEGE

Date of Birth: 1971.

Nationality: Congolese.

Date of UN designation: 31 December 2012.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to the November 15, 2012, final report by the Group of Experts on the Democratic Republic of the Congo, "... Lt. Col. Eric Badege had become the focal point of M23 in Masisi and commanded joint operations ..." with another military leader. Additionally, "a series of coordinated attacks carried out in August [2012] by Lt. Col. Badege ... enabled M23 to destabilize a considerable part of Masisi territory." According to former combatants, Lt Col. Badege ... acted under the orders of Col. Makenga when he orchestrated the attacks. As a military commander of M23, Badege is responsible for serious violations involving the targeting of children or women in situations of armed conflict. According to the November 2012 Group of Experts report, there have been several major incidents of indiscriminate killings of civilians, including women and children. Since May 2012 Raia Mutomboki, under the command of M23, have killed hundreds of civilians in a series of coordinated attacks. In August, Badege carried out joint attacks which involved the indiscriminate killing of civilians. The November Group of Experts report states that these attacks were jointly orchestrated by Badege and Colonel Makoma Semivumbi Jacques.

According to the Group of Experts Report, local leaders from Masisi stated that Badege commanded these Raia Mutomboki attacks on the ground. According to a July 28, 2012, Radio Okapi article, "the administrator of Masisi announced this Saturday, July 28th, the defection of the commander of the 2nd Battalion of the 410th Regiment FARDC base Nyabiondo, about thirty kilometers northwest of Goma in North Kivu. According to him, Colonel Eric Badege and more than a hundred soldiers headed Friday to Rubaya, 80 kilometers north of Nabiondo. This information has been confirmed by several sources." According to a November 23, 2012 BBC article, M23 was formed when former members of the CNDP who had been integrated into the FARDC began to protest against bad conditions and pay, and lack of full implementation of the March 23, 2009 peace deal between the CNDP and the DRC that led to the CNDP's integration into the FARDC. M23 has been engaged in active military operations in order to take control of territory in eastern DRC, according to the November 2012 IPIS report. M23 and FARDC fought over control of several towns and villages in eastern DRC on July 24 and July 25, 2012; M23 attacked the FARDC in Rumangabo on July 26, 2012; M23 drove FARDC from Kibumba on November 17, 2012; and M23 took control of Goma on November 20, 2012. According to the November 2012 Group of Experts report, several ex-M23 combatants claim that M23 leaders summarily executed dozens of children who attempted to escape after being recruited as M23 child soldiers. According to a September 11, 2012 report by Human Rights Watch (HRW), a Rwandan man, 18, who escaped after being forcibly recruited in Rwanda told HRW that he witnessed the execution of a 16-year old boy from his M23 unit who had tried to flee in June. The boy was captured and beaten to death by M23 fighters in front of the other recruits.

An M23 commander who ordered his killing then allegedly told the other recruits "[h]e wanted to abandon us," as an explanation for why the boy had been killed. The report also states that witnesses claimed that at least 33 new recruits and other M23 fighters were summarily executed when they attempted to flee. Some were tied up and shot in front of other recruits as an example of the punishment they could receive. One young recruit told HRW, "[w]hen we were with M23, they said [we had a choice] and could stay with them or we could die. Lots of people tried to escape. Some were found and then that was immediately their death."

## 2. Frank Kakolele BWAMBALE

(alias: a) Frank Kakorere, b) Frank Kakorere Bwambale, c) Aigle Blanc)

Designation: FARDC General.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other Information: Left the CNDP in January 2008. As of June 2011, resides in Kinshasa. Since 2010, Kakolele has been involved in activities apparently on behalf of the DRC government's Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011. DRC authorities arrested him in December 2013 in Beni, North Kivu Province, for allegedly blocking the DDR process.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Former RCD-ML leader, exercising influence over policies and maintaining command and control over the activities of RCD-ML forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo. FARDC General, without posting as of June 2011. Left the CNDP in January 2008. As of June 2011, resides in Kinshasa. Since 2010, Kakolele has been involved in activities apparently on behalf of the DRC government's Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011.

3. Gaston IYAMUREMYE

(alias: a) Byiringiro Victor Rumuli, b) Victor Rumuri, c) Michel Byiringiro, d) Rumuli)

Designation: a) FDLR President, b) 2nd Vice-President of FDLR-FOCA.

Address: As of December 2014 based in North Kivu Province.

Date of Birth: 1948.

Place of Birth: a) Musanze District, Northern Province, Rwanda, b) Ruhengeri, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 December 2010.

Other information: Brigadier General.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to multiple sources, including the UNSC DRC Sanctions Committee's Group of Experts, Gaston Iyamuremye is the second vice president of the FDLR and is considered a core member of the FDLR military and political leadership. Gaston Iyamuremye also ran the office of Ignace Murwanashyaka (President of the FDLR) in Kibua, DRC until December 2009. FDLR President and 2nd Vice-President of FDLR-FOCA As of June 2011, based at Kalonge, North Kivu Province.

4. Innocent KAINA

(alias: a) Colonel Innocent Kaina, b) India Queen)

Place of Birth: Bunagana, Rutshuru territory, DRC.

Date of UN designation: 30 November 2012.

Other information: In Rwanda as of late 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Innocent Kaina is currently a Sector commander in the Mouvement du 23 Mars (M23). He is responsible for and has committed serious violations of international law and human rights. In July 2007 the Garrison Military Tribunal of Kinshasa found Kaina responsible for crime against humanity committed in the District of Ituri, between May 2003 and December 2005. He was released in 2009 as part of the peace agreement between the Congolese government and the CNDP. Within the FARDC in 2009, he has been guilty of executions, abductions and maiming in Masisi territory. As Commander under the orders of General Ntaganda, he initiated the ex-CNDP mutiny in Rutshuru territory in April 2012. He ensured the security of the mutineers out of Masisi. Between May and August 2012, he oversaw the recruitment and training of over 150 children for the M23 rebellion, shooting the boys who had tried to escape. In July 2012 he travelled to Berunda and Degho for mobilization and recruitment activities for the M23.

5. Jérôme KAKWAVU BUKANDE

(alias: a) Jérôme Kakwavu, b) Commandant Jérôme)

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Given the rank of General in the FARDC in December 2004. As of June 2011, detained in Makala Prison in Kinshasa. As of 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes. In November 2014, convicted by a DRC military court to ten years in prison for rape, murder, and torture.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Former President of UCD/FAPC. FAPC's control of illegal border posts between Uganda and the DRC — a key transit route for arms flows. As President of the FAPC, he exercised influence over policies and command and control over the activities of FAPC forces, which were involved in arms trafficking and, consequently, in violations of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002. One of five senior FARDC officers who had been accused of serious crimes involving sexual violence and whose cases the Security Council had brought to the Government's attention during its visit in 2009. Given the rank of General in the FARDC in December 2004. As of June 2011, detained in Makala Prison in Kinshasa. On 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes.

6. Germain KATANGA

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Appointed General in the FARDC in December 2004. Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007. Convicted in May 2014 by the ICC to 12 years in prison for war crimes and crimes against humanity. Currently in prison in the Netherlands.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

FRPI chief. Involved in weapons transfers, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003. Appointed General in the FARDC in December 2004. Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007. His trial began in November 2009.

7. Thomas LUBANGA

Place of Birth: Ituri, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC on 17 March 2006. Convicted by the ICC in March 2012 and sentenced to 14 years in prison. On 1 December 2014, ICC appeals judges upheld Lubanga's conviction and sentence. Currently in prison in the Netherlands.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

President of the UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003. Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC by the DRC authorities on 17 March 2006. His trial began in January 2009 and is due to close in 2011. Convicted by the ICC in March 2012 and sentenced to 14 years in prison. Has appealed the court's ruling.

8. Sultani MAKENGA

(*alias*: a) Makenga, Colonel Sultani, b) Makenga, Emmanuel Sultani)

Date of Birth: 25 December 1973.

Place of Birth: Rutshuru, DRC.

Nationality: Congolese.

Date of UN designation: 13 November 2012.

Other information: A military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo. In Uganda as of late 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Sultani Makenga is a military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo (DRC). As a leader of M23 (also known as the Congolese Revolutionary Army), Sultani Makenga has committed and is responsible for serious violations of international law involving the targeting of women and children in situations of armed conflict, including killing and maiming, sexual violence, abduction, and forced displacement. He has also been responsible for violations of international law related to M23's actions in recruiting or using children in armed conflict in the DRC. Under the command of Sultani Makenga, M23 has carried out extensive atrocities against the civilian population of the DRC. According to testimonies and reports, the militants operating under the command of Sultani Makenga have conducted rapes throughout Rutshuru territory against women and children, some of whom have been as young as 8 years old, as part of a policy to consolidate control in Rutshuru territory. Under Makenga's command, M23 has conducted extensive forced recruitment campaigns of children in the DRC and in the region, as well as killing, maiming, and injuring scores of children. Many of the forced child recruits have been under the age of 15. Makenga has also been reported to be the recipient of arms and related materiel in violation of measures taken by the DRC to implement the arms embargo, including domestic ordinances on the importing and possession of arms and related materiel. Makenga's actions as the leader of M23 have included serious violations of international law and atrocities against the civilian population of the DRC, and have aggravated the conditions of insecurity, displacement, and conflict in the region. A military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo.

9. Khawa Panga MANDRO

(*alias*: a) Kawa Panga, b) Kawa Panga Mandro, c) Kawa Mandro, d) Yves Andoul Karim, e) Yves Khawa Panga Mandro, f) Mandro Panga Kahwa, g) "Chief Kahwa", h) "Kawa")

Date of Birth: 20 August 1973.

Place of Birth: Bunia, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Placed in prison in Bunia in April 2005 for sabotage of the Ituri peace process. Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery. In August 2014, a DRC military court in Kisangani convicted him of war crimes and crimes against humanity, sentenced him to nine years in prison, and ordered him to pay approximately USD 85 000 to his victims.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Ex-President of PUSIC, one of the armed groups and militia referred to in paragraph 20 of Res. 1493 (2003) involved in arms trafficking, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children from 2001 to 2002. Placed in prison in Bunia in April 2005 for sabotage of the Ituri peace process. Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery. As of June 2011 detained at Makala Central Prison, Kinshasa.

10. Callixte MBARUSHIMANA

Date of Birth: 24 July 1963.

Place of Birth: Ndusu/Ruhengeri, Northern Province, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011, but released by the ICC in late 2011.



Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Executive Secretary of the FDLR and Vice-President of the FDLR military high command until his arrest. Political/Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, per Security Council resolution 1857 (2008) OP 4 (b). Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011.

11. Iruta Douglas MPAMO

(*alias*: a) Doulas Iruta Mpamo, b) Mpano)

Address: Gisenyi, Rwanda (As of June 2011).

Date of Birth: a) 28 December 1965, b) 29 December 1965.

Place of Birth: a) Bashali, Masisi, DRC, b) Goma, DRC, c) Uvira, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: No known occupation since two of the planes managed by Great Lakes Business Company (GLBC) crashed.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Owner/Manager of the Compagnie Aérienne des Grands Lacs and of Great Lakes Business Company, whose aircraft were used to provide assistance to armed groups and militias referred to in paragraph 20 of Res. 1493 (2003). Also responsible for disguising information on flights and cargo apparently to allow for the violation of the arms embargo. No known occupation since two of the planes managed by Great Lakes Business Company (GLBC) crashed.

12. Sylvestre MUDACUMURA

(*alias*: a) Mupenzi Bernard, b) General Major Mupenzi, c) General Mudacumura, d) Radja)

Address: Kikoma forest, near Bogoyi, Walikale, North Kivu, DRC (As of June 2011).

Nationality: Rwandan.

Date of UN designation: 1 November 2005.

Other information: Military commander of FDLR-FOCA, also political 1st Vice-President and head of FOCA High Command, thus combining overall military and political command functions since the arrests of FDLR leaders in Europe. As of 2014, based at the FDLR's headquarters in Nganga, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

FDLR commander, exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. Mudacumura (or staff) was in telephone communication with FDLR leader Murwanashyaka in Germany, including at the time of the Busurungi Massacre May 2009, and military commander Major Guillaume during Umoja Wetu and Kimia II operations in 2009. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for 27 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2007. Military commander of FDLR-FOCA, also political 1st Vice-President and head of FOCA High Command, thus combining overall military and political command functions since the arrests of FDLR leaders in Europe.

13. Leodomir MUGARAGU

(*alias*: a) Manzi Leon, b) Leo Manzi)

Address: FDLR HQ at Kikoma forest, Bogoyi, Walikale, North Kivu, DRC (As of June 2011).

Date of Birth: a) 1954 b) 1953.

Place of Birth: a) Kigali, Rwanda b) Rushashi, Northern Province, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 December 2010.

Other information: FDLR-FOCA Chief of Staff, in charge of administration.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to open-source and official reporting, Leodomir Mugaragu is the Chief of Staff of the Forces Combattantes Abucunguzi/Combatant Force for the Liberation of Rwanda (FOCA), the FDLR's armed wing. According to official reporting Mugaragu is a senior planner for FDLR's military operations in the eastern DRC. FDLR-FOCA Chief of Staff, in charge of administration.

14. Leopold MUJYAMBERE

(*alias*: a) Musenyeri, b) Achille, c) Frere Petrus Ibrahim)

Address: Nyakaleke (south-east of Mwenga), South Kivu, DRC.

Date of Birth: a) 17 March 1962, b) Approximately 1966.

Place of Birth: Kigali, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: As of late 2014, acting deputy commander of FDLR/FOCA, based in Nganga, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Commander of the Second Division of FOCA/the Reserve Brigades (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e). As of June 2011, Commander of the South Kivu operational sector now called "Amazon" of FDLR-FOCA.

15. Jamil MUKULU

(*alias*: a) Steven Alirabaki, b) David Kyagulanyi, c) Musezi Talenganimiro, d) Mzee Tutu, e) Abdullah Junjuaka, f) Alilabaki Kyagulanyi, g) Hussein Muhammad, h) Nicolas Luumu, i) Professor Musharaf, j) Talenganimiro)

Designation: a) Head of the Allied Democratic Forces (ADF), b) Commander, Allied Democratic Forces.

Date of Birth: a) 1965, b) 1 January 1964.

Place of Birth: Ntoke Village, Ntenjeru Sub County, Kayunga District, Uganda.

Nationality: Ugandan.

Date of UN designation: 12 October 2011.

Other information: Whereabouts unknown as of late 2014; however, he is believed to be in North Kivu, DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to open-source and official reporting, including the UNSC DRC Sanctions Committee's Group of Experts' reports, Mr. Jamil Mukulu is the military leader of the Allied Democratic Forces (ADF), a foreign armed group operating in the DRC that impedes the disarmament and voluntary repatriation or resettlement of ADF combatants, as described in paragraph 4 (b) of resolution 1857 (2008). The UNSC DRC Sanction Committee's Group of Experts has reported that Mukulu has provided leadership and material support to the ADF, an armed group operating in the territory of the DRC. According to multiple sources including the UNSC DRC Sanctions Committee's Group of Experts' reports, Jamil Mukulu has also continued to exercise influence over the policies, provided financing, and maintained direct command and control over the activities of, ADF forces in the field, including overseeing links with international terrorist networks.

16. Ignace MURWANASHYAKA

(*alias*: Dr. Ignace)

Title: Dr.

Date of Birth: 14 May 1963.

Place of Birth: a) Butera, Rwanda, b) Ngoma, Butare, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 November 2005.

Other information: Arrested by German authorities on 17 November 2009. Replaced by Gaston Iamuremye, *alias* "Rumuli" as President of FDLR-FOCA. Murwanashyaka's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

President of the FDLR, and supreme commander of the FDLR armed forces exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. In telephone communication with FDLR military field commanders (including during the Busurungi May 2009 massacre); gave military orders to the high command; involved in coordinating the transfer of arms and ammunition to FDLR units and relaying specific instructions for use; managing large sums of money raised through illicit sale of natural resources in areas of FDLR control. According to the Office of the SRSG on Children and Armed Conflict, he held command responsibility as President and military commander of FDLR for recruitment and use of children by FDLR in Eastern Congo. Arrested by German authorities on 17 November 2009. Replaced by Gaston Iamuremye, *alias* "Rumuli" as President of FDLR-FOCA. Murwanashyaka's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court.

#### 17. Straton MUSONI

(*alias*: IO Musoni)

Date of Birth: a) 6 April 1961, b) 4 June 1961.

Place of Birth: Mugambazi, Kigali, Rwanda.

Nationality: Rwandan.

Date of UN designation: 29 March 2007.

Other information: Arrested by German authorities on 17 November 2009. Musoni's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court. Replaced as 1st Vice-President of the FDLR by Sylvestre Mudacumura.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Through his leadership of the FDLR, a foreign armed group operating in the DRC, Musoni was impeding the disarmament and voluntary repatriation or resettlement of combatants belonging to those groups, in breach of resolution 1649 (2005). Arrested by German authorities on 17 November 2009. Musoni's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court. Replaced as 1st Vice-President of the FDLR by Sylvestre Mudacumura.

#### 18. Jules MUTEBUTSI

(*alias*: a) Jules Mutebusi, b) Jules Mutebuzi, c) Colonel Mutebutsi)

Date of Birth: 1964.

Place of Birth: Minembwe, South Kivu, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Former FARDC Deputy Military Regional Commander of 10th Military Region in April 2004, dismissed for indiscipline. In December 2007, he was arrested by Rwandan authorities when he tried to cross the border into the DRC. He has lived since in semi-liberty in Kigali (not authorized to leave the country).

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Joined forces with other renegade elements of former RCD-G to take town of Bukavu in May 2004 by force. Implicated in the receipt of weapons outside of FARDC structures and provision of supplies to armed groups and militia mentioned in paragraph 20 of Res. 1493 (2003), in violation of the arms embargo. Former FARDC Deputy Military Regional Commander of 10th Military Region in April 2004, dismissed for indiscipline. In December 2007, he was arrested by Rwandan authorities when he tried to cross the border into the DRC. He has lived since in semi-liberty in Kigali (not authorized to leave the country).

## 19. Baudoin NGARUYE WA MYAMURO

(*alias*: Colonel Baudoin Ngaruye)

Title: Military leader of the Mouvement du 23 Mars (M23).

Designation: Brigadier General.

Address: Rubavu/Mudende, Rwanda.

Date of Birth: a) 1 April 1978 b) 1978.

Place of Birth: a) Bibwe, DRC b) Lusamambo, Lubero territory, DRC.

Nationality: Congolese.

National identification no: FARDC ID 1-78-09-44621-80.

Date of UN designation: 30 November 2012.

Other information: Entered the Republic of Rwanda on 16 March 2013. As of late 2014, living in Ngoma camp, Rwanda.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

In April 2012, Ngaruye commanded the ex-CNDP mutiny, known as the Mouvement du 23 Mars (M23), under the orders of General Ntaganda. He is currently the third highest ranking military commander within the M23. The Group of experts on the DRC previously recommended him for designation in 2008 and 2009. He is responsible for and has committed severe violations of human rights and international law. He recruited and trained hundreds of children between 2008 and 2009 and then towards the end of 2010 for the M23. He has committed killing, maiming and abductions, often targeting women. He is responsible for executions and torture of deserters within the M23. In 2009 within the FARDC, he gave the orders to kill all men in Shalio village of Walikale. He also provided weapons, munitions and salaries in Masisi and Walikale under the direct orders from Ntaganda. In 2010 he orchestrated the forced displacement and expropriation of populations in the area of Lukopfu. He has also been extensively involved in criminal networks within the FARDC deriving profits from the mineral trade which led to tensions and violence with Colonel Innocent Zimurinda in 2011. Entered the Republic of Rwanda on 16.3.2013 at Gasizi/Rubavu.

## 20. Mathieu, Chui NGUDJOLO

(*alias*: Cui Ngudjolo)

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Arrested by MONUC in Bunia in October 2003. Surrendered by the Government of the DRC to the International Criminal Court on 7 February 2008. Acquitted of all charges by the ICC in December 2012. After being released from custody, was detained by Dutch authorities, and has filed a claim for asylum in the Netherlands. The Prosecution appealed the ICC's decision; hearings were held in October 2014 and a decision is pending as of December 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

FNI Chief of Staff and former Chief of Staff of the FRPI, exercising influence over policies and maintaining command and control the activities of FRPI forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children under 15 years old in Ituri in 2006. Arrested by MONUC in Bunia in October 2003. Surrendered by the Government of the DRC to the International Criminal Court on 7 February 2008. Acquitted of all charges by the ICC in December 2012. After being released from custody, was detained by Dutch authorities, and has filed a claim for asylum in the Netherlands.

## 21. Floribert Ngabu NJABU

(*alias*: a) Floribert Njabu Ngabu, b) Floribert Ndjabu, c) Floribert Ngabu Ndjabu).

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Under house arrest in Kinshasa since March 2005 for FNI involvement in human rights abuses. Transferred to The Hague on 27 March 2011 to testify in the ICC Germain Katanga and Mathieu Ngudjolo trials. Applied for asylum in the Netherlands in May 2011. In October 2012, a Dutch court denied his asylum claim. In July 2014, he was deported from the Netherlands to DRC, where he was placed under arrest.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

President of FNI, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. Under house arrest in Kinshasa since March 2005 for FNI involvement in human rights abuses. Transferred to The Hague on 27 March 2011 to testify in the ICC Germain Katanga and Mathieu Ngudjolo trials. Applied for asylum in the Netherlands in May 2011. In October 2012, a Dutch court denied his asylum claim; the case is currently on appeal.

22. Laurent NKUNDA

(*alias*: a) Nkunda Mihigo Laurent, b) Laurent Nkunda Bwatare, c) Laurent Nkundabatware, d) Laurent Nkunda Mahoro Bwatare, e) Laurent Nkunda Bwatare, f) Chairman, g) General Nkunda, h) Papa Six)

Date of Birth: a) 6 February 1967 b) 2 February 1967.

Place of Birth: Rutshuru, North Kivu, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Former RCD-G General. Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; Officer Rwandan Patriotic Front (RPF), 1992-1998. Laurent Nkunda was arrested by Rwandan authorities in Rwanda in January 2009 and replaced as the commander of the CNDP. Since then, he has been under house arrest in Kigali, Rwanda. DRC Government's request to extradite Nkunda for crimes committed in eastern DRC has been refused by Rwanda. In 2010, Nkunda's appeal for illegal detention was rejected by Rwandan court in Gisenyi, ruling that the matter should be examined by a military court. Nkunda's lawyers appealed with the Rwandan Military Court.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Joined forces with other renegade elements of former RCD-G to take Bukavu in May 04 by force. In receipt of weapons outside of FARDC in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for 264 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2009. Former RCD-G General. Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; Officer Rwandan Patriotic Front (RPF), 1992-1998. Laurent Nkunda was arrested by Rwandan authorities in Rwanda in January 2009 and replaced as the commander of the CNDP. Since then, he has been under house arrest in Kigali, Rwanda. DRC Government's request to extradite Nkunda for crimes committed in eastern DRC has been refused by Rwanda. In 2010, Nkunda's appeal for illegal detention was rejected by Rwandan court in Gisenyi, ruling that the matter should be examined by a military court. Nkunda's lawyers initiated a procedure with the Rwandan Military Court. Retains some influence over certain elements of the CNDP.

23. Felicien NSANZUBUKIRE

(*alias*: Fred Irakeza)

Designation: 1st battalion leader of the FDLR/FOCA, based in the Uvira-Sange area of South Kivu.

Address: Magunda, Mwenga territory, South Kivu, DRC (As of June 2011).

Date of Birth: 1967.

Place of Birth: a) Murama, Kigali, Rwanda, b) Rubungo, Kigali, Rwanda, c) Kinyinya, Kigali, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 December 2010.

Other information: A member of the FDLR since at least 1994 and operating in eastern DRC since October 1998.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Felicien Nsanzubukire supervised and coordinated the trafficking of ammunition and weapons between at least November 2008 and April 2009 from the United Republic of Tanzania, via Lake Tanganyika, to FDLR units based in the Uvira and Fizi areas of South Kivu. 1st battalion leader of the FDLR-FOCA, based in the Uvira-Sange area of South Kivu. A member of the FDLR since at least 1994 and operating in eastern DRC since October 1998.

## 24. Pacifique NTAWUNGUKA

(*alias*: a) Pacifique Ntawungula, b) Colonel Omega, c) Nzeri, d) Israel)

Designation: Commander, Operational Sector North Kivu "SONOKI" of FDLR-FOCA.

Address: Matembe, North Kivu, DRC (As of June 2011).

Date of Birth: a) 1 January 1964, b) Approximately 1964.

Place of Birth: Gaseke, Gisenyi Province, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: Received military training in Egypt. As of late 2014, based in Tongo area, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Commander of the First Division of FOCA (FDLR armed wing). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e). Received military training in Egypt.

## 25. James NYAKUNI

Nationality: Ugandan.

Date of UN designation: 1 November 2005.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Trade partnership with Jérôme Kakwavu, particularly smuggling across the DRC/Uganda border, including suspected smuggling of weapons and military material in unchecked trucks. Violation of the arms embargo and provision of assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003), including financial support that allows them to operate militarily.

## 26. Stanislas NZEYIMANA

(*alias*: a) Deogratias Bigaruka Izabayo, b) Izabayo Deo, c) Jules Mateso Mlamba, d) Bigaruka, e) Bigurura)

Designation: Deputy commander of the FDLR-FOCA.

Address: Mukoberwa, North Kivu, DRC (As of June 2011).

Date of Birth: a) 1 January 1966 b) 28 August 1966 c) Approximately 1967.

Place of Birth: Mugusa, Butare, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: Disappeared while in Tanzania in early 2013. Whereabouts unknown as of late 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Deputy Commander of the FOCA (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e).

## 27. Dieudonné OZIA MAZIO

(*alias*: a) Ozia Mazio, b) Omari, c) Mr Omari)

Date of Birth: 6 June 1949.

Place of Birth: Ariwara, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: While president of the Fédération des entreprises congolaises (FEC) in Aru territory, Dieudonné Ozia Mazio is believed to have died in Ariwara on 23 September 2008.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Financial schemes with Jerome Kakwavu and FAPC and smuggling across the DRC/Uganda border, allowing supplies and cash to be made available to Kakwavu and his troops. Violation of the arms embargo, including by providing assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003). While president of the Fédération des entreprises congolaises (FEC) in Aru territory, Dieudonné Ozia Mazio is believed to have died in Ariwara on 23 September 2008.

## 28. Jean-Marie Lugerero RUNIGA

(*alias*: Jean-Marie Rugerero)

Designation: M23, President.

Address: Rubavu/Mudende, Rwanda.

Date of Birth: a) Approximately 1960, b) 9 September 1966.

Place of Birth: Bukavu, DRC.

Date of UN designation: 31 December 2012.

Other information: Entered the republic of Rwanda on 16 March 2013. As of late 2014, residing in Rwanda.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

A July 9, 2012 document signed by M23 leader Sultani Makenga named Runiga as the coordinator of the political wing of M23. According to the document, Runiga's appointment was prompted by the need to ensure the visibility of the M23 cause. Runiga is named as the "President" of the M23 in postings on the group's website. His leadership role is corroborated by the November 2012 Group of Experts report, which refers to Runiga as the "leader of the M23". According to a December 13, 2012. Associated Press article, Runiga showed the Associated Press a list of demands that he said will be presented to the Congolese government. Included in the demands are the resignation of Kabila and the dissolution of the national assembly. Runiga indicated that if given the opportunity, M23 could retake Goma. "And at this time we will not retreat," Runiga told the Associated Press. He also indicated that M23's political branch should resume its control of Goma as a precondition to negotiations. "I think our members who are in Kampala represent us. In due time I will be there, too. I am waiting for things to be organized and when Kabila will be there, I will go, too," Runiga said. According to a November 26, 2012 Le Figaro article, Runiga met with DRC President Kabila on November 24, 2012 to begin discussions. Separately, in an interview with Le Figaro, Runiga stated, "M23 is composed primarily of former FARDC military members who defected to protest the non-respect of the March 23, 2009 accords."

He added, "M23's soldiers are deserters from the army who left with their arms in hand. Recently, we recovered a lot of equipment from a military base in Bunagana. For the moment, this allows us to regain territory each day and to repel all the attacks from the FARDC. Our revolution is Congolese, led by the Congolese, for the Congolese people." According to a November 22, 2012 Reuters article, Runiga stated that M23 had the capacity to hang on to Goma after M23's forces were bolstered by mutinying Congolese soldiers from the FARDC: "Firstly we have a disciplined army, and also we have the FARDC soldiers who've joined us. They're our brothers, they'll be retrained and recycled then we'll work with them." According to a November 27, 2012 article published in The Guardian, Runiga indicated that M23 would refuse to obey a call by regional leaders of the International Conference of the Great Lakes to leave Goma in order to pave the way for peace talks. Instead, Runiga stated that M23's withdrawal from Goma would be the result, not a precondition, of negotiation. According to the 15 November 2012 Final Report of the Group of Experts, Runiga led a delegation that travelled to Kampala, Uganda on July 29, 2012 and finalized the M23 movement's 21-point agenda ahead of anticipated negotiations at the International Conference on the Great Lakes Region. According to a November 23, 2012 BBC article,

M23 was formed when former members of the CNDP who had been integrated into the FARDC began to protest against bad conditions and pay, and lack of full implementation of the March 23, 2009 peace deal between the CNDP and the DRC that led to the CNDP's integration into the FARDC.

M23 has been engaged in active military operations in order to take control of territory in eastern DRC, according to the November 2012 IPIS report. M23 and FARDC fought over control of several towns and villages in eastern DRC on July 24 and July 25, 2012; M23 attacked the FARDC in Rumangabo on July 26, 2012; M23 drove FARDC from Kibumba on November 17, 2012; and M23 took control of Goma on November 20, 2012. According to the November 2012 Group of Experts report, several ex-M23 combatants claim that M23 leaders summarily executed dozens of children who attempted to escape after being recruited as M23 child soldiers. According to a September 11, 2012 report by Human Rights Watch (HRW), a Rwandan man, 18, who escaped after being forcibly recruited in Rwanda told HRW that he witnessed the execution of a 16-year old boy from his M23 unit who had tried to flee in June. The boy was captured and beaten to death by M23 fighters in front of the other recruits. An M23 commander who ordered his killing then allegedly told the other recruits "[h]e wanted to abandon us," as an explanation for why the boy had been killed. The report also states that witnesses claimed that at least 33 new recruits and other M23 fighters were summarily executed when they attempted to flee. Some were tied up and shot in front of other recruits as an example of the punishment they could receive. One young recruit told HRW, "[w]hen we were with M23, they said [we had a choice] and could stay with them or we could die. Lots of people tried to escape. Some were found and then that was immediately their death." Entered the Republic of Rwanda on 16 March 2013, at Gasizi/Rubavu.

#### 29. Ntabo Ntaberi SHEKA

Designation: Commander-in-Chief, Nduma Defence of Congo, Mayi Mayi Sheka group.

Date of Birth: 4 April 1976.

Place of Birth: Walikalele territory, DRC.

Nationality: Congolese.

Date of UN designation: 28 November 2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Ntabo Ntaberi Sheka, Commander-in-Chief of the political branch of the Mayi Mayi Sheka, is the political leader of a Congolese armed group that impedes the disarmament, demobilization, or reintegration of combatants. The Mayi Mayi Sheka is a Congo-based militia group that operates from bases in Walikale territory in eastern Democratic Republic of the Congo. The Mayi Mayi Sheka group has carried out attacks on mines in eastern Democratic Republic of the Congo, including taking over the Bisiye mines and extorting from locals. Ntabo Ntaberi Sheka has also committed serious violations of international law involving the targeting of children. Ntabo Ntaberi Sheka planned and ordered a series of attacks in Walikale territory from 30 July to 2 August, 2010, to punish local populations accused of collaborating with Congolese Government forces. In the course of the attacks, children were raped and were abducted, subjected to forced labour and subjected to cruel, inhumane or degrading treatment. The Mayi Mayi Sheka militia group also forcibly recruits boys and holds children in their ranks from recruitment drives.

#### 30. Bosco TAGANDA

(alias: a) Bosco Ntaganda, b) Bosco Ntagenda, c) General Taganda, d) Lydia, e) Terminator, f) Tango Romeo (Call sign), g) Romeo (Call sign), h) Major)

Address: Goma, DRC (As of June 2011).

Date of Birth: Between 1973 and 1974.

Place of Birth: Bigogwe, Rwanda.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009. Since January 2009, de facto Deputy Commander of consecutive anti-FDLR operations "Umoja Wetu", "Kimia II", and "Amani Leo" in North and South Kivu. Entered Rwanda in March 2013, and voluntarily surrender to ICC officials in Kigali on March 22. Transferred to the ICC in The Hague, Netherlands. On 9 June 2014, ICC confirmed 13 charges of war crimes and five charges of crimes against humanity against him; the trial is scheduled to start 2 June 2015.



Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

UPC/L military commander, exercising influence over policies and maintaining command and control over the activities of UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. He was appointed General in the FARDC in December 2004 but refused to accept the promotion, therefore remaining outside of the FARDC. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002 and 2003, and 155 cases of direct and/or command responsibility for recruitment and use of children in North Kivu from 2002 to 2009. As CNDP Chief of Staff, had direct and command responsibility for the massacre at Kiwanja (November 2008). Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. As of June 2011, he resides in Goma and owns large farms in Ngungu area, Masisi territory, North Kivu. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009. Since January 2009, de facto Deputy Commander of consecutive anti-FDLR operations "Umoja Wetu", "Kimia II", and "Amani Leo" in North and South Kivu. Entered Rwanda in March 2013, and voluntarily surrender to ICC officials in Kigali on March 22. Transferred to the ICC in The Hague, where he was read the charges against him in an initial appearance hearing on March 26.

31. Innocent ZIMURINDA

(alias: Zimulinda)

Designation: a) M23, Bde Comd,

Rank: Colonel, b) Colonel in the FARDC.

Address: Rubavu, Mudende.

Date of Birth: a) 1 September 1972, b) Approximately 1975, c) 16 March 1972.

Place of Birth: a) Ngungu, Masisi territory, North Kivu, DRC, b) Masisi, DRC.

Nationality: Congolese.

Date of UN designation: 1 December 2010.

Other information: Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area. In July 2009, Zimurinda was promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations. Whereas Zimurinda did not appear in the 31 December 2010 DRC Presidential ordinance nominating high FARDC officers, Zimurinda de facto maintained his command position of FARDC 22nd sector in Kitchanga and wears the newly issued FARDC rank and uniform. In December 2010, recruitment activities carried out by elements under the command of Zimurinda were denounced in open source reports. Entered the Republic of Rwanda on 16 March 2013. As of late 2014, residing in Ngoma camp, Rwanda.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to multiple sources, Lt Col Innocent Zimurinda, in his capacity as one of the commanders of the FARDC 231st Brigade, gave orders that resulted in the massacre of over 100 Rwandan refugees, mostly women and children, during an April 2009 military operation in the Shalio area. The UNSC DRC Sanctions Committee's Group of Experts reported that Lt Col Innocent Zimurinda was witnessed first-hand refusing to release three children from his command in Kalehe, on August 29, 2009. According to multiple sources, Lt Col Innocent Zimurinda, prior to the CNDP's integration into FARDC, participated in a November 2008 CNDP operation that resulted in the massacre of 89 civilians, including women and children, in the region of Kiwanja.

In March 2010, 51 human rights groups working in eastern DRC alleged that Zimurinda was responsible for multiple human rights abuses involving the murder of numerous civilians, including women and children, between February 2007 and August 2007. Lt Col Innocent Zimurinda was accused in the same complaint of responsibility for the rape of a large number of women and girls. According to a May 21, 2010, statement by the Special Representative of the Secretary General for Children and Armed Conflict, Innocent Zimurinda has been involved in the arbitrary execution of child soldiers, including during operation Kimia II. According to the same statement, he denied access by the UN Mission in the DRC (MONUC) to screen troops for minors. According to the UNSC DRC Sanctions Committee's Group of Experts, Lt Col Zimurinda holds direct and command responsibility for child recruitment and for maintaining children within troops under his command. Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area. In July 2009, Zimurinda was promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations. Whereas Zimurinda did not appear in the 31 December 2010 DRC Presidential ordinance nominating high

FARDC officers, Zimurinda de facto maintained his command position of FARDC 22nd sector in Kitchanga and wears the newly issued FARDC rank and uniform. He remains loyal to Bosco Ntaganda. In December 2010, recruitment activities carried out by elements under the command of Zimurinda were denounced in open source reports. Entered the Republic of Rwanda on 16 March 2013. As of late 2014, residing in Ngoma camp, Rwanda.

b) List of entities referred to in Articles 2 and 2a.

1. ADF

(*alias*: a) Allied Democratic Forces b) Forces Démocratiques Alliées-Armée Nationale de Libération de l'Ouganda c) ADF/NALU d) NALU).

Address: North Kivu Province, Democratic Republic of the Congo.

Date of UN designation: 30 June 2014.

Other Information: As of December 2014, ADF was split into several small groups. Jamil Mukulu leads one group, which contains several senior ADF leaders, and is in an unknown location, probably in North Kivu Province. Seka Baluku leads the other main group, which operates in the forest northeast of Beni town in North Kivu Province. ADF also has an extensive support network in DRC, Uganda, Rwanda, and possibly other countries.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The Allied Democratic Forces (“ADF”) was created in 1995 and is located in the mountainous DRC-Uganda border area. According to the United Nations Group of Experts on the Democratic Republic of the Congo’s (“GOE”) 2013 final report, citing Ugandan officials and UN sources, in 2013 the ADF had an estimated strength of 1 200 to 1 500 armed fighters located in north-east Beni Territory of North Kivu province, close to the border with Uganda. These same sources estimate ADF’s total membership — including women and children — to be between 1 600 and 2 500. Due to offensive military operations by the Congolese Armed Forces (FARDC) and the UN Organization Stabilization Mission in the DRC (MONUSCO) conducted in 2013 and 2014, ADF has dispersed its fighters to numerous smaller bases, and moved women and children to areas west of Beni, and along the Ituri-North Kivu border. The ADF’s military commander is Hood Lukwago and its supreme leader is the sanctioned individual Jamil Mukulu.

The ADF has committed serious violations of international law and UNSCR 2078 (2012), including as detailed below.

The ADF has recruited and used child soldiers in violation of applicable international law (UNSCR paragraph 4 (d))

The GOE’s 2013 final report stated that the GOE interviewed three former ADF fighters who had escaped during 2013 and who described how ADF recruiters in Uganda lure people to the DRC with false promises of employment (for adults) and free education (for children) and then force them to join the ADF. Also according to the GOE’s report, former ADF fighters told the GOE that the ADF’s training groups typically include adult men and boys and two boys who escaped from the ADF in 2013 told the GOE that they had received military training from the ADF. The GOE report also includes an account of ADF’s training by a “former ADF child soldier”.

According to the GOE’s 2012 final report, the ADF recruits include children, as exemplified by the case of an ADF recruiter who was captured by Ugandan authorities in Kasese with six young boys on his way to the DRC in July 2012.

A specific example of the ADF’s recruitment and use of children is seen in a 6 January 2009 letter from the former Africa Director for Human Rights Watch, Georgette Gagnon, to Uganda’s former Minister of Justice, Kiddhu Makubuyu, stating that a boy named Bushobozi Iumba was abducted at 9 years of age by the ADF in 2000. He was required to provide transport and other services to ADF fighters.

In addition, “The Africa Report” cited allegations that the ADF is allegedly recruiting children as young as 10 years of age as child soldiers and cited a Uganda People’s Defence Force (UPDF) spokesperson as stating that the UPDF rescued 30 children from a training camp on Buvuma Island in Lake Victoria.

The ADF has also committed numerous violations of international human rights and international humanitarian law against women and children, including killing, maiming, and sexual violence (UNSCR paragraph 4 (e)).

According to the GOE 2013 final report, in 2013 the ADF attacked numerous villages, which prompted more than 66 000 people to flee into Uganda. These attacks depopulated a large area, which ADF has since controlled by abducting or killing people who return to their villages. Between July and September 2013, ADF decapitated at least five people in the Kamango area, shot several others, and kidnapped dozens more. These actions terrorized the local population and deterred people from returning home.

The Global Horizontal Note, a monitoring and reporting mechanism of grave violations against children in situations of armed conflict, reported to the Security Council's Working Group on Children and Armed Conflict (CAAC) that during the October to December 2013 reporting period, ADF was responsible for 14 of the 18 child casualties documented, including in an incident on 11 December 2013, in Beni territory, North Kivu, when ADF attacked the village of Musuku, killing 23 people, including 11 children (three girls and eight boys), aged 2 months to 17 years. All victims had all been severely mutilated with machetes, including two children who survived the attack.

The March 2014 Report of the Secretary General on Conflict Related Sexual Violence identifies the "Allied Democratic Forces — National Army for the Liberation of Uganda" on its list of "Parties credibly suspected of committing or being responsible for rape or other forms of sexual violence in situations of armed conflict."

The ADF has also participated in attacks against MONUSCO peacekeepers (UNSCR paragraph 4 (i)).

Finally, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) reported that ADF has conducted at least two attacks on MONUSCO peacekeepers. The first, on 14 July 2013, was an attack on a MONUSCO patrol on the road between Mbau and Kamango. This attack is detailed in the 2013 GOE final report. The second attack occurred on March 3, 2014. A MONUSCO vehicle was attacked with grenades ten kilometers from the Mavivi airport in Beni, resulting in injuries to five peacekeepers.

## 2. BUTEMBO AIRLINES (BAL)

Address: Butembo, DRC.

Date of UN designation: 29 March 2007.

Other information: Privately-owned airline, operates out of Butembo. Since December 2008, BAL no longer holds an aircraft operating license in the DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008) used his airline to transport FNI gold, rations and weapons between Mongbwalu and Butembo. This constitutes "provision of assistance" to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Privately-owned airline, operates out of Butembo. Since December 2008, BAL no longer holds an aircraft operating license in the DRC.

## 3. COMPAGNIE AERIENNE DES GRANDS LACS (CAGL); GREAT LAKES BUSINESS COMPANY (GLBC) (*alias*: CAGL)

Address: a) Avenue Président Mobutu, Goma, DRC, b) Gisenyi, Rwanda, c) PO BOX 315, Goma, DRC.

Date of UN designation: 29 March 2007.

Other information: As of December 2008, GLBC no longer had any operational aircraft, although several aircraft continued flying in 2008 despite UN sanctions.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

CAGL and GLBC are companies owned by Douglas MPAMO, an individual already subject to sanctions under resolution 1596 (2005). CAGL and GLBC were used to transport arms and ammunition in violation of the arms embargo of resolutions 1493 (2003) and 1596 (2005). As of December 2008, GLBC no longer had any operational aircraft, although several aircraft continued flying in 2008 despite UN sanctions.

## 4. CONGOMET TRADING HOUSE

Address: Butembo, North Kivu.

Date of UN designation: 29 March 2007.

Other information: No longer exists as a gold trading house in Butembo, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Congomet Trading House (formerly listed as Congocom) was owned by Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008). Kambale acquired almost all the gold production in the Mongbwalu district, which was controlled by the FNI. The FNI derived substantial income from taxes imposed on this production. This constitutes "provision of assistance" to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). No longer exists as a gold trading house in Butembo, North Kivu.

5. FORCES DEMOCRATIQUES DE LIBERATION DU RWANDA (FDLR)

(*alias*: a) FDLR, b) Force Combattante Abacunguzi, c) Combatant Force for the Liberation of Rwanda, d) FOCA)

Address: a) North Kivu, DRC b) South Kivu, DRC.

Date of UN designation: 31 December 2012.

Other information: Email: [Fdlr@fmx.de](mailto:Fdlr@fmx.de); [fldrse@yahoo.fr](mailto:fldrse@yahoo.fr); [fldr@gmx.net](mailto:fldr@gmx.net); [fldrst@gmail.com](mailto:fldrst@gmail.com); [humura2020@gmail.com](mailto:humura2020@gmail.com)

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The FDLR is one of the largest foreign armed groups operating in the territory of the DRC. The group was formed in 2000, and has committed serious violations of international law involving the targeting of women and children in armed conflict, including killing and maiming, sexual violence, and forced displacement. According to a 2010 report from Amnesty International, the FDLR were responsible for the killings of ninety-six civilians in Busurungi, Walikale territory. Some of the victims were burned alive in their homes. According to the same source, in June 2010, an NGO medical centre reported around sixty cases a month of girls and women who had been raped in the southern Lubero territory, North-Kivu by armed groups including the FDLR. According to a December 20, 2010 report from Human Rights Watch (HRW), there has been documented evidence of the FDLR actively conducting child recruitment. HRW identified at least 83 Congolese children under the age of 18, some as young as 14, who had been forcibly recruited by the FDLR. In January 2012, HRW reported that FDLR combatants attacked numerous villages in the Masisi territory, killing six civilians, raping two women, and abducting at least 48 people.

According to a June 2012 report from HRW, in May 2012 FDLR fighters attacked civilians in Kamananga and Lumenje, in South Kivu province, as well as in Chambucha, Walikale territory, and villages in the Ufumandu area of Masisi territory, North Kivu province. In these attacks, FDLR fighters with machetes and knives hacked to death dozens of civilians, including numerous children. According to the June 2012 Group of Experts Report, the FDLR attacked several villages in South Kivu from December 31, 2011 to January 4, 2012. A United Nations investigation confirmed that at least 33 persons, including 9 children and 6 women, had been killed, either burned alive, decapitated or shot during the attack. In addition, one woman and one girl had been raped. The June 2012 Group of Experts Report also states that a United Nations investigation confirmed that the FDLR massacred at least 14 civilians, including 5 women and 5 children in South Kivu in May 2012. According to the November 2012 Group of Experts report, the UN documented at least 106 incidents of sexual violence committed by the FDLR between December 2011 and September 2012. The November 2012 Group of Experts report notes that, according to a UN investigation, the FDLR raped seven women in the night of 10 March 2012, including a minor, in Kalinganya, Kabare territory. The FDLR attacked the village again on 10 April 2012 and raped three of the women for the second time. The November 2012 Group of Experts report also reports 11 killings by the FDLR in Bushibwambombo, Kalehe on 6 April 2012, and FDLR involvement in 19 further killings in Masisi territory, including five minors and six women, in May. The Mouvement Du 23 Mars (M23) is an armed group operating in the DRC that has been the recipient of arms and related materiel, including advice, training, and assistance related to military activities.

Several eyewitness testimonies state that M23 receives general military supplies from the Rwandan Defense Forces (RDF) in the form of weapons and ammunition in addition to materiel support for combat operations. M23 has been complicit in and responsible for committing serious violations of international law involving the targeting of women and children in situations of armed conflict in the DRC including killing and maiming, sexual violence, abduction, and forced displacement. According to numerous reports, investigations, and testimonies from eyewitnesses, M23 has been responsible for carrying out mass killings of civilians, as well as raping women and children throughout various regions of the DRC. Several reports indicate that M23 fighters have carried out 46 rapes against women and girls, the youngest of which was 8 years old. In addition to reports of sexual violence, M23 has also carried out extensive forced recruitment campaigns of children into the ranks of the group. It is estimated that M23 has carried out the forced recruitment of 146 young men and boys in the Rutshuru territory alone in eastern DRC since July 2012. Some of the victims have been as young as 15 years old. The atrocities committed by M23 against the civilian population of the DRC, as well as M23's forced recruitment campaign, and being the recipient of arms and military assistance has dramatically contributed to instability and conflict within the region and in some instances, violated international law.

## 6. M23

(*alias*: Mouvement du 23 mars).

Date of UN designation: 31 December 2012.

Other Information: Email: mouvementdu23mars1@gmail.com

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The Mouvement Du 23 Mars (M23) is an armed group operating in the DRC that has been the recipient of arms and related materiel, including advice, training, and assistance related to military activities. Several eyewitness testimonies state that M23 receives general military supplies from the Rwandan Defense Forces (RDF) in the form of weapons and ammunition in addition to materiel support for combat operations. M23 has been complicit in and responsible for committing serious violations of international law involving the targeting of women and children in situations of armed conflict in the DRC including killing and maiming, sexual violence, abduction, and forced displacement. According to numerous reports, investigations, and testimonies from eyewitnesses, M23 has been responsible for carrying out mass killings of civilians, as well as raping women and children throughout various regions of the DRC. Several reports indicate that M23 fighters have carried out 46 rapes against women and girls, the youngest of which was 8 years old. In addition to reports of sexual violence, M23 has also carried out extensive forced recruitment campaigns of children into the ranks of the group. It is estimated that M23 has carried out the forced recruitment of 146 young men and boys in the Rutshuru territory alone in eastern DRC since July 2012. Some of the victims have been as young as 15 years old. The atrocities committed by M23 against the civilian population of the DRC, as well as M23's forced recruitment campaign, and being the recipient of arms and military assistance has dramatically contributed to instability and conflict within the region and in some instances, violated international law.

## 7. MACHANGA LTD

Address: Plot 55A, Upper Kololo Terrace, Kampala, Uganda.

Date of UN designation: 29 March 2007.

Other information: Gold export company (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya). In 2010, assets belonging to Machanga, held in the account of Emirates Gold, were frozen by Bank of Nova Scotia Mocatta (UK). The owners of Machanga have remained involved in purchasing gold from eastern DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Machanga bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes "provision of assistance" to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Gold export company (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya). In 2010, assets belonging to Machanga, held in the account of Emirates Gold, were frozen by Bank of Nova Scotia Mocatta (UK). The previous owner of Machanga, Rajendra Kumar, and his brother Vipul Kumar, have remained involved in purchasing gold from eastern DRC.

## 8. TOUS POUR LA PAIX ET LE DEVELOPPEMENT (NGO)

(*alias*: TPD)

Address: Goma, North Kivu, DRC.

Date of UN designation: 1 November 2005.

Other information: Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema Officially suspended all activities since 2008. In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community reconciliation initiatives, land conflict settlements, etc. The TPD President is Eugene Serufuli and Vice-President is Saverina Karomba. Important members include North Kivu provincial deputies Robert Seninga and Bertin Kirivita.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Implicated in violation of the arms embargo by providing assistance to RCD-G, particularly in supplying trucks to transport arms and troops, and also by transporting weapons for distribution to parts of the population in Masisi and Rutshuru, North Kivu, in early 2005. Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema Officially suspended all activities since 2008. In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community reconciliation initiatives, land conflict settlements, etc. The TPD President is Eugene Serufuli and Vice-President is Saverina Karomba. Important members include North Kivu provincial deputies Robert Seninga and Bertin Kirivita.

9. UGANDA COMMERCIAL IMPEX (UCI) LTD

Address: a) Plot 22, Kanjokya Street, Kamwokya, Kampala, Uganda (Tel.: +256 41 533 578/9), b) PO BOX 22709, Kampala, Uganda.

Date of UN designation: 29 March 2007.

Other information: Gold export company. (Directors Mr. Jamnadas V. LODHIA — known as “Chuni”- and his sons Mr. Kunal J. LODHIA and Jitendra J. LODHIA). In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts. The directors of UCI have remained involved in purchasing gold from eastern DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

UCI bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes “provision of assistance” to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Gold export company. (Former directors Mr. J.V. LODHIA — known as “Chuni”- and his son Mr. Kunal LODHIA). In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts. The previous owner of UCI, J.V. Lodhia and his son Kumal Lodhia have remained involved in purchasing gold from eastern DRC.

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**COUNCIL IMPLEMENTING REGULATION (EU) 2015/615****of 20 April 2015****implementing Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire**

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 560/2005 of 12 April 2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire <sup>(1)</sup>, and in particular Article 11a(5) and 11a(6) thereof,

Whereas:

- (1) On 12 April 2005, the Council adopted Regulation (EC) No 560/2005.
- (2) The Council carried out a review of the list set out in Annex IA to Regulation (EC) No 560/2005, in accordance with Article 11a(6) of that Regulation.
- (3) The Council has determined that the restrictive measures imposed by Regulation (EC) No 560/2005 with regard to the persons listed in Annex IA should be maintained for five of the listed persons.
- (4) The General Court of the European Union, by its judgment on 14 January 2015 in Case T-406/13 <sup>(2)</sup>, annulled Council Implementing Regulation (EU) No 479/2014 <sup>(3)</sup> implementing Regulation (EC) No 560/2005, in so far as it concerned Mr Marcel Gossio. Following that annulment, the entry concerning Marcel Gossio should also be removed from Annex IA to Regulation (EC) No 560/2005.
- (5) On 26 February 2015, the Sanctions Committee established pursuant to United Nations (UN) Security Council Resolution 1572 (2004) concerning Côte d'Ivoire removed one person from the list of persons subject to the measures imposed by paragraphs 9 and 12 of that Resolution. The entry for that person should be deleted from Annex I to Regulation (EC) No 560/2005.
- (6) In addition, the Sanctions Committee updated other entries for the persons subject to the measures imposed by paragraphs 9 and 12 of UN Security Council Resolution 1572 (2004)
- (7) The list of persons subject to restrictive measures as set out in the Annexes I and IA to Regulation (EC) No 560/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 560/2005 is replaced by the text set out in Annex I to this Regulation.

*Article 2*

Annex IA to Regulation (EC) No 560/2005 is amended as set out in Annex II to this Regulation.

<sup>(1)</sup> OJ L 95, 14.4.2005, p. 1.<sup>(2)</sup> Judgment of 14 January 2015 in Case T-406/13, *Gossio v Council*.<sup>(3)</sup> Council Implementing Regulation (EU) No 479/2014 of 12 May 2014 implementing Regulation (EC) No 560/2005 imposing certain specific restrictive measures directed against certain persons and entities in view of the situation in Côte d'Ivoire (OJ L 138, 13.5.2014, p. 3).

*Article 3*

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 Luxembourg, 20 April 2015.

*For the Council*  
*The President*  
F. MOGHERINI

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## ANNEX I

## 'ANNEX I

**List of natural or legal persons or entities referred to in Articles 2, 4 and 7**

## 1. Name: CHARLES BLÉ GOUDÉ

Title: n/a, Designation: n/a, DOB: 1.1.1972, POB: (a) Guibéroua, Gagnoa, Côte d'Ivoire, (b) Niagbrahio/ Guiberoua, Côte d'Ivoire, (c) Guiberoua, Côte d'Ivoire, Good quality a.k.a.: (a) Génie de kpo, (b) Gbapé Zadi, Low quality a.k.a.: Général, Nationality: Ivorian, Passport No: (a) 04LE66241, issued on 10.11.2005, issued in Côte d'Ivoire (Expiration date: 9.11.2008), (b) AE/088 DH 12, issued on 20.12.2002, issued in Côte d'Ivoire (Expiration date: 11.12.2005), (c) 98LC39292, issued in Côte d'Ivoire (Expiration date: 23.11.2003), National identification No: n/a, Address: (a) Yopougon Selmer, Bloc P 170, Abidjan, Côte d'Ivoire, (b) c/o Hotel Ivoire, Abidjan, Côte d'Ivoire, (c) Cocody (suburb), Abidjan, Côte d'Ivoire (Address declared in travel document n. C2310421 issued by Switzerland on 15.11.2005 and valid until 31.12.2005), Listed on: 7.2.2006.

*Other information*

Narrative summary of reasons for listing: Leader of COJEP ("Young Patriots"), repeated public statements advocating violence against United Nations installations and personnel, and against foreigners; direction of and participation in acts of violence by street militias, including beatings, rapes and extrajudicial killings; intimidation of the United Nations, the International Working Group (IWG), the political opposition and independent press; sabotage of international radio stations; obstacle to the action of the IWG, the United Nations Operation in Côte d'Ivoire, (UNOCI), the French Forces and to the peace process as defined by Resolution 1643 (2005).

## 3. Name: EUGÈNE N'GORAN KOUADIO DJUÉ

Title: n/a, Designation: n/a, DOB: (a) 1.1.1966, (b) 20.12.1969, POB: Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: 04 LE 017521, issued on 10.2.2005 (Expiration date: 10.2.2008), National identification No: n/a, Address: n/a, Listed on: 7.2.2006.

*Other information:*

Narrative summary of reasons for listing: Leader of the *Union des Patriotes pour la Libération Totale de la Côte d'Ivoire* (UPLTCI). Repeated public statements advocating violence against United Nations installations and personnel, and against foreigners; direction of and participation in acts of violence by street militias, including beatings, rapes and extrajudicial killings; obstacle to the action of IWG, UNOCI, the French forces and to the peace process as defined by Resolution 1643 (2005).

## 4. Name: MARTIN KOUAKOU FOFIÉ

Title: n/a, Designation: n/a, DOB: 1.1.1968, POB: BOHI, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: n/a, National identification No: (a) 2096927, issued on 17.3.2005, issued in Burkina Faso, (b) CNB N.076, issued on 17.2.2003, issued in Burkina Faso (Burkina Faso Nationality Certificate), (c) 970860100249, issued on 5.8.1997, issued in Côte d'Ivoire (Expiration date: 5.8.2007), Address: n/a, Listed on: 7.2.2006.

*Other information*

Father's Name: Yao Koffi FOFIE. Mother's Name: Ama Krouama KOSSONOU.

Narrative summary of reasons for listing: Chief Corporal New Force Commandant, Korhogo Sector. Forces under his command engaged in recruitment of child soldiers, abductions, imposition of forced labour, sexual abuse of women, arbitrary arrests and extra-judicial killings, contrary to human rights conventions and to international humanitarian law; obstacle to the action of the IWG, UNOCI, French Forces and to the peace process as defined by Resolution 1643 (2005).

## 5. Name: LAURENT GBAGBO

Title: n/a, Designation: n/a, DOB: 31.5.1945, POB: Gagnoa, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: n/a, National identification No: n/a, Address: n/a, Listed on: 30.3.2011.

*Other information:*

Narrative summary of reasons for listing: Former President of Côte d'Ivoire: obstruction of the peace and reconciliation process, rejection of the results of the presidential election.

6. Name: SIMONE GBAGBO

Title: n/a, Designation: n/a, DOB: 20.6.1949, POB: Moossou, Grand-Bassam, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: n/a, National identification No: n/a, Address: n/a, Listed on: 30.3.2011.

*Other information:*

Narrative summary of reasons for listing: Chairperson of the Parliamentary Group of the Ivorian Popular Front (FPI): obstruction of the peace and reconciliation process, public incitement to hatred and violence.

8. Name: DÉsirÉ TAGRO

Title: n/a, Designation: n/a, DOB: 27.1.1959, POB: Issia, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: AE 065FH08, National identification No: n/a, Address: n/a, Listed on: 30.3.2011.

*Other information:*

Deceased on 12.4.2011 in Abidjan.

Narrative summary of reasons for listing: Secretary-General of the so-called "presidency" of Mr. Gbagbo: participation in the illegitimate government of Mr. Gbagbo, obstruction of the peace and reconciliation process, rejection of the results of the presidential election, participation in violent repressions of popular movements.'

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ANNEX II

The entry in Annex IA to Regulation (EC) No 560/2005 for the following person is deleted:

Marcel GOSSIO.

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**COMMISSION DELEGATED REGULATION (EU) 2015/616****of 13 February 2015****amending Delegated Regulation (EU) No 480/2014 as regards references therein to Regulation (EU) No 508/2014 of the European Parliament and of the Council**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1303/2013 of the European Parliament and of the Council of 17 December 2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No 1083/2006<sup>(1)</sup>, and in particular the third subparagraph of Article 38(4), the second subparagraph of Article 68(1) and the first subparagraph of Article 125(8) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 480/2014<sup>(2)</sup> was adopted prior to the adoption of Regulation (EU) No 508/2014 of the European Parliament and of the Council<sup>(3)</sup>.
- (2) Subsequent to the adoption of Regulation (EU) No 508/2014, three provisional references in Delegated Regulation (EU) No 480/2014 to the future Union legal act on the European Maritime and Fisheries Fund ('EMFF') should be replaced by references to the precise provisions of Regulation (EU) No 508/2014. The first reference in Article 6 of Delegated Regulation (EU) No 480/2014 concerns specific rules on the role, liabilities and responsibility of bodies implementing financial instruments. The second reference in Article 20 of Delegated Regulation (EU) No 480/2014 concerns types of operations or projects forming part of operations which might make use of the calculation of indirect costs by applying a flat rate established in accordance with Article 29(1) of Regulation (EU) No 1290/2013 of the European Parliament and of the Council<sup>(4)</sup>. The third reference in Article 21 of Delegated Regulation (EU) No 480/2014 concerns types of operations or projects forming part of operations which might make use of the calculation of indirect costs by applying a flat rate in accordance with Article 124(4) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council<sup>(5)</sup>.
- (3) Since the rules on public private partnerships as set out in Regulation (EU) No 1303/2013 are also applicable to the EMFF, it is necessary to amend Annex III to Delegated Regulation (EU) No 480/2014 so that the relevant information on whether the operation is implemented under a public-private-partnership structure is also stored in computerised form in the monitoring system with regard to the EMFF.
- (4) Delegated Regulation (EU) No 480/2014 should therefore be amended accordingly,

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 320.

<sup>(2)</sup> Commission Delegated Regulation (EU) No 480/2014 of 3 March 2014 supplementing Regulation (EU) No 1303/2013 of the European Parliament and of the Council laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund (OJ L 138, 13.5.2014, p. 5).

<sup>(3)</sup> Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).

<sup>(4)</sup> Regulation (EU) No 1290/2013 of the European Parliament and of the Council of 11 December 2013 laying down the rules for participation and dissemination in 'Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020)' and repealing Regulation (EC) No 1906/2006 (OJ L 347, 20.12.2013, p. 81).

<sup>(5)</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

HAS ADOPTED THIS REGULATION:

*Article 1*

Delegated Regulation (EU) No 480/2014 is amended as follows:

(1) point (b) of Article 6(1) is replaced by the following:

‘(b) final recipients shall be informed that funding is provided under programmes co-financed by the ESI Funds, in accordance with the requirements laid down:

(i) in Article 115 of Regulation (EU) No 1303/2013 for the ERDF, the ESF and the Cohesion Fund;

(ii) in Article 66(1)(c)(i) of Regulation (EU) No 1305/2013 of the European Parliament and of the Council (\*) for the EAFRD;

(iii) in Article 97(1)(b) of Regulation (EU) No 508/2014 of the European Parliament and of the Council (\*\*) for the EMFF;

(\*) Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 on support for rural development by the European Agricultural Fund for Rural Development (EAFRD) and repealing Council Regulation (EC) No 1698/2005 (OJ L 347, 20.12.2013, p. 487).

(\*\*) Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council (OJ L 149, 20.5.2014, p. 1).’;

(2) point (d) of Article 20 is replaced by the following:

‘(d) the operations supported by the EMFF and programmed in accordance with Articles 26, 28, 39 or 47 of Regulation (EU) No 508/2014.’;

(3) point (d) of Article 21 is replaced by the following:

‘(d) the operation supported by the EMFF and programmed in accordance with Articles 38, 40(1), 41(1), 44(6), 48(1)(e), (i), (j) or (k) or 80(1)(b) of Regulation (EU) No 508/2014.’;

(4) in Annex III, data field ‘17. Information whether the operation is implemented under a public-private-partnership structure’, the following text in the right column ‘Indication of Funds for which data is not required’ is deleted:

‘Not applicable to the EMFF’.

*Article 2*

This Regulation shall enter into force on the twentieth 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, 13 February 2015.

*For the Commission*  
*The President*  
Jean-Claude JUNCKER

**COMMISSION IMPLEMENTING REGULATION (EU) 2015/617****of 20 April 2015****amending for the 230th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaeda network**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 881/2002 of 27 May 2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaeda network <sup>(1)</sup>, and in particular Article 7(1)(a) and 7a(1) thereof,

Whereas:

- (1) Annex I to Regulation (EC) No 881/2002 lists the persons, groups and entities covered by the freezing of funds and economic resources under that Regulation.
- (2) On 10 April 2015 the Sanctions Committee of the United Nations Security Council (UNSC) approved the addition of two persons to the Al-Qaeda Sanctions Committee's list of persons, groups and entities to whom the freezing of funds and economic resources should apply.
- (3) Annex I to Regulation (EC) No 881/2002 should therefore be updated accordingly.
- (4) In order to ensure that the measures provided for in this Regulation are effective, it should enter into force immediately,

HAS ADOPTED THIS REGULATION:

*Article 1*

Annex I to Regulation (EC) No 881/2002 is amended in accordance with the Annex to this Regulation.

*Article 2*This Regulation shall enter into force on the day 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, 20 April 2015.

*For the Commission,  
On behalf of the President,  
Head of the Service for Foreign Policy Instruments*

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<sup>(1)</sup> OJ L 139, 29.5.2002, p. 9.

## ANNEX

In Annex I to Regulation (EC) No 881/2002 the following entries shall be added under the heading 'Natural persons':

- (a) 'Ali Ben Taher Ben Faleh **Ouni Harzi** (alias: Abou Zoubair). Date of birth: 9.3.1986. Place of birth: Ariana, Tunisia. Nationality: Tunisian. Passport No: W342058 (Tunisian passport, issued on 14.3.2011, expires on 13.3.2016). National identification No: 08705184 (Tunisian National Identity Card number, issued on 24.2.2011). Address: (a) 18 Mediterranean Street, Ariana, Tunisia; (b) Syrian Arab Republic (located in as at Mar. 2015); (c) Iraq (possible alternative location as at Mar. 2015); (d) Libya (previously located in). Other information: (a) Physical description: eye colour: brown; height: 171 cm; (b) Photo available for inclusion in the Interpol-UN Security Council Special Notice; (c) Father's name is Taher Ouni Harzi, mother's name is Borkana Bedairia. Date of designation referred to in Article 2a(4)(b): 10.4.2015.'
- (b) 'Tarak Ben Taher Ben Faleh **Ouni Harzi** (alias: Abou Omar Al Tounisi). Date of birth: 3.5.1982. Place of birth: Tunis, Tunisia. Nationality: Tunisian. Passport No: Z050399 (Tunisian passport, issued on 9.12.2003, expired on 8.12.2008). National identification No: 04711809 (Tunisian National Identity Card number, issued on 13.11.2003). Address: (a) 18 Mediterranean Street, Ariana, Tunisia; (b) Syrian Arab Republic (located in as at March 2015); (c) Iraq (possible alternative location as at March 2015); (d) Libya (previously located in). Other information: (a) Physical description: eye colour: brown; height: 172 cm; (b) Photo available for inclusion in the Interpol-UN Security Council Special Notice; (c) Father's name is Taher Ouni Harzi, mother's name is Borkana Bedairia. Date of designation referred to in Article 2a(4)(b): 10.4.2015.'
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**COMMISSION IMPLEMENTING REGULATION (EU) 2015/618****of 20 April 2015****establishing the standard import values for determining the entry price of certain fruit and vegetables**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 <sup>(1)</sup>,

Having regard to Commission Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors <sup>(2)</sup>, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XVI, Part A thereto.
- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

*Article 2*

This Regulation shall enter into force on the day 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, 20 April 2015.

*For the Commission,  
On behalf of the President,  
Jerzy PLEWA*

*Director-General for Agriculture and Rural Development*

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<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> OJ L 157, 15.6.2011, p. 1.

## ANNEX

## Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)		
CN code	Third country code <sup>(1)</sup>	Standard import value
0702 00 00	MA	93,9
	SN	185,4
	TN	464,3
	TR	120,5
	ZZ	216,0
0707 00 05	AL	92,7
	MA	176,1
	TR	134,7
0709 93 10	ZZ	134,5
	MA	95,3
	TR	145,6
0805 10 20	ZZ	120,5
	EG	47,6
	IL	73,1
0805 50 10	MA	50,1
	TN	55,5
	TR	70,3
	ZZ	59,3
	MA	57,3
0808 10 80	ZZ	57,3
	AR	188,7
	BR	101,1
	CL	111,8
	CN	107,2
	MK	30,8
	NZ	133,2
	US	247,4
	ZA	264,2
	ZZ	148,1
0808 30 90	AR	102,0
	CL	134,4
	CN	116,0
	ZA	116,0
	ZZ	117,1

<sup>(1)</sup> Nomenclature of countries laid down by Commission Regulation (EU) No 1106/2012 of 27 November 2012 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards the update of the nomenclature of countries and territories (OJ L 328, 28.11.2012, p. 7). Code 'ZZ' stands for 'of other origin'.



## COMMISSION IMPLEMENTING REGULATION (EU) 2015/619

of 20 April 2015

**fixing the allocation coefficient to be applied to the quantities on which applications for import licences and applications for import rights lodged from 1 to 7 April 2015 are based and establishing the quantities to be added to the quantity fixed for the sub-period from 1 October to 31 December 2015 under the tariff quotas opened by Regulation (EC) No 616/2007 for poultrymeat**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 <sup>(1)</sup>, and in particular Article 188 thereof,

Whereas:

- (1) Commission Regulation (EC) No 616/2007 <sup>(2)</sup> opened annual tariff quotas for imports of poultrymeat products originating in Brazil, Thailand and other third countries.
- (2) The quantities on which applications for import licences lodged from 1 to 7 April 2015 for the sub-period from 1 July to 30 September 2015 and for the period from 1 July 2015 to 30 June 2016 are based relate, for some quotas, to quantities exceeding those available. The extent to which import licences may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 7(2) of Commission Regulation (EC) No 1301/2006 <sup>(3)</sup>.
- (3) The quantities on which applications for import rights lodged from 1 to 7 April 2015 for the sub-period from 1 July to 30 September 2015 and for the period from 1 July 2015 to 30 June 2016 are based relate, for some quotas, to quantities exceeding those available. The extent to which import rights may be issued should therefore be determined by fixing the allocation coefficient to be applied to the quantities requested, calculated in accordance with Article 6(3) in conjunction with Article 7(2) of Regulation (EC) No 1301/2006.
- (4) The quantities on which applications for import licences lodged from 1 to 7 April 2015 for the sub-period from 1 July to 30 September 2015 are based relate, for some quotas, to quantities less than those available. The quantities for which applications have not been lodged should therefore be determined, and these should be added to the quantity fixed for the following quota sub-period.
- (5) In order to ensure the efficient management of the measure, this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The quantities on which applications for import licences lodged pursuant to Regulation (EC) No 616/2007 for the sub-period from 1 July to 30 September 2015 and for the period from 1 July 2015 to 30 June 2016 are based shall be multiplied by the allocation coefficient set out in part A of the Annex hereto.
2. The quantities for which applications for import licences have not been lodged pursuant to Regulation (EC) No 616/2007, to be added to the sub-period from 1 October to 31 December 2015, are set out in part A of the Annex hereto.

<sup>(1)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(2)</sup> Commission Regulation (EC) No 616/2007 of 4 June 2007 opening and providing for the administration of Community tariff quotas in the sector of poultrymeat originating in Brazil, Thailand and other third countries (OJ L 142, 5.6.2007, p. 3).

<sup>(3)</sup> Commission Regulation (EC) No 1301/2006 of 31 August 2006 laying down common rules for the administration of import tariff quotas for agricultural products managed by a system of import licences (OJ L 238, 1.9.2006, p. 13).

*Article 2*

The quantities on which applications for import rights lodged pursuant to Regulation (EC) No 616/2007 for the sub-period from 1 July to 30 September 2015 and for the period from 1 July 2015 to 30 June 2016 are based shall be multiplied by the allocation coefficient set out in part B of the Annex hereto.

*Article 3*

This Regulation shall enter into force on the day 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, 20 April 2015.

*For the Commission,  
On behalf of the President,  
Jerzy PLEWA*

*Director-General for Agriculture and Rural Development*

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## ANNEX

## PART A

Group No	Order No	Allocation coefficient — applications lodged for the sub-period from 1 July to 30 September 2015 (%)	Non-requested quantities to be added to the quantities available for the sub-period from 1 October to 31 December 2015 (in kg)
1	09.4211	0,390777	—
2	09.4212	0,827595	—
4A	09.4214	0,489236	—
	09.4251	0,594809	—
	09.4252	—	4 251 500
6A	09.4216	0,401123	—
	09.4260	0,569476	—
7	09.4217	—	9 086 000
8	09.4218	—	3 478 800

Group No	Order No	Allocation coefficient — applications lodged for the period from 1 July 2015 to 30 June 2016 (%)
3	09.4213	3,703703
4B	09.4253	—
6B	09.4261	—
	09.4262	—
	09.4263	0,046334
	09.4264	—
	09.4265	—

## PART B

Group No	Order No	Allocation coefficient — applications lodged for the sub-period from 1 July to 30 September 2015 (%)	Non-requested quantities to be added to the quantities available for the sub-period from 1 October to 31 December 2015 (in kg)
5A	09.4215	0,607855	—
	09.4254	3,655034	—
	09.4255	3,558718	—
	09.4256	53,394858	—

Group No	Order No	Allocation coefficient — applications lodged for the period from 1 July 2015 to 30 June 2016 (%)
5B	09.4257	10
	09.4258	—
	09.4259	—

# DECISIONS

## COUNCIL DECISION (CFSP) 2015/620

of 20 April 2015

### amending Decision 2010/788/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 29 thereof,

Whereas:

- (1) On 20 December 2010, the Council adopted Decision 2010/788/CFSP <sup>(1)</sup>.
- (2) On 29 January 2015, the United Nations Security Council adopted Resolution 2198 (2015) concerning the Democratic Republic of the Congo (DRC). That Resolution provides for certain amendments to the criteria for designation with regard to restrictions on travel and the freezing of funds, as imposed by United Nations Security Council Resolution 1807 (2008).
- (3) On 5 February 2015, the Security Council Committee established pursuant to United Nations Security Council Resolution 1533 (2004) concerning the Democratic Republic of the Congo issued an updated list of individuals and entities subject to restrictive measures.
- (4) Further Union action is needed in order to implement those amendments,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Decision 2010/788/CFSP is amended as follows:

- (1) in Article 2(1), point (a) is replaced by the following:

‘(a) the supply, sale or transfer of arms and any related materiel or the provision of technical assistance, financing, brokering services and other services related to arms and related materiel intended solely for support of, or use by, the United Nations Organisation Stabilisation Mission in the Democratic Republic of the Congo (MONUSCO);’;

- (2) Article 3 is replaced by the following:

#### *Article 3*

Restrictive measures as provided for in Articles 4(1) and 5(1) and (2) shall be imposed against persons and entities designated by the Sanctions Committee for engaging in or providing support for acts that undermine the peace, stability or security of the DRC. Such acts include:

- (a) acting in violation of the arms embargo and related measures as referred to in Article 1;
- (b) being 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;

<sup>(1)</sup> Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures against the Democratic Republic of the Congo and repealing Common Position 2008/369/CFSP (OJ L 336, 21.12.2010, p. 30).

- (c) being political and military leaders of Congolese militias, including those receiving support from outside the DRC, who impede the participation of their combatants in disarmament, demobilisation and reintegration processes;
- (d) recruiting or using children in armed conflict in the DRC in violation of applicable international law;
- (e) being involved in planning, directing, or participating in the targeting of children or women in situations of armed conflict, including killing and maiming, rape and other sexual violence, abduction, forced displacement, and attacks on schools and hospitals;
- (f) obstructing the access to or the distribution of humanitarian assistance in the DRC;
- (g) supporting individuals or entities, including armed groups, involved in destabilising activities in the DRC through illicit trade of natural resources, including gold or wildlife as well as wildlife products;
- (h) acting on behalf of or at the direction of a designated individual or entity, or acting on behalf of or at the direction of an entity owned or controlled by a designated individual or entity;
- (i) planning, directing, sponsoring or participating in attacks against MONUSCO peacekeepers or UN personnel;
- (j) providing financial, material, or technological support for, or goods or services to a designated individual or entity.

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

#### *Article 2*

The Annex to Decision 2010/788/CFSP is replaced by the text appearing in the Annex to this Decision.

#### *Article 3*

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, 20 April 2015.

*For the Council*  
*The President*  
F. MOGHERINI

## ANNEX

## ANNEX

## a) List of persons referred to in Articles 3, 4 and 5.

## 1. Eric BADEGE

Date of Birth: 1971.

Nationality: Congolese.

Date of UN designation: 31 December 2012.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to the November 15, 2012, final report by the Group of Experts on the Democratic Republic of the Congo, "... Lt. Col. Eric BADEGE had become the focal point of M23 in Masisi and commanded joint operations ..." with another military leader. Additionally, "a series of coordinated attacks carried out in August [2012] by Lt. Col. BADEGE ... enabled M23 to destabilize a considerable part of Masisi territory." According to former combatants, Lt Col. BADEGE ... acted under the orders of Col. Makenga when he orchestrated the attacks. As a military commander of M23, BADEGE is responsible for serious violations involving the targeting of children or women in situations of armed conflict. According to the November 2012 Group of Experts report, there have been several major incidents of indiscriminate killings of civilians, including women and children. Since May 2012 Raia Mutomboki, under the command of M23, have killed hundreds of civilians in a series of coordinated attacks. In August, BADEGE carried out joint attacks which involved the indiscriminate killing of civilians. The November Group of Experts report states that these attacks were jointly orchestrated by BADEGE and Colonel Makoma Semivumbi Jacques.

According to the Group of Experts Report, local leaders from Masisi stated that BADEGE commanded these Raia Mutomboki attacks on the ground. According to a July 28, 2012, Radio Okapi article, "the administrator of Masisi announced this Saturday, July 28th, the defection of the commander of the 2nd Battalion of the 410th Regiment FARDC base Nyabiondo, about thirty kilometers northwest of Goma in North Kivu. According to him, Colonel Eric BADEGE and more than a hundred soldiers headed Friday to Rubaya, 80 kilometers north of Nabiondo. This information has been confirmed by several sources." According to a November 23, 2012 BBC article, M23 was formed when former members of the CNDP who had been integrated into the FARDC began to protest against bad conditions and pay, and lack of full implementation of the March 23, 2009 peace deal between the CNDP and the DRC that led to the CNDP's integration into the FARDC. M23 has been engaged in active military operations in order to take control of territory in eastern DRC, according to the November 2012 IPIS report. M23 and FARDC fought over control of several towns and villages in eastern DRC on July 24 and July 25, 2012; M23 attacked the FARDC in Rumangabo on July 26, 2012; M23 drove FARDC from Kibumba on November 17, 2012; and M23 took control of Goma on November 20, 2012. According to the November 2012 Group of Experts report, several ex-M23 combatants claim that M23 leaders summarily executed dozens of children who attempted to escape after being recruited as M23 child soldiers. According to a September 11, 2012 report by Human Rights Watch (HRW), a Rwandan man, 18, who escaped after being forcibly recruited in Rwanda told HRW that he witnessed the execution of a 16-year old boy from his M23 unit who had tried to flee in June. The boy was captured and beaten to death by M23 fighters in front of the other recruits.

An M23 commander who ordered his killing then allegedly told the other recruits "[h]e wanted to abandon us," as an explanation for why the boy had been killed. The report also states that witnesses claimed that at least 33 new recruits and other M23 fighters were summarily executed when they attempted to flee. Some were tied up and shot in front of other recruits as an example of the punishment they could receive. One young recruit told HRW, "[w]hen we were with M23, they said [we had a choice] and could stay with them or we could die. Lots of people tried to escape. Some were found and then that was immediately their death."

## 2. Frank Kakolele BWAMBALE

(alias: a) Frank Kakorere, b) Frank Kakorere Bwambale, c) Aigle Blanc)

Designation: FARDC General.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other Information: Left the CNDP in January 2008. As of June 2011, resides in Kinshasa. Since 2010, Kakolele has been involved in activities apparently on behalf of the DRC government's Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011. DRC authorities arrested him in December 2013 in Beni, North Kivu Province, for allegedly blocking the DDR process.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Former RCD-ML leader, exercising influence over policies and maintaining command and control over the activities of RCD-ML forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo. FARDC General, without posting as of June 2011. Left the CNDP in January 2008. As of June 2011, resides in Kinshasa. Since 2010, Kakolele has been involved in activities apparently on behalf of the DRC government's Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011.

3. Gaston IYAMUREMYE

(alias: a) Byiringiro Victor Rumuli, b) Victor Rumuri, c) Michel Byiringiro, d) Rumuli)

Designation: a) FDLR President, b) 2nd Vice-President of FDLR-FOCA.

Address: As of December 2014 based in North Kivu Province.

Date of Birth: 1948.

Place of Birth: a) Musanze District, Northern Province, Rwanda, b) Ruhengeri, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 December 2010.

Other information: Brigadier General.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to multiple sources, including the UNSC DRC Sanctions Committee's Group of Experts, Gaston Iyamuremye is the second vice president of the FDLR and is considered a core member of the FDLR military and political leadership. Gaston Iyamuremye also ran the office of Ignace Murwanashyaka (President of the FDLR) in Kibua, DRC until December 2009. FDLR President and 2nd Vice-President of FDLR-FOCA As of June 2011, based at Kalonge, North Kivu Province.

4. Innocent KAINA

(alias: a) Colonel Innocent Kaina, b) India Queen)

Place of Birth: Bunagana, Rutshuru territory, DRC.

Date of UN designation: 30 November 2012.

Other information: In Rwanda as of late 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Innocent Kaina is currently a Sector commander in the Mouvement du 23 Mars (M23). He is responsible for and has committed serious violations of international law and human rights. In July 2007 the Garrison Military Tribunal of Kinshasa found Kaina responsible for crime against humanity committed in the District of Ituri, between May 2003 and December 2005. He was released in 2009 as part of the peace agreement between the Congolese government and the CNDP. Within the FARDC in 2009, he has been guilty of executions, abductions and maiming in Masisi territory. As Commander under the orders of General Ntaganda, he initiated the ex-CNDP mutiny in Rutshuru territory in April 2012. He ensured the security of the mutineers out of Masisi. Between May and August 2012, he oversaw the recruitment and training of over 150 children for the M23 rebellion, shooting the boys who had tried to escape. In July 2012 he travelled to Berunda and Degho for mobilization and recruitment activities for the M23.

5. Jérôme KAKWAVU BUKANDE

(alias: a) Jérôme Kakwavu, b) Commandant Jérôme)

Nationality: Congolese.

Date of UN designation: 1 November 2005.



Other information: Given the rank of General in the FARDC in December 2004. As of June 2011, detained in Makala Prison in Kinshasa. As of 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes. In November 2014, convicted by a DRC military court to ten years in prison for rape, murder, and torture.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Former President of UCD/FAPC. FAPC's control of illegal border posts between Uganda and the DRC — a key transit route for arms flows. As President of the FAPC, he exercised influence over policies and command and control over the activities of FAPC forces, which were involved in arms trafficking and, consequently, in violations of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002. One of five senior FARDC officers who had been accused of serious crimes involving sexual violence and whose cases the Security Council had brought to the Government's attention during its visit in 2009. Given the rank of General in the FARDC in December 2004. As of June 2011, detained in Makala Prison in Kinshasa. On 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes.

6. Germain KATANGA

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Appointed General in the FARDC in December 2004. Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007. Convicted in May 2014 by the ICC to 12 years in prison for war crimes and crimes against humanity. Currently in prison in the Netherlands.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

FRPI chief. Involved in weapons transfers, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003. Appointed General in the FARDC in December 2004. Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007. His trial began in November 2009.

7. Thomas LUBANGA

Place of Birth: Ituri, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC on 17 March 2006. Convicted by the ICC in March 2012 and sentenced to 14 years in prison. On 1 December 2014, ICC appeals judges upheld Lubanga's conviction and sentence. Currently in prison in the Netherlands.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

President of the UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003. Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC by the DRC authorities on 17 March 2006. His trial began in January 2009 and is due to close in 2011. Convicted by the ICC in March 2012 and sentenced to 14 years in prison. Has appealed the court's ruling.

8. Sultani MAKENGA

(*alias*: a) Makenga, Colonel Sultani, b) Makenga, Emmanuel Sultani)

Date of Birth: 25 December 1973.

Place of Birth: Rutshuru, DRC.

Nationality: Congolese.

Date of UN designation: 13 November 2012.

Other information: A military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo. In Uganda as of late 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Sultani Makenga is a military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo (DRC). As a leader of M23 (also known as the Congolese Revolutionary Army), Sultani Makenga has committed and is responsible for serious violations of international law involving the targeting of women and children in situations of armed conflict, including killing and maiming, sexual violence, abduction, and forced displacement. He has also been responsible for violations of international law related to M23's actions in recruiting or using children in armed conflict in the DRC. Under the command of Sultani Makenga, M23 has carried out extensive atrocities against the civilian population of the DRC. According to testimonies and reports, the militants operating under the command of Sultani Makenga have conducted rapes throughout Rutshuru territory against women and children, some of whom have been as young as 8 years old, as part of a policy to consolidate control in Rutshuru territory. Under Makenga's command, M23 has conducted extensive forced recruitment campaigns of children in the DRC and in the region, as well as killing, maiming, and injuring scores of children. Many of the forced child recruits have been under the age of 15. Makenga has also been reported to be the recipient of arms and related materiel in violation of measures taken by the DRC to implement the arms embargo, including domestic ordinances on the importing and possession of arms and related materiel. Makenga's actions as the leader of M23 have included serious violations of international law and atrocities against the civilian population of the DRC, and have aggravated the conditions of insecurity, displacement, and conflict in the region. A military leader of the Mouvement du 23 Mars (M23) group operating in the Democratic Republic of the Congo.

9. Khawa Panga MANDRO

(alias: a) Kawa Panga, b) Kawa Panga Mandro, c) Kawa Mandro, d) Yves Andoul Karim, e) Yves Khawa Panga Mandro, f) Mandro Panga Kahwa, g) "Chief Kahwa", h) "Kawa")

Date of Birth: 20 August 1973.

Place of Birth: Bunia, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Placed in prison in Bunia in April 2005 for sabotage of the Ituri peace process. Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery. In August 2014, a DRC military court in Kisangani convicted him of war crimes and crimes against humanity, sentenced him to nine years in prison, and ordered him to pay approximately USD 85 000 to his victims.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Ex-President of PUSIC, one of the armed groups and militia referred to in paragraph 20 of Res. 1493 (2003) involved in arms trafficking, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children from 2001 to 2002. Placed in prison in Bunia in April 2005 for sabotage of the Ituri peace process. Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery. As of June 2011 detained at Makala Central Prison, Kinshasa.

10. Callixte MBARUSHIMANA

Date of Birth: 24 July 1963.

Place of Birth: Ndusu/Ruhengeri, Northern Province, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011, but released by the ICC in late 2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Executive Secretary of the FDLR and Vice-President of the FDLR military high command until his arrest. Political/Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, per Security Council resolution 1857 (2008) OP 4 (b). Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011.

11. Iruta Douglas MPAMO

(*alias*: a) Doulas Iruta Mpamo, b) Mpano)

Address: Gisenyi, Rwanda (As of June 2011).

Date of Birth: a) 28 December 1965, b) 29 December 1965.

Place of Birth: a) Bashali, Masisi, DRC, b) Goma, DRC, c) Uvira, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: No known occupation since two of the planes managed by Great Lakes Business Company (GLBC) crashed.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Owner/Manager of the Compagnie Aérienne des Grands Lacs and of Great Lakes Business Company, whose aircraft were used to provide assistance to armed groups and militias referred to in paragraph 20 of Res. 1493 (2003). Also responsible for disguising information on flights and cargo apparently to allow for the violation of the arms embargo. No known occupation since two of the planes managed by Great Lakes Business Company (GLBC) crashed.

12. Sylvestre MUDACUMURA

(*alias*: a) Mupenzi Bernard, b) General Major Mupenzi, c) General Mudacumura, d) Radja)

Address: Kikoma forest, near Bogoyi, Walikale, North Kivu, DRC (As of June 2011).

Nationality: Rwandan.

Date of UN designation: 1 November 2005.

Other information: Military commander of FDLR-FOCA, also political 1st Vice-President and head of FOCA High Command, thus combining overall military and political command functions since the arrests of FDLR leaders in Europe. As of 2014, based at the FDLR's headquarters in Nganga, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

FDLR commander, exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. Mudacumura (or staff) was in telephone communication with FDLR leader Murwanashyaka in Germany, including at the time of the Busurungi Massacre May 2009, and military commander Major Guillaume during Umoja Wetu and Kimia II operations in 2009. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for 27 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2007. Military commander of FDLR-FOCA, also political 1st Vice-President and head of FOCA High Command, thus combining overall military and political command functions since the arrests of FDLR leaders in Europe.

13. Leodomir MUGARAGU

(*alias*: a) Manzi Leon, b) Leo Manzi)

Address: FDLR HQ at Kikoma forest, Bogoyi, Walikale, North Kivu, DRC (As of June 2011).

Date of Birth: a) 1954 b) 1953.

Place of Birth: a) Kigali, Rwanda b) Rushashi, Northern Province, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 December 2010.

Other information: FDLR-FOCA Chief of Staff, in charge of administration.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to open-source and official reporting, Leodomir Mugaragu is the Chief of Staff of the Forces Combattantes Abucunguzi/Combatant Force for the Liberation of Rwanda (FOCA), the FDLR's armed wing. According to official reporting Mugaragu is a senior planner for FDLR's military operations in the eastern DRC. FDLR-FOCA Chief of Staff, in charge of administration.

14. Leopold MUJYAMBERE

(*alias*: a) Musenyeri, b) Achille, c) Frere Petrus Ibrahim)

Address: Nyakaleke (south-east of Mwenga), South Kivu, DRC.

Date of Birth: a) 17 March 1962, b) Approximately 1966.

Place of Birth: Kigali, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: As of late 2014, acting deputy commander of FDLR/FOCA, based in Nganga, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Commander of the Second Division of FOCA/the Reserve Brigades (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e). As of June 2011, Commander of the South Kivu operational sector now called "Amazon" of FDLR-FOCA.

15. Jamil MUKULU

(*alias*: a) Steven Alirabaki, b) David Kyagulanyi, c) Musezi Talenganimiro, d) Mzee Tutu, e) Abdullah Junjuaka, f) Alilabaki Kyagulanyi, g) Hussein Muhammad, h) Nicolas Luumu, i) Professor Musharaf, j) Talenganimiro)

Designation: a) Head of the Allied Democratic Forces (ADF), b) Commander, Allied Democratic Forces.

Date of Birth: a) 1965, b) 1 January 1964.

Place of Birth: Ntoke Village, Ntenjeru Sub County, Kayunga District, Uganda.

Nationality: Ugandan.

Date of UN designation: 12 October 2011.

Other information: Whereabouts unknown as of late 2014; however, he is believed to be in North Kivu, DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to open-source and official reporting, including the UNSC DRC Sanctions Committee's Group of Experts' reports, Mr. Jamil Mukulu is the military leader of the Allied Democratic Forces (ADF), a foreign armed group operating in the DRC that impedes the disarmament and voluntary repatriation or resettlement of ADF combatants, as described in paragraph 4 (b) of resolution 1857 (2008). The UNSC DRC Sanction Committee's Group of Experts has reported that Mukulu has provided leadership and material support to the ADF, an armed group operating in the territory of the DRC. According to multiple sources including the UNSC DRC Sanctions Committee's Group of Experts' reports, Jamil Mukulu has also continued to exercise influence over the policies, provided financing, and maintained direct command and control over the activities of, ADF forces in the field, including overseeing links with international terrorist networks.

16. Ignace MURWANASHYAKA

(*alias*: Dr. Ignace)

Title: Dr.

Date of Birth: 14 May 1963.

Place of Birth: a) Butera, Rwanda, b) Ngoma, Butare, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 November 2005.

Other information: Arrested by German authorities on 17 November 2009. Replaced by Gaston Iamuremye, *alias* "Rumuli" as President of FDLR-FOCA. Murwanashyaka's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

President of the FDLR, and supreme commander of the FDLR armed forces exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo. In telephone communication with FDLR military field commanders (including during the Busurungi May 2009 massacre); gave military orders to the high command; involved in coordinating the transfer of arms and ammunition to FDLR units and relaying specific instructions for use; managing large sums of money raised through illicit sale of natural resources in areas of FDLR control. According to the Office of the SRSG on Children and Armed Conflict, he held command responsibility as President and military commander of FDLR for recruitment and use of children by the FDLR in Eastern Congo. Arrested by German authorities on 17 November 2009. Replaced by Gaston Iamuremye, *alias* "Rumuli" as President of FDLR-FOCA. Murwanashyaka's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court.

17. Straton MUSONI

(*alias*: IO Musoni)

Date of Birth: a) 6 April 1961, b) 4 June 1961.

Place of Birth: Mugambazi, Kigali, Rwanda.

Nationality: Rwandan.

Date of UN designation: 29 March 2007.

Other information: Arrested by German authorities on 17 November 2009. Musoni's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court. Replaced as 1st Vice-President of the FDLR by Sylvestre Mudacumura.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Through his leadership of the FDLR, a foreign armed group operating in the DRC, Musoni was impeding the disarmament and voluntary repatriation or resettlement of combatants belonging to those groups, in breach of resolution 1649 (2005). Arrested by German authorities on 17 November 2009. Musoni's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court. Replaced as 1st Vice-President of the FDLR by Sylvestre Mudacumura.

18. Jules MUTEBUTSI

(*alias*: a) Jules Mutebusi, b) Jules Mutebuzi, c) Colonel Mutebutsi)

Date of Birth: 1964.

Place of Birth: Minembwe, South Kivu, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Former FARDC Deputy Military Regional Commander of 10th Military Region in April 2004, dismissed for indiscipline. In December 2007, he was arrested by Rwandan authorities when he tried to cross the border into the DRC. He has lived since in semi-liberty in Kigali (not authorized to leave the country).

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Joined forces with other renegade elements of former RCD-G to take town of Bukavu in May 2004 by force. Implicated in the receipt of weapons outside of FARDC structures and provision of supplies to armed groups and militia mentioned in paragraph 20 of Res. 1493 (2003), in violation of the arms embargo. Former FARDC Deputy Military Regional Commander of 10th Military Region in April 2004, dismissed for indiscipline. In December 2007, he was arrested by Rwandan authorities when he tried to cross the border into the DRC. He has lived since in semi-liberty in Kigali (not authorized to leave the country).

## 19. Baudoin NGARUYE WA MYAMURO

(*alias*: Colonel Baudoin Ngaruye)

Title: Military leader of the Mouvement du 23 Mars (M23).

Designation: Brigadier General.

Address: Rubavu/Mudende, Rwanda.

Date of Birth: a) 1 April 1978 b) 1978.

Place of Birth: a) Bibwe, DRC b) Lusamambo, Lubero territory, DRC.

Nationality: Congolese.

National identification no: FARDC ID 1-78-09-44621-80.

Date of UN designation: 30 November 2012.

Other information: Entered the Republic of Rwanda on 16 March 2013. As of late 2014, living in Ngoma camp, Rwanda.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

In April 2012, Ngaruye commanded the ex-CNDP mutiny, known as the Mouvement du 23 Mars (M23), under the orders of General Ntaganda. He is currently the third highest ranking military commander within the M23. The Group of experts on the DRC previously recommended him for designation in 2008 and 2009. He is responsible for and has committed severe violations of human rights and international law. He recruited and trained hundreds of children between 2008 and 2009 and then towards the end of 2010 for the M23. He has committed killing, maiming and abductions, often targeting women. He is responsible for executions and torture of deserters within the M23. In 2009 within the FARDC, he gave the orders to kill all men in Shalio village of Walikale. He also provided weapons, munitions and salaries in Masisi and Walikale under the direct orders from Ntaganda. In 2010 he orchestrated the forced displacement and expropriation of populations in the area of Lukopfu. He has also been extensively involved in criminal networks within the FARDC deriving profits from the mineral trade which led to tensions and violence with Colonel Innocent Zimurinda in 2011. Entered the Republic of Rwanda on 16.3.2013 at Gasizi/Rubavu.

## 20. Mathieu, Chui NGUDJOLO

(*alias*: Cui Ngudjolo)

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Arrested by MONUC in Bunia in October 2003. Surrendered by the Government of the DRC to the International Criminal Court on 7 February 2008. Acquitted of all charges by the ICC in December 2012. After being released from custody, was detained by Dutch authorities, and has filed a claim for asylum in the Netherlands. The Prosecution appealed the ICC's decision; hearings were held in October 2014 and a decision is pending as of December 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

FNI Chief of Staff and former Chief of Staff of the FRPI, exercising influence over policies and maintaining command and control the activities of FRPI forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children under 15 years old in Ituri in 2006. Arrested by MONUC in Bunia in October 2003. Surrendered by the Government of the DRC to the International Criminal Court on 7 February 2008. Acquitted of all charges by the ICC in December 2012. After being released from custody, was detained by Dutch authorities, and has filed a claim for asylum in the Netherlands.

## 21. Floribert Ngabu NJABU

(*alias*: a) Floribert Njabu Ngabu, b) Floribert Ndjabu, c) Floribert Ngabu Ndjabu).

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Under house arrest in Kinshasa since March 2005 for FNI involvement in human rights abuses. Transferred to The Hague on 27 March 2011 to testify in the ICC Germain Katanga and Mathieu Ngudjolo trials. Applied for asylum in the Netherlands in May 2011. In October 2012, a Dutch court denied his asylum claim. In July 2014, he was deported from the Netherlands to DRC, where he was placed under arrest.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

President of FNI, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. Under house arrest in Kinshasa since March 2005 for FNI involvement in human rights abuses. Transferred to The Hague on 27 March 2011 to testify in the ICC Germain Katanga and Mathieu Ngudjolo trials. Applied for asylum in the Netherlands in May 2011. In October 2012, a Dutch court denied his asylum claim; the case is currently on appeal.

22. Laurent NKUNDA

(*alias*: a) Nkunda Mihigo Laurent, b) Laurent Nkunda Bwatare, c) Laurent Nkundabatware, d) Laurent Nkunda Mahoro Batware, e) Laurent Nkunda Batware, f) Chairman, g) General Nkunda, h) Papa Six)

Date of Birth: a) 6 February 1967 b) 2 February 1967.

Place of Birth: Rutshuru, North Kivu, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Former RCD-G General. Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; Officer Rwandan Patriotic Front (RPF), 1992-1998. Laurent Nkunda was arrested by Rwandan authorities in Rwanda in January 2009 and replaced as the commander of the CNDP. Since then, he has been under house arrest in Kigali, Rwanda. DRC Government's request to extradite Nkunda for crimes committed in eastern DRC has been refused by Rwanda. In 2010, Nkunda's appeal for illegal detention was rejected by Rwandan court in Gisenyi, ruling that the matter should be examined by a military court. Nkunda's lawyers appealed with the Rwandan Military Court.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Joined forces with other renegade elements of former RCD-G to take Bukavu in May 04 by force. In receipt of weapons outside of FARDC in violation of the arms embargo. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for 264 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2009. Former RCD-G General. Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; Officer Rwandan Patriotic Front (RPF), 1992-1998. Laurent Nkunda was arrested by Rwandan authorities in Rwanda in January 2009 and replaced as the commander of the CNDP. Since then, he has been under house arrest in Kigali, Rwanda. DRC Government's request to extradite Nkunda for crimes committed in eastern DRC has been refused by Rwanda. In 2010, Nkunda's appeal for illegal detention was rejected by Rwandan court in Gisenyi, ruling that the matter should be examined by a military court. Nkunda's lawyers initiated a procedure with the Rwandan Military Court. Retains some influence over certain elements of the CNDP.

23. Felicien NSANZUBUKIRE

(*alias*: Fred Irakeza)

Designation: 1st battalion leader of the FDLR/FOCA, based in the Uvira-Sange area of South Kivu.

Address: Magunda, Mwenga territory, South Kivu, DRC (As of June 2011).

Date of Birth: 1967.

Place of Birth: a) Murama, Kigali, Rwanda, b) Rubungo, Kigali, Rwanda, c) Kinyinya, Kigali, Rwanda.

Nationality: Rwandan.

Date of UN designation: 1 December 2010.

Other information: A member of the FDLR since at least 1994 and operating in eastern DRC since October 1998.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Felicien Nsanzubukire supervised and coordinated the trafficking of ammunition and weapons between at least November 2008 and April 2009 from the United Republic of Tanzania, via Lake Tanganyika, to FDLR units based in the Uvira and Fizi areas of South Kivu. 1st battalion leader of the FDLR-FOCA, based in the Uvira-Sange area of South Kivu. A member of the FDLR since at least 1994 and operating in eastern DRC since October 1998.

## 24. Pacifique NTAWUNGUKA

(*alias*: a) Pacifique Ntawungula, b) Colonel Omega, c) Nzeri, d) Israel)

Designation: Commander, Operational Sector North Kivu "SONOKI" of FDLR-FOCA.

Address: Matembe, North Kivu, DRC (As of June 2011).

Date of Birth: a) 1 January 1964, b) Approximately 1964.

Place of Birth: Gaseke, Gisenyi Province, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: Received military training in Egypt. As of late 2014, based in Tongo area, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Commander of the First Division of FOCA (FDLR armed wing). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e). Received military training in Egypt.

## 25. James NYAKUNI

Nationality: Ugandan.

Date of UN designation: 1 November 2005.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Trade partnership with Jérôme Kakwavu, particularly smuggling across the DRC/Uganda border, including suspected smuggling of weapons and military material in unchecked trucks. Violation of the arms embargo and provision of assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003), including financial support that allows them to operate militarily.

## 26. Stanislas NZEYIMANA

(*alias*: a) Deogratias Bigaruka Izabayo, b) Izabayo Deo, c) Jules Mateso Mlamba, d) Bigaruka, e) Bigurura)

Designation: Deputy commander of the FDLR-FOCA.

Address: Mukobervwa, North Kivu, DRC (As of June 2011).

Date of Birth: a) 1 January 1966 b) 28 August 1966 c) Approximately 1967.

Place of Birth: Mugusa, Butare, Rwanda.

Nationality: Rwandan.

Date of UN designation: 3 March 2009.

Other information: Disappeared while in Tanzania in early 2013. Whereabouts unknown as of late 2014.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Deputy Commander of the FOCA (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e).



## 27. Dieudonné OZIA MAZIO

(*alias*: a) Ozia Mazio, b) Omari, c) Mr Omari)

Date of Birth: 6 June 1949.

Place of Birth: Ariwara, DRC.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: While president of the Fédération des entreprises congolaises (FEC) in Aru territory, Dieudonné Ozia Mazio is believed to have died in Ariwara on 23 September 2008.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Financial schemes with Jerome Kakwavu and FAPC and smuggling across the DRC/Uganda border, allowing supplies and cash to be made available to Kakwavu and his troops. Violation of the arms embargo, including by providing assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003). While president of the Fédération des entreprises congolaises (FEC) in Aru territory, Dieudonné Ozia Mazio is believed to have died in Ariwara on 23 September 2008.

## 28. Jean-Marie Lugerero RUNIGA

(*alias*: Jean-Marie Rugerero)

Designation: M23, President.

Address: Rubavu/Mudende, Rwanda.

Date of Birth: a) Approximately 1960, b) 9 September 1966.

Place of Birth: Bukavu, DRC.

Date of UN designation: 31 December 2012.

Other information: Entered the republic of Rwanda on 16 March 2013. As of late 2014, residing in Rwanda.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

A July 9, 2012 document signed by M23 leader Sultani Makenga named Runiga as the coordinator of the political wing of M23. According to the document, Runiga's appointment was prompted by the need to ensure the visibility of the M23 cause. Runiga is named as the "President" of the M23 in postings on the group's website. His leadership role is corroborated by the November 2012 Group of Experts report, which refers to Runiga as the "leader of the M23". According to a December 13, 2012 Associated Press article, Runiga showed the Associated Press a list of demands that he said will be presented to the Congolese government. Included in the demands are the resignation of Kabila and the dissolution of the national assembly. Runiga indicated that if given the opportunity, M23 could retake Goma. "And at this time we will not retreat," Runiga told the Associated Press. He also indicated that M23's political branch should resume its control of Goma as a precondition to negotiations. "I think our members who are in Kampala represent us. In due time I will be there, too. I am waiting for things to be organized and when Kabila will be there, I will go, too," Runiga said. According to a November 26, 2012 Le Figaro article, Runiga met with DRC President Kabila on November 24, 2012 to begin discussions. Separately, in an interview with Le Figaro, Runiga stated, "M23 is composed primarily of former FARDC military members who defected to protest the non-respect of the March 23, 2009 accords."

He added, "M23's soldiers are deserters from the army who left with their arms in hand. Recently, we recovered a lot of equipment from a military base in Bunagana. For the moment, this allows us to regain territory each day and to repel all the attacks from the FARDC. Our revolution is Congolese, led by the Congolese, for the Congolese people." According to a November 22, 2012 Reuters article, Runiga stated that M23 had the capacity to hang on to Goma after M23's forces were bolstered by mutinying Congolese soldiers from the FARDC: "Firstly we have a disciplined army, and also we have the FARDC soldiers who've joined us. They're our brothers, they'll be retrained and recycled then we'll work with them." According to a November 27, 2012 article published in The Guardian, Runiga indicated that M23 would refuse to obey a call by regional leaders of the International Conference of the Great Lakes to leave Goma in order to pave the way for peace talks. Instead, Runiga stated that M23's withdrawal from Goma would be the result, not a precondition, of negotiation. According to the 15 November 2012 Final Report of the Group of Experts, Runiga led a delegation that travelled to Kampala, Uganda on July 29, 2012 and finalized the M23 movement's 21-point agenda ahead of anticipated negotiations at the International Conference on the Great Lakes Region. According to a November 23, 2012 BBC article,

M23 was formed when former members of the CNDP who had been integrated into the FARDC began to protest against bad conditions and pay, and lack of full implementation of the March 23, 2009 peace deal between the CNDP and the DRC that led to the CNDP's integration into the FARDC.

M23 has been engaged in active military operations in order to take control of territory in eastern DRC, according to the November 2012 IPIS report. M23 and FARDC fought over control of several towns and villages in eastern DRC on July 24 and July 25, 2012; M23 attacked the FARDC in Rumangabo on July 26, 2012; M23 drove FARDC from Kibumba on November 17, 2012; and M23 took control of Goma on November 20, 2012. According to the November 2012 Group of Experts report, several ex-M23 combatants claim that M23 leaders summarily executed dozens of children who attempted to escape after being recruited as M23 child soldiers. According to a September 11, 2012 report by Human Rights Watch (HRW), a Rwandan man, 18, who escaped after being forcibly recruited in Rwanda told HRW that he witnessed the execution of a 16-year old boy from his M23 unit who had tried to flee in June. The boy was captured and beaten to death by M23 fighters in front of the other recruits. An M23 commander who ordered his killing then allegedly told the other recruits "[h]e wanted to abandon us," as an explanation for why the boy had been killed. The report also states that witnesses claimed that at least 33 new recruits and other M23 fighters were summarily executed when they attempted to flee. Some were tied up and shot in front of other recruits as an example of the punishment they could receive. One young recruit told HRW, "[w]hen we were with M23, they said [we had a choice] and could stay with them or we could die. Lots of people tried to escape. Some were found and then that was immediately their death." Entered the Republic of Rwanda on 16 March 2013, at Gasizi/Rubavu.

#### 29. Ntabo Ntaberi SHEKA

Designation: Commander-in-Chief, Nduma Defence of Congo, Mayi Mayi Sheka group.

Date of Birth: 4 April 1976.

Place of Birth: Walikalele territory, DRC.

Nationality: Congolese.

Date of UN designation: 28 November 2011.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Ntabo Ntaberi Sheka, Commander-in-Chief of the political branch of the Mayi Mayi Sheka, is the political leader of a Congolese armed group that impedes the disarmament, demobilization, or reintegration of combatants. The Mayi Mayi Sheka is a Congo-based militia group that operates from bases in Walikale territory in eastern Democratic Republic of the Congo. The Mayi Mayi Sheka group has carried out attacks on mines in eastern Democratic Republic of the Congo, including taking over the Bisiye mines and extorting from locals. Ntabo Ntaberi Sheka has also committed serious violations of international law involving the targeting of children. Ntabo Ntaberi Sheka planned and ordered a series of attacks in Walikale territory from 30 July to 2 August, 2010, to punish local populations accused of collaborating with Congolese Government forces. In the course of the attacks, children were raped and were abducted, subjected to forced labour and subjected to cruel, inhumane or degrading treatment. The Mayi Mayi Sheka militia group also forcibly recruits boys and holds children in their ranks from recruitment drives.

#### 30. Bosco TAGANDA

(alias: a) Bosco Ntaganda, b) Bosco Ntagenda, c) General Taganda, d) Lydia, e) Terminator, f) Tango Romeo (Call sign), g) Romeo (Call sign), h) Major)

Address: Goma, DRC (As of June 2011).

Date of Birth: Between 1973 and 1974.

Place of Birth: Bigogwe, Rwanda.

Nationality: Congolese.

Date of UN designation: 1 November 2005.

Other information: Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009. Since January 2009, de facto Deputy Commander of consecutive anti-FDLR operations "Umoja Wetu", "Kimia II", and "Amani Leo" in North and South Kivu. Entered Rwanda in March 2013, and voluntarily surrender to ICC officials in Kigali on March 22. Transferred to the ICC in The Hague, Netherlands. On 9 June 2014, ICC confirmed 13 charges of war crimes and five charges of crimes against humanity against him; the trial is scheduled to start 2 June 2015.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

UPC/L military commander, exercising influence over policies and maintaining command and control over the activities of UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. He was appointed General in the FARDC in December 2004 but refused to accept the promotion, therefore remaining outside of the FARDC. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002 and 2003, and 155 cases of direct and/or command responsibility for recruitment and use of children in North Kivu from 2002 to 2009. As CNDP Chief of Staff, had direct and command responsibility for the massacre at Kiwanja (November 2008). Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. As of June 2011, he resides in Goma and owns large farms in Ngungu area, Masisi territory, North Kivu. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009. Since January 2009, de facto Deputy Commander of consecutive anti-FDLR operations "Umoja Wetu", "Kimia II", and "Amani Leo" in North and South Kivu. Entered Rwanda in March 2013, and voluntarily surrender to ICC officials in Kigali on March 22. Transferred to the ICC in The Hague, where he was read the charges against him in an initial appearance hearing on March 26.

31. Innocent ZIMURINDA

(alias: Zimulinda)

Designation: a) M23, Bde Comd,

Rank: Colonel, b) Colonel in the FARDC.

Address: Rubavu, Mudende.

Date of Birth: a) 1 September 1972, b) Approximately 1975, c) 16 March 1972.

Place of Birth: a) Ngungu, Masisi territory, North Kivu, DRC, b) Masisi, DRC.

Nationality: Congolese.

Date of UN designation: 1 December 2010.

Other information: Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area. In July 2009, Zimurinda was promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations. Whereas Zimurinda did not appear in the 31 December 2010 DRC Presidential ordinance nominating high FARDC officers, Zimurinda de facto maintained his command position of FARDC 22nd sector in Kitchanga and wears the newly issued FARDC rank and uniform. In December 2010, recruitment activities carried out by elements under the command of Zimurinda were denounced in open source reports. Entered the Republic of Rwanda on 16 March 2013. As of late 2014, residing in Ngoma camp, Rwanda.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

According to multiple sources, Lt Col Innocent Zimurinda, in his capacity as one of the commanders of the FARDC 231st Brigade, gave orders that resulted in the massacre of over 100 Rwandan refugees, mostly women and children, during an April 2009 military operation in the Shalio area. The UNSC DRC Sanctions Committee's Group of Experts reported that Lt Col Innocent Zimurinda was witnessed first-hand refusing to release three children from his command in Kalehe, on August 29, 2009. According to multiple sources, Lt Col Innocent Zimurinda, prior to the CNDP's integration into FARDC, participated in a November 2008 CNDP operation that resulted in the massacre of 89 civilians, including women and children, in the region of Kiwanja.

In March 2010, 51 human rights groups working in eastern DRC alleged that Zimurinda was responsible for multiple human rights abuses involving the murder of numerous civilians, including women and children, between February 2007 and August 2007. Lt Col Innocent Zimurinda was accused in the same complaint of responsibility for the rape of a large number of women and girls. According to a May 21, 2010, statement by the Special Representative of the Secretary General for Children and Armed Conflict, Innocent Zimurinda has been involved in the arbitrary execution of child soldiers, including during operation Kimia II. According to the same statement, he denied access by the UN Mission in the DRC (MONUC) to screen troops for minors. According to the UNSC DRC Sanctions Committee's Group of Experts, Lt Col Zimurinda holds direct and command responsibility for child recruitment and for maintaining children within troops under his command. Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area. In July 2009, Zimurinda was promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations. Whereas Zimurinda did not appear in the 31 December 2010 DRC Presidential ordinance nominating high

FARDC officers, Zimurinda de facto maintained his command position of FARDC 22nd sector in Kitchanga and wears the newly issued FARDC rank and uniform. He remains loyal to Bosco Ntaganda. In December 2010, recruitment activities carried out by elements under the command of Zimurinda were denounced in open source reports. Entered the Republic of Rwanda on 16 March 2013. As of late 2014, residing in Ngoma camp, Rwanda.

b) List of entities referred to in Articles 3, 4 and 5.

1. ADF

(*alias*: a) Allied Democratic Forces b) Forces Démocratiques Alliées-Armée Nationale de Libération de l'Ouganda c) ADF/NALU d) NALU).

Address: North Kivu Province, Democratic Republic of the Congo.

Date of UN designation: 30 June 2014.

Other Information: As of December 2014, ADF was split into several small groups. Jamil Mukulu leads one group, which contains several senior ADF leaders, and is in an unknown location, probably in North Kivu Province. Seka Baluku leads the other main group, which operates in the forest northeast of Beni town in North Kivu Province. ADF also has an extensive support network in DRC, Uganda, Rwanda, and possibly other countries.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The Allied Democratic Forces (“ADF”) was created in 1995 and is located in the mountainous DRC-Uganda border area. According to the United Nations Group of Experts on the Democratic Republic of the Congo’s (“GOE”) 2013 final report, citing Ugandan officials and UN sources, in 2013 the ADF had an estimated strength of 1 200 to 1 500 armed fighters located in north-east Beni Territory of North Kivu province, close to the border with Uganda. These same sources estimate ADF’s total membership — including women and children — to be between 1 600 and 2 500. Due to offensive military operations by the Congolese Armed Forces (FARDC) and the UN Organization Stabilization Mission in the DRC (MONUSCO) conducted in 2013 and 2014, ADF has dispersed its fighters to numerous smaller bases, and moved women and children to areas west of Beni, and along the Ituri-North Kivu border. The ADF’s military commander is Hood Lukwago and its supreme leader is the sanctioned individual Jamil Mukulu.

The ADF has committed serious violations of international law and UNSCR 2078 (2012), including as detailed below.

The ADF has recruited and used child soldiers in violation of applicable international law (UNSCR paragraph 4 (d))

The GOE’s 2013 final report stated that the GOE interviewed three former ADF fighters who had escaped during 2013 and who described how ADF recruiters in Uganda lure people to the DRC with false promises of employment (for adults) and free education (for children) and then force them to join the ADF. Also according to the GOE’s report, former ADF fighters told the GOE that the ADF’s training groups typically include adult men and boys and two boys who escaped from the ADF in 2013 told the GOE that they had received military training from the ADF. The GOE report also includes an account of ADF’s training by a “former ADF child soldier”.

According to the GOE’s 2012 final report, the ADF recruits include children, as exemplified by the case of an ADF recruiter who was captured by Ugandan authorities in Kasese with six young boys on his way to the DRC in July 2012.

A specific example of the ADF’s recruitment and use of children is seen in a 6 January 2009 letter from the former Africa Director for Human Rights Watch, Georgette Gagnon, to Uganda’s former Minister of Justice, Kiddhu Makubuyu, stating that a boy named Bushobozi Iumba was abducted at 9 years of age by the ADF in 2000. He was required to provide transport and other services to ADF fighters.

In addition, “The Africa Report” cited allegations that the ADF is allegedly recruiting children as young as 10 years of age as child soldiers and cited a Uganda People’s Defence Force (UPDF) spokesperson as stating that the UPDF rescued 30 children from a training camp on Buvuma Island in Lake Victoria.

The ADF has also committed numerous violations of international human rights and international humanitarian law against women and children, including killing, maiming, and sexual violence (UNSCR paragraph 4 (e)).

According to the GOE 2013 final report, in 2013 the ADF attacked numerous villages, which prompted more than 66 000 people to flee into Uganda. These attacks depopulated a large area, which ADF has since controlled by abducting or killing people who return to their villages. Between July and September 2013, ADF decapitated at least five people in the Kamango area, shot several others, and kidnapped dozens more. These actions terrorized the local population and deterred people from returning home.

The Global Horizontal Note, a monitoring and reporting mechanism of grave violations against children in situations of armed conflict, reported to the Security Council's Working Group on Children and Armed Conflict (CAAC) that during the October to December 2013 reporting period, ADF was responsible for 14 of the 18 child casualties documented, including in an incident on 11 December 2013, in Beni territory, North Kivu, when ADF attacked the village of Musuku, killing 23 people, including 11 children (three girls and eight boys), aged 2 months to 17 years. All victims had all been severely mutilated with machetes, including two children who survived the attack.

The March 2014 Report of the Secretary General on Conflict Related Sexual Violence identifies the "Allied Democratic Forces — National Army for the Liberation of Uganda" on its list of "Parties credibly suspected of committing or being responsible for rape or other forms of sexual violence in situations of armed conflict."

The ADF has also participated in attacks against MONUSCO peacekeepers (UNSCR paragraph 4 (i)).

Finally, the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) reported that ADF has conducted at least two attacks on MONUSCO peacekeepers. The first, on 14 July 2013, was an attack on a MONUSCO patrol on the road between Mbau and Kamango. This attack is detailed in the 2013 GOE final report. The second attack occurred on March 3, 2014. A MONUSCO vehicle was attacked with grenades ten kilometers from the Mavivi airport in Beni, resulting in injuries to five peacekeepers.

## 2. BUTEMBO AIRLINES (BAL)

Address: Butembo, DRC.

Date of UN designation: 29 March 2007.

Other information: Privately-owned airline, operates out of Butembo. Since December 2008, BAL no longer holds an aircraft operating license in the DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008) used his airline to transport FNI gold, rations and weapons between Mongbwalu and Butembo. This constitutes "provision of assistance" to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Privately-owned airline, operates out of Butembo. Since December 2008, BAL no longer holds an aircraft operating license in the DRC.

## 3. COMPAGNIE AERIENNE DES GRANDS LACS (CAGL); GREAT LAKES BUSINESS COMPANY (GLBC) (*alias*: CAGL)

Address: a) Avenue Président Mobutu, Goma, DRC, b) Gisenyi, Rwanda, c) PO BOX 315, Goma, DRC.

Date of UN designation: 29 March 2007.

Other information: As of December 2008, GLBC no longer had any operational aircraft, although several aircraft continued flying in 2008 despite UN sanctions.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

CAGL and GLBC are companies owned by Douglas MPAMO, an individual already subject to sanctions under resolution 1596 (2005). CAGL and GLBC were used to transport arms and ammunition in violation of the arms embargo of resolutions 1493 (2003) and 1596 (2005). As of December 2008, GLBC no longer had any operational aircraft, although several aircraft continued flying in 2008 despite UN sanctions.

## 4. CONGOMET TRADING HOUSE

Address: Butembo, North Kivu.

Date of UN designation: 29 March 2007.

Other information: No longer exists as a gold trading house in Butembo, North Kivu.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Congomet Trading House (formerly listed as Congocom) was owned by Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008). Kambale acquired almost all the gold production in the Mongbwalu district, which was controlled by the FNI. The FNI derived substantial income from taxes imposed on this production. This constitutes "provision of assistance" to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). No longer exists as a gold trading house in Butembo, North Kivu.

5. FORCES DEMOCRATIQUES DE LIBERATION DU RWANDA (FDLR)

(*alias*: a) FDLR, b) Force Combattante Abacunguzi, c) Combatant Force for the Liberation of Rwanda, d) FOCA)

Address: a) North Kivu, DRC b) South Kivu, DRC.

Date of UN designation: 31 December 2012.

Other information: Email: [Fdlr@fmx.de](mailto:Fdlr@fmx.de); [fldrse@yahoo.fr](mailto:fldrse@yahoo.fr); [fdlr@gmx.net](mailto:fdlr@gmx.net); [fldrst@gmail.com](mailto:fldrst@gmail.com); [humura2020@gmail.com](mailto:humura2020@gmail.com)

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The FDLR is one of the largest foreign armed groups operating in the territory of the DRC. The group was formed in 2000, and has committed serious violations of international law involving the targeting of women and children in armed conflict, including killing and maiming, sexual violence, and forced displacement. According to a 2010 report from Amnesty International, the FDLR were responsible for the killings of ninety-six civilians in Busurungi, Walikale territory. Some of the victims were burned alive in their homes. According to the same source, in June 2010, an NGO medical centre reported around sixty cases a month of girls and women who had been raped in the southern Lubero territory, North-Kivu by armed groups including the FDLR. According to a December 20, 2010 report from Human Rights Watch (HRW), there has been documented evidence of the FDLR actively conducting child recruitment. HRW identified at least 83 Congolese children under the age of 18, some as young as 14, who had been forcibly recruited by the FDLR. In January 2012, HRW reported that FDLR combatants attacked numerous villages in the Masisi territory, killing six civilians, raping two women, and abducting at least 48 people.

According to a June 2012 report from HRW, in May 2012 FDLR fighters attacked civilians in Kamananga and Lumenje, in South Kivu province, as well as in Chambucha, Walikale territory, and villages in the Ufumandu area of Masisi territory, North Kivu province. In these attacks, FDLR fighters with machetes and knives hacked to death dozens of civilians, including numerous children. According to the June 2012 Group of Experts Report, the FDLR attacked several villages in South Kivu from December 31, 2011 to January 4, 2012. A United Nations investigation confirmed that at least 33 persons, including 9 children and 6 women, had been killed, either burned alive, decapitated or shot during the attack. In addition, one woman and one girl had been raped. The June 2012 Group of Experts Report also states that a United Nations investigation confirmed that the FDLR massacred at least 14 civilians, including 5 women and 5 children in South Kivu in May 2012. According to the November 2012 Group of Experts report, the UN documented at least 106 incidents of sexual violence committed by the FDLR between December 2011 and September 2012. The November 2012 Group of Experts report notes that, according to a UN investigation, the FDLR raped seven women in the night of 10 March 2012, including a minor, in Kalinganya, Kabare territory. The FDLR attacked the village again on 10 April 2012 and raped three of the women for the second time. The November 2012 Group of Experts report also reports 11 killings by the FDLR in Bushibwambombo, Kalehe on 6 April 2012, and FDLR involvement in 19 further killings in Masisi territory, including five minors and six women, in May. The Mouvement Du 23 Mars (M23) is an armed group operating in the DRC that has been the recipient of arms and related materiel, including advice, training, and assistance related to military activities.

Several eyewitness testimonies state that M23 receives general military supplies from the Rwandan Defense Forces (RDF) in the form of weapons and ammunition in addition to materiel support for combat operations. M23 has been complicit in and responsible for committing serious violations of international law involving the targeting of women and children in situations of armed conflict in the DRC including killing and maiming, sexual violence, abduction, and forced displacement. According to numerous reports, investigations, and testimonies from eyewitnesses, M23 has been responsible for carrying out mass killings of civilians, as well as raping women and children throughout various regions of the DRC. Several reports indicate that M23 fighters have carried out 46 rapes against women and girls, the youngest of which was 8 years old. In addition to reports of sexual violence, M23 has also carried out extensive forced recruitment campaigns of children into the ranks of the group. It is estimated that M23 has carried out the forced recruitment of 146 young men and boys in the Rutshuru territory alone in eastern DRC since July 2012. Some of the victims have been as young as 15 years old. The atrocities committed by M23 against the civilian population of the DRC, as well as M23's forced recruitment campaign, and being the recipient of arms and military assistance has dramatically contributed to instability and conflict within the region and in some instances, violated international law.

## 6. M23

(*alias*: Mouvement du 23 mars).

Date of UN designation: 31 December 2012.

Other Information: Email: mouvementdu23mars1@gmail.com

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

The Mouvement Du 23 Mars (M23) is an armed group operating in the DRC that has been the recipient of arms and related materiel, including advice, training, and assistance related to military activities. Several eyewitness testimonies state that M23 receives general military supplies from the Rwandan Defense Forces (RDF) in the form of weapons and ammunition in addition to materiel support for combat operations. M23 has been complicit in and responsible for committing serious violations of international law involving the targeting of women and children in situations of armed conflict in the DRC including killing and maiming, sexual violence, abduction, and forced displacement. According to numerous reports, investigations, and testimonies from eyewitnesses, M23 has been responsible for carrying out mass killings of civilians, as well as raping women and children throughout various regions of the DRC. Several reports indicate that M23 fighters have carried out 46 rapes against women and girls, the youngest of which was 8 years old. In addition to reports of sexual violence, M23 has also carried out extensive forced recruitment campaigns of children into the ranks of the group. It is estimated that M23 has carried out the forced recruitment of 146 young men and boys in the Rutshuru territory alone in eastern DRC since July 2012. Some of the victims have been as young as 15 years old. The atrocities committed by M23 against the civilian population of the DRC, as well as M23's forced recruitment campaign, and being the recipient of arms and military assistance has dramatically contributed to instability and conflict within the region and in some instances, violated international law.

## 7. MACHANGA LTD

Address: Plot 55A, Upper Kololo Terrace, Kampala, Uganda.

Date of UN designation: 29 March 2007.

Other information: Gold export company (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya). In 2010, assets belonging to Machanga, held in the account of Emirates Gold, were frozen by Bank of Nova Scotia Mocatta (UK). The owners of Machanga have remained involved in purchasing gold from eastern DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Machanga bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes "provision of assistance" to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Gold export company (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya). In 2010, assets belonging to Machanga, held in the account of Emirates Gold, were frozen by Bank of Nova Scotia Mocatta (UK). The previous owner of Machanga, Rajendra Kumar, and his brother Vipul Kumar, have remained involved in purchasing gold from eastern DRC.

## 8. TOUS POUR LA PAIX ET LE DEVELOPPEMENT (NGO)

(*alias*: TPD)

Address: Goma, North Kivu, DRC.

Date of UN designation: 1 November 2005.

Other information: Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema Officially suspended all activities since 2008. In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community reconciliation initiatives, land conflict settlements, etc. The TPD President is Eugene Serufuli and Vice-President is Saverina Karomba. Important members include North Kivu provincial deputies Robert Seninga and Bertin Kirivita.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

Implicated in violation of the arms embargo by providing assistance to RCD-G, particularly in supplying trucks to transport arms and troops, and also by transporting weapons for distribution to parts of the population in Masisi and Rutshuru, North Kivu, in early 2005. Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema Officially suspended all activities since 2008. In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community reconciliation initiatives, land conflict settlements, etc. The TPD President is Eugene Serufuli and Vice-President is Saverina Karomba. Important members include North Kivu provincial deputies Robert Seninga and Bertin Kirivita.

9. UGANDA COMMERCIAL IMPEX (UCI) LTD

Address: a) Plot 22, Kanjokya Street, Kamwokya, Kampala, Uganda (Tel.: +256 41 533 578/9), b) PO BOX 22709, Kampala, Uganda.

Date of UN designation: 29 March 2007.

Other information: Gold export company. (Directors Mr. Jamnadas V. LODHIA — known as “Chuni”- and his sons Mr. Kunal J. LODHIA and Jitendra J. LODHIA). In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts. The directors of UCI have remained involved in purchasing gold from eastern DRC.

Additional information from the narrative summary of reasons for listing provided by the Sanctions Committee:

UCI bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes “provision of assistance” to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Gold export company. (Former directors Mr. J.V. LODHIA — known as “Chuni”- and his son Mr. Kunal LODHIA). In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts. The previous owner of UCI, J.V. Lodhia and his son Kumal Lodhia have remained involved in purchasing gold from eastern DRC.

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**COUNCIL IMPLEMENTING DECISION (CFSP) 2015/621**  
**of 20 April 2015**  
**implementing Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire**

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 2010/656/CFSP of 29 October 2010 renewing the restrictive measures against Côte d'Ivoire <sup>(1)</sup>, and in particular Article 6(1) and 6(2) thereof,

Whereas:

- (1) On 29 October 2010, the Council adopted Decision 2010/656/CFSP.
- (2) The Council has carried out a review of the measures referred to in point (b) of Article 4(1) and in point (b) of Article 5(1) of Decision 2010/656/CFSP, in accordance with Article 10(3) thereof.
- (3) The Council has determined that the application of the measures referred to in point (b) of Article 4(1) and in point (b) of Article 5(1) should be maintained for five of the listed persons.
- (4) The General Court of the European Union, by its judgment on 14 January 2015 in Case T-406/13 <sup>(2)</sup>, annulled Council Implementing Decision 2014/271/CFSP <sup>(3)</sup> implementing Decision 2010/656/CFSP, in so far as it concerned Mr Marcel Gossio. Following that annulment, the entry concerning Marcel Gossio should also be removed from Annex II to Decision 2010/656/CFSP.
- (5) On 26 February 2015, the Sanctions Committee established pursuant to United Nations (UN) Security Council Resolution 1572 (2004) concerning Côte d'Ivoire removed one person from the list of persons subject to the measures imposed by paragraphs 9 and 12 of that Resolution. The entry for that person should be deleted from Annex I to Decision 2010/656/CFSP.
- (6) In addition, the Sanctions Committee updated other entries for the persons subject to the measures imposed by paragraphs 9 and 12 of UN Security Council Resolution 1572 (2004).
- (7) The list of persons subject to restrictive measures as set out in the Annexes I and II to Decision 2010/656/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

*Article 1*

Annex I to Decision 2010/656/CFSP is replaced by the text set out in Annex I to this Decision.

*Article 2*

Annex II to Decision 2010/656/CFSP is amended as set out in Annex II to this Decision.

<sup>(1)</sup> OJ L 285, 30.10.2010, p. 28.

<sup>(2)</sup> Judgment of 14 January 2015 in Case T-406/13, *Gossio v Council*.

<sup>(3)</sup> Council Implementing Decision 2014/271/CFSP of 12 May 2014 implementing Decision 2010/656/CFSP renewing the restrictive measures against Côte d'Ivoire (OJ L 138, 13.5.2014, p. 108).

*Article 3*

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, 20 April 2015.

*For the Council*  
*The President*  
F. MOGHERINI

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## ANNEX I

## 'ANNEX I

**List of persons referred to in Article 4(1)(a) and Article 5(1)(a)**

## 1. Name: CHARLES BLÉ GOUDÉ

Title: n/a, Designation: n/a, DOB: 1.1.1972, POB: (a) Guibéroua, Gagnoa, Côte d'Ivoire, (b) Niagbrahio/Guiberoua, Côte d'Ivoire, (c) Guiberoua, Côte d'Ivoire, Good quality a.k.a.: (a) Génie de kpo, (b) Gbapé Zadi, Low quality a.k.a.: Général, Nationality: Ivorian, Passport No: (a) 04LE66241, issued on 10.11.2005, issued in Côte d'Ivoire (Expiration date: 9.11.2008), (b) AE/088 DH 12, issued on 20.12.2002, issued in Côte d'Ivoire (Expiration date: 11.12.2005), (c) 98LC39292, issued in Côte d'Ivoire (Expiration date: 23.11.2003), National identification no.: n/a, Address: (a) Yopougon Selmer, Bloc P 170, Abidjan, Côte d'Ivoire, (b) c/o Hotel Ivoire, Abidjan, Côte d'Ivoire, (c) Cocody (suburb), Abidjan, Côte d'Ivoire (Address declared in travel document n. C2310421 issued by Switzerland on 15.11.2005 and valid until 31.12.2005), Listed on: 7.2.2006.

*Other information*

Narrative summary of reasons for listing: Leader of COJEP ("Young Patriots"), repeated public statements advocating violence against United Nations installations and personnel, and against foreigners; direction of and participation in acts of violence by street militias, including beatings, rapes and extrajudicial killings; intimidation of the United Nations, the International Working Group (IWG), the political opposition and independent press; sabotage of international radio stations; obstacle to the action of the IWG, the United Nations Operation in Côte d'Ivoire, (UNOCI), the French Forces and to the peace process as defined by Resolution 1643 (2005).

## 3. Name: EUGÈNE N'GORAN KOUADIO DJUÉ

Title: n/a, Designation: n/a, DOB: (a) 1.1.1966, (b) 20.12.1969, POB: Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: 04 LE 017521, issued on 10.2.2005 (Expiration date: 10.2.2008), National identification No: n/a, Address: n/a, Listed on: 7.2.2006.

*Other information:*

Narrative summary of reasons for listing: Leader of the *Union des Patriotes pour la Libération Totale de la Côte d'Ivoire* (UPLTCI). Repeated public statements advocating violence against United Nations installations and personnel, and against foreigners; direction of and participation in acts of violence by street militias, including beatings, rapes and extrajudicial killings; obstacle to the action of IWG, UNOCI, the French forces and to the peace process as defined by Resolution 1643 (2005).

## 4. Name: MARTIN KOUAKOU FOFIÉ

Title: n/a, Designation: n/a, DOB: 1.1.1968, POB: BOHI, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: n/a, National identification No: (a) 2096927, issued on 17.3.2005, issued in Burkina Faso, (b) CNB N.076, issued on 17.2.2003, issued in Burkina Faso (Burkina Faso Nationality Certificate), (c) 970860100249, issued on 5.8.1997, issued in Côte d'Ivoire (Expiration date: 5.8.2007), Address: n/a, Listed on: 7.2.2006.

*Other information*

Father's Name: Yao Koffi FOFIE. Mother's Name: Ama Krouama KOSSONOU.

Narrative summary of reasons for listing: Chief Corporal New Force Commandant, Korhogo Sector. Forces under his command engaged in recruitment of child soldiers, abductions, imposition of forced labour, sexual abuse of women, arbitrary arrests and extra-judicial killings, contrary to human rights conventions and to international humanitarian law; obstacle to the action of the IWG, UNOCI, French Forces and to the peace process as defined by Resolution 1643 (2005).

## 5. Name: LAURENT GBAGBO

Title: n/a, Designation: n/a, DOB: 31.5.1945, POB: Gagnoa, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: n/a, National identification No: n/a, Address: n/a, Listed on: 30.3.2011.

*Other information:*

Narrative summary of reasons for listing: Former President of Côte d'Ivoire: obstruction of the peace and reconciliation process, rejection of the results of the presidential election.

6. Name: SIMONE GBAGBO

Title: n/a, Designation: n/a, DOB: 20.6.1949, POB: Moossou, Grand-Bassam, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: n/a, National identification No: n/a, Address: n/a, Listed on: 30.3.2011.

*Other information:*

Narrative summary of reasons for listing: Chairperson of the Parliamentary Group of the Ivorian Popular Front (FPI): obstruction of the peace and reconciliation process, public incitement to hatred and violence.

8. Name: DÉSIÉ TAGRO

Title: n/a, Designation: n/a, DOB: 27.1.1959, POB: Issia, Côte d'Ivoire, Good quality a.k.a.: n/a, Low quality a.k.a.: n/a, Nationality: Ivorian, Passport No: AE 065FH08, National identification No: n/a, Address: n/a, Listed on: 30.3.2011.

*Other information:*

Deceased on 12.4.2011 in Abidjan.

Narrative summary of reasons for listing: Secretary-General of the so-called "presidency" of Mr Gbagbo: participation in the illegitimate government of Mr Gbagbo, obstruction of the peace and reconciliation process, rejection of the results of the presidential election, participation in violent repressions of popular movements.'

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ANNEX II

The entry in Annex II to Decision 2010/656/CFSP for the following person is deleted:

Marcel GOSSIO.

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## ACTS ADOPTED BY BODIES CREATED BY INTERNATIONAL AGREEMENTS

Only the original UN/ECE texts have legal effect under international public law. The status and date of entry into force of this Regulation should be checked in the latest version of the UN/ECE status document TRANS/WP.29/343, available at:

<http://www.unece.org/trans/main/wp29/wp29wgs/wp29gen/wp29fdocsts.html>

**Regulation No 118 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform technical prescriptions concerning the burning behaviour and/or the capability to repel fuel or lubricant of materials used in the construction of certain categories of motor vehicles [2015/622]**

Incorporating all valid text up to:

Supplement 1 to the 02 series of amendments — Date of entry into force: 3 November 2013

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## 1. SCOPE

- 1.1. This Regulation applies to the burning behaviour (ignitibility, burning rate and melting behaviour) and to the capability to repel fuel or lubricants of materials used in vehicles of categories M<sub>3</sub>, Classes II and III <sup>(1)</sup>.

Type-approvals are granted according to:

- 1.2. Part I — Approval of a vehicle type with regard to the burning behaviour and/or the capability to repel fuel or lubricant of the components used in the interior compartment, the engine compartment and any separate heating compartment.
- 1.3. Part II — Approval of a component with regard to its burning behaviour and/or its capability to repel fuel or lubricant installed in the interior compartment, the engine compartment or any separate heating compartment.


## 2. DEFINITIONS: GENERAL

- 2.1. 'Manufacturer' means the person or body who is responsible to the Type-Approval Authority for all aspects of the type-approval process and for ensuring conformity of production. It is not essential that the person or body is directly involved in all stages of the construction of the vehicle or component which is the subject of the approval process.
- 2.2. 'Interior compartment' means any compartment intended for passengers, drivers and/or crew bounded by the interior facing surface(s) of:
- (a) the ceiling;
  - (b) the floor;
  - (c) the front, rear and side walls,
  - (d) the doors;
  - (e) the outside glazing.
- 2.3. 'Engine compartment' means the compartment in which the engine is installed and in which a combustion heater may be installed.
- 2.4. 'Separate heating compartment' means a compartment for a combustion heater located outside the interior compartment and the engine compartment.
- 2.5. 'Production materials' means products, in the form of bulk materials (e.g. rolls of upholstery) or preformed components, supplied to a manufacturer for incorporation in a vehicle type approved under this Regulation, or to a workshop for use in the business of vehicle maintenance or repair.
- 2.6. 'Seat' means a structure which may or may not be integral with the vehicle structure, complete with trim, intended to seat one adult person. The term covers both an individual seat or part of a bench seat intended to seat one adult person.
- 2.7. 'Group of seats' means either a bench-type seat, or seats which are separate but side by side (i.e. with the foremost anchorages of one seat in line with or forward of the rearmost anchorages and in line with or behind the foremost anchorages of another seat) and which accommodate one or more seated adult persons.

<sup>(1)</sup> As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3.), document ECE/TRANS/WP.29/78/Rev.2, para. 2.

- 2.8. 'Bench seat' means a structure complete with trim, intended to seat more than one adult person.
- 2.9. 'Material installed in a vertical position' means materials installed in the interior compartment, the engine compartment and any separate heating compartment of the vehicle such that its slope exceeds 15 % from the horizontal when the vehicle is at its mass in running order and it is standing on a smooth and horizontal ground surface.
3. APPLICATION FOR APPROVAL
- 3.1. The application for approval of a vehicle or component type with regard to this Regulation shall be submitted by the manufacturer.
- 3.2. It shall be accompanied by an information document conforming to the model shown in Annex 1 or in Annex 2.
- 3.3. The following must be submitted to the Technical Service responsible for conducting the type-approval tests:
- 3.3.1. In the case of approval of a vehicle: a vehicle representative of the type to be approved.
- 3.3.2. In the case of components already type approved: a list of the type-approval numbers and maker's type designations of the parts concerned, shall be enclosed in the application for the vehicle type-approval;
- 3.3.3. In the case of components without type-approval:
- 3.3.3.1. Samples, the number of which is specified in Annexes 6 to 9, of the components used in the vehicles, which are representative of the type to be approved;
- 3.3.3.2. Furthermore, one sample shall be submitted to the Technical Service for future reference purposes;
- 3.3.3.3. For devices such as seats, curtains, separation walls, etc., the samples specified in paragraph 3.3.3.1 plus one complete device as mentioned above.
- 3.3.3.4. The samples shall be clearly and indelibly marked with the applicant's trade name or mark and the type designation.
4. APPROVAL
- 4.1. If the type submitted for approval to this Regulation meets the requirements of the relevant part(s) of this Regulation, approval of that type shall be granted.
- 4.2. An approval number shall be assigned to each type approved. Its first two digits (at present 02 corresponding to the 02 series of amendments) shall indicate the series of amendments incorporating the most recent major technical amendments made to the Regulation at the time of issue of the approval. The same Contracting Party shall not assign the same number to another type of vehicle or component as defined in this Regulation.
- 4.3. Notice of approval or of extension of approval of a type pursuant to this Regulation shall be communicated to the Contracting Parties to the Agreement applying this Regulation, by means of one of the forms conforming to the models in Annexes 3 or 4, as appropriate, to this Regulation.
- 4.4. There shall be affixed, conspicuously and in a readily accessible location specified on the approval form, to every vehicle conforming to a type approved under this Regulation, an international approval mark consisting of:
- 4.4.1. A circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval <sup>(1)</sup>;
- 4.4.2. The number of this Regulation, followed by the letter 'R', 'T' to indicate Part I of this Regulation, a dash and the approval number, to the right of the circle prescribed in paragraph 4.4.1.

<sup>(1)</sup> The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to the Consolidated Resolution on the Construction of Vehicles (R.E.3), document ECE/TRANS/WP.29/78/Rev.2/Amend.1.

- 4.4.3. If the vehicle conforms to a vehicle type approved, under one or more other Regulations annexed to the Agreement, in the country which has granted approval under this Regulation, the symbol prescribed in paragraph 4.4.1 need not be repeated; in such a case, the Regulations under which approval has been granted in the country which has granted approval under this Regulation shall be placed in vertical columns to the right of the symbol prescribed in paragraph 4.4.1.
- 4.4.4. The approval mark shall be clearly legible and be indelible.
- 4.4.5. The approval mark shall be placed close to or on the vehicle data plate affixed by the manufacturer.
- 4.5. Production materials do not need to be individually marked. However, the packaging with which they are supplied must be marked with an international approval mark consisting of:
- 4.5.1. A circle surrounding the letter 'E' followed by the distinguishing number of the country which has granted approval <sup>(1)</sup>;
- 4.5.2. The number of this Regulation, followed by the letter 'R', a 'II' to indicate Part II of this Regulation, a dash and the approval number, to the right of the circle prescribed in paragraph 4.4.1.
- 4.5.3. In the vicinity of the circle:
- 4.5.3.1. Symbols indicating the direction which the material may be installed:
- ↔ For the horizontal direction (see para. 6.2.1);
- ↑↓ For the vertical direction (see paras. 6.2.3 and 6.2.4);
-  For the horizontal and vertical directions (see paras. 6.2.1, 6.2.3 and 6.2.4).
- 4.5.3.2. The symbol 'V' indicating that the material fulfils the requirements in paragraph 6.2.2.
- 4.5.4. The approval mark shall be clearly legible and be indelible.
- 4.6. Components may be marked with the approval mark prescribed in paragraph 4.5.
- 4.6.1. If marked, the marking of complete components such as seats, separation walls, luggage racks, etc., shall include the symbol 'CD' indicating that the component has been approved as a complete device.
- 4.7. Annex 5 to this Regulation gives examples of arrangements of approval marks.
5. PART I: APPROVAL OF A VEHICLE TYPE WITH REGARD TO THE BURNING BEHAVIOUR OF THE COMPONENTS USED IN THE INTERIOR COMPARTMENT, THE ENGINE COMPARTMENT AND ANY SEPARATE HEATING COMPARTMENT AND/OR THE CAPABILITY TO REPEL FUEL OR LUBRICANT OF INSULATION MATERIALS USED IN THE ENGINE COMPARTMENT AND ANY SEPARATE HEATING COMPARTMENT
- 5.1. Definition
- For the purpose of Part I of this Regulation,
- 5.1.1. 'Vehicle type' means vehicles that do not differ in such essential respects as the manufacturer's type designation.
- 5.2. Specifications
- 5.2.1. The materials inside and no more than 13 mm beyond the interior compartment, materials of the engine compartment and materials of any separate heating compartment used in the vehicle to be type approved shall meet the requirements of Part II of this Regulation.
- 5.2.2. The materials and/or equipment used in the interior compartment, the engine compartment and any separate heating compartment and/or in devices approved as components shall be so installed as to minimise the risk of flame development and flame propagation.

<sup>(1)</sup> The distinguishing numbers of the Contracting Parties to the 1958 Agreement are reproduced in Annex 3 to the Consolidated Resolution on the Construction of Vehicles (R.E.3), document ECE/TRANS/WP.29/78/Rev.2/Amend.1.



5.2.3. Such materials and/or equipment shall only be installed in accordance with their intended purposes and the test(s) which they have undergone (see paragraphs 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5, 6.2.6 and 6.2.7), especially in relation to their burning and melting behaviour (horizontal/vertical direction) and/or their capability to repel fuel or lubricant.

5.2.4. Any adhesive agent used to affix the interior material to its supporting structure shall not, as far as possible, exacerbate the burning behaviour of the material.

6. PART II: APPROVAL OF A COMPONENT WITH REGARD TO ITS BURNING BEHAVIOUR AND/OR ITS CAPABILITY TO REPEL FUEL OR LUBRICANT

6.1. Definitions

For the purpose of Part II of this Regulation,

6.1.1. 'Type of a component' means components which do not differ in such essential respects as:

6.1.1.1. The manufacturer's type designation,

6.1.1.2. The intended use (seat upholstery, roof lining, insulation, etc.),

6.1.1.3. The base material(s) (e.g. wool, plastic, rubber, blended materials),

6.1.1.4. The number of layers in the case of composite materials, and

6.1.1.5. Other characteristics in so far as they have an appreciable effect on the performance prescribed in this Regulation.

6.1.2. 'Burning rate' means the quotient of the burnt distance measured according to Annex 6 and/or Annex 8 to this Regulation and the time taken to burn this distance. It is expressed in millimetres per minute.

6.1.3. 'Composite material' means a material composed of several layers of similar or different materials intimately held together at their surfaces by cementing, bonding, cladding, welding, etc. When different materials are connected together intermittently (for example, by sewing, high-frequency welding, riveting), such materials shall not be considered as composite materials.

6.1.4. 'Exposed face' means the side of a material which is facing towards the passenger compartment, the engine compartment and any separate heating compartment when the material is mounted in the vehicle.

6.1.5. 'Upholstery' means the combination of interior padding and surface finish material which together constitute the cushioning of the seat frame.

6.1.6. 'Interior lining(s)' means material(s) that (together) constitute(s) the surface finish and substrate of a roof, wall or floor.

6.1.7. 'Insulation material(s)' means material(s) used to reduce heat transfer by conduction, radiation or convection and for sound-proofing in the engine compartment and any separate heating compartment.

6.1.8. 'Capability to repel fuel or lubricant' means the capability of materials to repel fuel or lubricant when measured according to Annex 9 to this Regulation.

6.2. Specifications

6.2.1. The following materials shall undergo the test described in Annex 6 to this Regulation:

(a) material(s) and composite material(s) installed in a horizontal position in the interior compartment and,

(b) insulation material(s) installed in a horizontal position in the engine compartment and any separate heating compartment.

The result of the test shall be considered satisfactory if, taking the worst test results into account, the horizontal burning rate is not more than 100 mm/minute or if the flame extinguishes before reaching the last measuring point.

Materials fulfilling the requirements of paragraph 6.2.3 are considered to fulfil the requirements in this paragraph.

6.2.2. The following materials shall undergo the test described in Annex 7 to this Regulation:

- (a) material(s) and composite material(s) installed more than 500 mm above the seat cushion and in the roof of the vehicle,
- (b) insulation material(s) installed in the engine compartment and any separate heating compartment.

The result of the test shall be considered satisfactory if, taking the worst test results into account, no drop is formed which ignites the cotton wool.

6.2.3. The following materials shall undergo the test described in Annex 8 to this Regulation:

- (a) material(s) and composite material(s) installed in a vertical position in the interior compartment,
- (b) insulation material(s) installed in a vertical position in the engine compartment and any separate heating compartment.

The result of the test shall be considered satisfactory if, taking the worst test results into account, the vertical burning rate is not more than 100 mm/minute or if the flame extinguishes before the destruction of one of the first marker threads occurred.

6.2.4. Materials achieving an average CFE (critical heat flux at extinguishment) value greater or equal to 20 kW/m<sup>2</sup>, when tested according to ISO 5658-2<sup>(1)</sup>, are deemed to comply with the requirements of paragraphs 6.2.2 and 6.2.3, provided no burning drops are observed when taking the worst test results into account.

6.2.5. All insulation material(s) installed in the engine compartment and any separate heating compartment shall undergo the test described in Annex 9 to this Regulation.

The result of the test shall be considered satisfactory if, taking the worst test results into account, the increase of the weight of the test sample does not exceed 1 g.

Recesses necessary for technical reasons, e.g. tubes or structural members that need to pass through the material shall be allowed as long as the protection is maintained (e.g. sealant, tape, etc.).

6.2.6. Electric cables shall undergo the resistance to flame propagation test described in ISO standard 6722:2006, paragraph 12.

The result of the test shall be considered satisfactory if, taking into account the worst test result, any combustion flame of insulating material shall extinguish within 70 seconds and a minimum of 50 mm insulation at the top of the test sample shall remain unburned.

6.2.7. Materials which are not required to undergo the tests described in Annexes 6 to 8 are:

6.2.7.1. Parts made of metal or glass;

6.2.7.2. Each individual seat accessory with a mass of non-metallic material less than 200 g. If the total mass of these accessories exceeds 400 g of non-metallic material per seat, then each material must be tested;

6.2.7.3. Elements of which the surface area or the volume does not exceed respectively:

6.2.7.3.1. 100 cm<sup>2</sup> or 40 cm<sup>3</sup> for the elements which are connected to an individual seating place;

6.2.7.3.2. 300 cm<sup>2</sup> or 120 cm<sup>3</sup> per seat row and, at a maximum, per linear metre of the interior of the interior compartment for these elements which are distributed in the vehicle and which are not connected to an individual seating place;

6.2.7.4. Elements for which it is not possible to extract a sample in the prescribed dimensions as specified in paragraph 3.1 of Annex 6 and paragraph 3 of Annex 7.

<sup>(1)</sup> ISO 5658-2:2006 Reaction to fire tests — spread of flame — Part 2: Lateral spread on building and transport products in vertical configuration.

7. MODIFICATION OF THE TYPE AND EXTENSION OF APPROVAL

7.1. Every modification of a vehicle or component type with regard to this Regulation shall be notified to the Type-Approval Authority which approved the vehicle or the component type. The Authority may then either:

7.1.1. Consider that the modifications made are unlikely to have an appreciable adverse effect and that in any case vehicles or components still comply with the requirements, or

7.1.2. Require a further test report from the Technical Service responsible for conducting the tests.

7.2. Confirmation or refusal of approval, specifying the alterations shall be communicated by the procedure specified in paragraph 4.3 above to the Contracting Parties to the Agreement applying this Regulation.

7.3. The Type-Approval Authority issuing the extension of approval shall assign a serial number to each communication form drawn up for such an extension and inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in Annex 3 or Annex 4 to this Regulation.

8. CONFORMITY OF PRODUCTION

The conformity of production procedures shall comply with those set out in the Agreement, Appendix 2 (E/ECE/324-E/ECE/TRANS/505/Rev.2), with the following requirements:

8.1. Vehicles/components approved under this Regulation shall be so manufactured as to conform to the type approved by meeting the requirements of the relevant part(s) of this Regulation.

8.2. The Type-Approval Authority that has granted type-approval may at any time verify the conformity control methods applied in each production facility. The normal frequency of these verifications shall be one every two years.

9. PENALTIES FOR NON-CONFORMITY OF PRODUCTION

9.1. The approval granted in respect of a vehicle/component type pursuant to this Regulation may be withdrawn if the requirements set forth above are not met.

9.2. If a Contracting Party to the Agreement applying this Regulation withdraws an approval it has previously granted, it shall forthwith so notify the other Contracting Parties applying this Regulation by means of a communication form conforming to the models in Annex 3 or Annex 4 to this Regulation.

10. PRODUCTION DEFINITELY DISCONTINUED

If the holder of the approval completely ceases to manufacture a vehicle type approved in accordance with this Regulation, he shall so inform the Type-Approval Authority which granted the approval. Upon receiving the relevant communication that Authority shall inform thereof the other Parties to the 1958 Agreement applying this Regulation by means of a communication form conforming to the model in Annex 3 or Annex 4 to this Regulation.

11. NAMES AND ADDRESSES OF TECHNICAL SERVICES RESPONSIBLE FOR CONDUCTING APPROVAL TESTS AND OF TYPE-APPROVAL AUTHORITIES

The Parties to the 1958 Agreement applying this Regulation shall communicate to the United Nations Secretariat the names and addresses of the Technical Services responsible for conducting approval tests and of the Type-Approval Authorities which grant approval and to which forms certifying approval or extension or refusal or withdrawal of approval, issued in other countries, are to be sent.

12. TRANSITIONAL PROVISIONS

12.1. As from the official date of entry into force of the 01 series of amendments, no Contracting Party applying this Regulation shall refuse to grant approval under this Regulation as amended by the 01 series of amendment.

- 12.2. As from 24 months after the official date of entry into force of the 01 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the vehicle type or component type to be approved meet the requirements of this Regulation as amended by the 01 series of amendments.
  - 12.3. Starting from 60 months after the official date of entry into force of the 01 series of amendments, Contracting Parties applying this Regulation may refuse first national or regional registration (first entry into service) of a vehicle which does not meet the requirements of this Regulation as amended by the 01 series of amendments.
  - 12.4. Even after the date of entry into force of the 01 series of amendments to this Regulation, approvals of the components to the preceding series of amendments to the Regulation shall remain valid and Contracting Parties applying this Regulation shall continue to accept them.
  - 12.5. Contracting Parties applying this Regulation shall not refuse to grant extensions of approval to the 00 series of amendments to this Regulation.
  - 12.6. As from the official date of entry into force of the 02 series of amendments, no Contracting Parties applying this Regulation shall refuse to grant approval under this Regulation as amended by the 02 series of amendment.
  - 12.7. As from 48 months after the official date of entry into force of the 02 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the component type to be approved meet the requirements of this Regulation as amended by the 02 series of amendments.
  - 12.8. As from 60 months after the official date of entry into force of the 02 series of amendments, Contracting Parties applying this Regulation shall grant approvals only if the vehicle type to be approved meet the requirements of this Regulation as amended by the 02 series of amendments.
  - 12.9. Starting 96 months after the official date of entry into force of the 02 series of amendments, Contracting Parties applying this Regulation may refuse first national registration (first entry into service) of a vehicle which does not meet the requirements of this Regulation as amended by the 02 series of amendments.
  - 12.10. Even after the date of entry into force of the 02 series of amendments, approvals of the components to the preceding series of amendments to the regulation shall remain valid and Contracting Parties applying the Regulation shall continue to accept them.
-

## ANNEX 1

## INFORMATION DOCUMENT FOR VEHICLE

In accordance with paragraph 3.2 of this Regulation relating to the type-approval of a vehicle with regard to the burning behaviour of the components used in the interior compartment, the engine compartment and any separate heating compartment and/or the capability to repel fuel or lubricant of insulation materials used in the engine compartment and any separate heating compartment.

1. General
  - 1.1. Make (trade name of manufacturer): .....
  - 1.2. Type and general commercial description(s): .....
  - 1.3. Means of identification of type, if marked on the vehicle: .....
  - 1.4. Location of that marking: .....
  - 1.5. Category of vehicle <sup>(1)</sup>: .....
  - 1.6. Name and address of manufacturer: .....
  - 1.7. Address(es) of assembly plant(s): .....
2. General construction characteristics of the vehicle
  - 2.1. Photographs and/or drawings of a representative vehicle:
3. Bodywork
 

Interior fittings and/or insulation materials

  - 3.1. Seats
    - 3.1.1. Number: .....
  - 3.2. Material(s) used in the interior compartment, stating for each material
    - 3.2.1. Component type-approval number, if available: .....
    - 3.2.2. Make: .....
    - 3.2.3. Type designation: .....
    - 3.2.4. Tested according to paragraph 6.2.1, 6.2.2, 6.2.3, 6.2.4 <sup>(2)</sup>: .....
    - 3.2.5. For materials not approved
      - 3.2.5.1. Base material(s)/designation: .../... .....
      - 3.2.5.2. Composite/single <sup>(2)</sup> material, number of layers <sup>(2)</sup>: .....
      - 3.2.5.3. Type of coating <sup>(2)</sup>: .....
      - 3.2.5.4. Maximum/minimum thickness ..... mm
  - 3.3. Materials used for insulation in the engine compartment and/or separate heating compartment, stating for each material
    - 3.3.1. Component type-approval number, if available: .....
    - 3.3.2. Make: .....
    - 3.3.3. Type designation: .....
    - 3.3.4. Tested according to paragraph 6.2.1, 6.2.2, 6.2.3, 6.2.4, 6.2.5 <sup>(2)</sup>: .....

- 3.3.5. For materials not approved
- 3.3.5.1. Base material(s)/designation: .../... ..
- 3.3.5.2. Composite/single <sup>(2)</sup> material, number of layers <sup>(2)</sup>: .....
- 3.3.5.3. Type of coating <sup>(2)</sup>: .....
- 3.3.5.4. Maximum/minimum thickness ..... mm
- 3.4. Electric cables, stating for each type
- 3.4.1. Component type-approval number(s) if available: .....
- 3.4.2. Make: .....
- 3.4.3. Type designation: .....
- 3.4.4. For materials not approved
- 3.4.4.1. Base material(s)/designation: .../... ..
- 3.4.4.2. Composite/single <sup>(2)</sup> material, number of layers <sup>(2)</sup>: .....
- 3.4.4.3. Type of coating <sup>(2)</sup>: .....
- 3.4.4.4. Maximum/minimum thickness ..... mm

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<sup>(1)</sup> As defined in the Consolidated Resolution on the Construction of Vehicles (R.E.3), Annex 7 (document TRANS/WP.29/78/Rev.2, para. 2).

<sup>(2)</sup> Strike out what does not apply.

## ANNEX 2

## INFORMATION DOCUMENT FOR COMPONENT

In accordance with paragraph 3.2 of the Regulation relating to the type-approval of a component used in the interior compartment, the engine compartment and any separate heating compartment with regard to its burning behaviour and/or the capability to repel fuel or lubricant of insulation materials used in the engine compartment and any separate heating compartment.

1. General
  - 1.1. Make (trade name of manufacturer): .....
  - 1.2. Type and general commercial description(s): .....
  - 1.3. Name and address of manufacturer: .....
  - 1.4. In the case of components and separate technical units, location and method of affixing of the approval mark: ....
  - 1.5. Address(es) of assembly plant(s): .....
2. Interior materials
  - 2.1. Material(s) intended for horizontal/vertical/horizontal and vertical installation <sup>(1)</sup>  
Material intended to be installed more than 500 mm above the seat cushion and/or in the roof of the vehicle:  
yes/not applicable <sup>(1)</sup>
  - 2.2. Base material(s)/designation: .../... ..
  - 2.3. Composite/single <sup>(1)</sup> material, number of layers <sup>(1)</sup>: .....
  - 2.4. Type of coating <sup>(1)</sup>: .....
  - 2.5. Maximum/minimum thickness ..... mm
  - 2.6. Type-approval number, if available: .....
3. Insulation materials
  - 3.1. Material(s) intended for horizontal/vertical/horizontal and vertical installation <sup>(1)</sup>
  - 3.2. Base material(s)/designation: .../... ..
  - 3.3. Composite/single <sup>(1)</sup> material, number of layers <sup>(1)</sup>: .....
  - 3.4. Type of coating <sup>(1)</sup>: .....
  - 3.5. Maximum/minimum thickness ..... mm
  - 3.6. Type-approval number, if available: .....
4. Electric cables
  - 4.1. Material(s) used for: .....
  - 4.2. Base material(s)/designation: .../... ..
  - 4.3. Composite/single <sup>(1)</sup> material, number of layers <sup>(1)</sup>: .....
  - 4.4. Type of coating <sup>(1)</sup>: .....
  - 4.5. Maximum/minimum thickness ..... mm
  - 4.6. Type-approval number, if available: .....

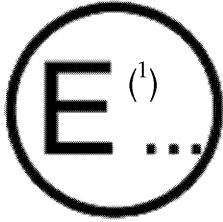
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<sup>(1)</sup> Strike out what does not apply.

ANNEX 3

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration
.....
.....
.....

- Concerning (2): Approval granted
Approval extended
Approval refused
Approval withdrawn
Production definitively discontinued

of a vehicle type pursuant to Regulation No 118

Approval No ..... Extension No .....

Reasons for extension: .....

Section I

General

- 1.1. Make (trade name of manufacturer): .....
1.2. Type: .....
1.3. Means of identification of type, if marked on the vehicle/component/ separate technical unit (3) (4): .....
1.3.1. Location of that marking: .....
1.4. Category of vehicle (5): .....
1.5. Name and address of manufacturer: .....
1.6. Location of the approval mark: .....
1.7. Address(es) of assembly plant(s): .....

Section II

- 1. Additional information (where applicable)
2. Technical Service responsible for carrying out the tests: .....
3. Date of test report: .....
4. Number of test report: .....
5. Remarks (if any): .....
6. Place: .....
7. Date: .....
8. Signature: .....
9. The index to the information package lodged with the Type-Approval Authority, which may be obtained on request, is attached.

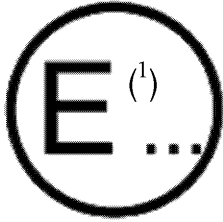
(1) Distinguishing number of the country which has granted/extended/refused or withdrawn approval.
(2) Strike out what does not apply (there are cases where nothing needs to be deleted, when more than one entry is applicable).
(3) If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered in this information document, such characters shall be represented in the documentation by the symbol "?" (e.g. ABC??123??).
(4) As defined in Annex 7 to the Consolidated Resolution on the Construction of Vehicles (R.E.3) (document TRANS/WP.29/78/Rev.2, para. 2).



ANNEX 4

COMMUNICATION

(Maximum format: A4 (210 × 297 mm))



issued by: Name of administration

.....  
.....  
.....

- concerning <sup>(2)</sup>: Approval granted
- Approval extended
- Approval refused
- Approval withdrawn
- Production definitively discontinued

of a component type pursuant to Regulation No 118

Approval No ..... Extension No .....

Reasons for extension: .....

Section I

General

- 1.1. Make (trade name of manufacturer): .....
- 1.2. Type: .....
- 1.3. Means of identification of type, if marked on the device <sup>(3)</sup>: .....
- 1.3.1. Location of that marking: .....
- 1.4. Name and address of manufacturer: .....
- 1.5. Location of the approval mark: .....
- 1.6. Address(es) of assembly plant(s): .....

Section II

- 1. Additional information (where applicable): see Appendix 1
- 2. Technical Service responsible for carrying out the tests: .....
- 3. Date of test report: .....
- 4. Number of test report: .....
- 5. Remarks (if any): .....
- 6. Place: .....
- 7. Date: .....
- 8. Signature: .....
- 9. The index to the information package lodged with the Type-Approval Authority, which may be obtained on request, is attached.

<sup>(1)</sup> Distinguishing number of the country which has granted/extended/refused or withdrawn approval.

<sup>(2)</sup> Strike out what does not apply (there are cases where nothing needs to be deleted, when more than one entry is applicable).

<sup>(3)</sup> If the means of identification of type contains characters not relevant to describe the vehicle, component or separate technical unit types covered in this information document, such characters shall be represented in the documentation by the symbol "???" (e.g. ABC??123??).

## Appendix 1

**Appendix to type-approval communication form No ... concerning the type-approval of a component type pursuant to Regulation No 118**

1. Additional information.
  - 1.1. Interior materials
    - 1.1.1. The direction which the component may be installed: horizontal/vertical/both horizontal and vertical direction(s) <sup>(1)</sup>.
    - 1.1.2. Fulfils the requirements in paragraph 6.6.2: yes/not applicable <sup>(1)</sup>
    - 1.1.3. Compliance has been checked for components approved as complete devices: yes/no <sup>(1)</sup>
    - 1.1.4. Any restrictions of use and installation requirements:.
  - 1.2. Insulation materials
    - 1.2.1. The direction which the component may be installed: horizontal/vertical/both horizontal and vertical direction(s) <sup>(1)</sup>.
    - 1.2.2. Compliance has been checked for components approved as complete devices: yes/no <sup>(1)</sup>
    - 1.2.3. Any restrictions of use and installation requirements:
  - 1.3. Electric cables
    - 1.3.1. Any restrictions of use and installation requirements: .....
2. Remarks: .....

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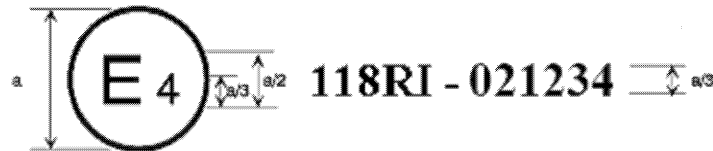
<sup>(1)</sup> Strike out what does not apply.

## ANNEX 5

## ARRANGEMENTS OF APPROVAL MARKS

## Example 1

(See Part I of this Regulation)

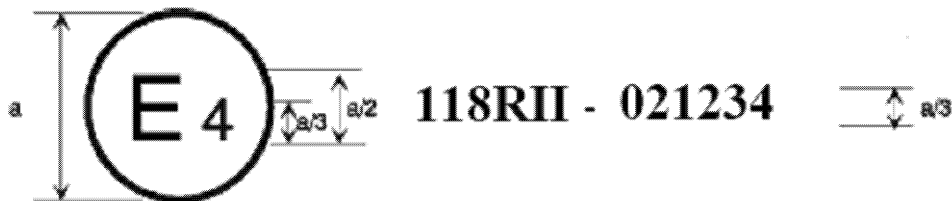


a = 8 mm min

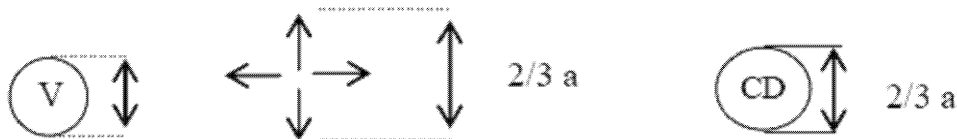
The above approval mark affixed to a vehicle shows that the type concerned was approved in the Netherlands (E4) pursuant to Part I of Regulation No 118 under approval No 021234. The first two digits (02) of the approval number indicate that the approval was granted in accordance with the requirements of the 02 series of amendments to Regulation No 118.

## Example 2


(See part II of this Regulation)




a = 8 mm min



The above approval mark affixed to a component shows that the type concerned was approved in the Netherlands (E4) pursuant to Part II of Regulation No 118 under approval number 021234. The first two digits (02) of the approval number indicate that the approval was granted in accordance with the requirements of the 02 series of amendments to Regulation No 118.

The additional symbol  indicates the direction which the component may be installed.

The symbol  indicates that the component fulfils the requirements in paragraph 6.2.2.

The symbol  indicates an approval as a complete device such as seats, separation walls, etc.

The additional symbols are only used if applicable.

## ANNEX 6

## TEST TO DETERMINE THE HORIZONTAL BURNING RATE OF MATERIALS

## 1. SAMPLING AND PRINCIPLE

- 1.1. Five samples shall undergo the test in the case of an isotropic material or ten samples in the case of a non-isotropic material (five for each direction).
- 1.2. The samples shall be taken from the material under test. In materials having different burning rates in different material directions, each direction has to be tested. The samples are to be taken and placed in the test apparatus so that the highest burning rate will be measured. When the material is supplied in widths, a length of at least 500 mm shall be cut covering the entire width. From this the samples shall be taken so as to be at least 100 mm from the material edge and equidistant from each other. Samples shall be taken in the same way from finished products, when the shape of the product permits. When the thickness of the product is more than 13 mm, it shall be reduced to 13 mm by a mechanical process applied to the side which does not face the respective compartment (interior, engine or separate heating compartment). If it is impossible, the test shall be carried out, in accordance with the Technical Service, on the initial thickness of the material, which shall be mentioned in the test report.

Composite materials (see paragraph 6.1.3) shall be tested as if they were of uniform construction. In the case of materials made of superimposed layers of different composition which are not composite materials, all the layers of material included within a depth of 13 mm from the surface facing towards the respective compartment shall be tested individually.

- 1.3. A sample is held horizontally in a U-shaped holder and is exposed to the action of a defined flame for 15 seconds in a combustion chamber, the flame acting on the free end of the sample. The test determines if and when the flame extinguishes or the time in which the flame passes a measured distance.

## 2. APPARATUS

- 2.1. Combustion chamber (Figure 1), preferably of stainless steel and having the dimensions given in Figure 2. The front of the chamber contains a flame-resistant observation window, which may cover the front and which can be constructed as an access panel.

The bottom of the chamber has vent holes, and the top has a vent slot all around. The combustion chamber is placed on four feet, 10 mm high.

The chamber may have a hole at one end for the introduction of the sample holder containing the sample; in the opposite end, a hole is provided for the gas line. Melted material is caught in a pan (see Figure 3) which is placed on the bottom of the chamber between vent holes without covering any vent hole area.

Figure 1

**Example of combustion chamber with sample holder and drip tray**

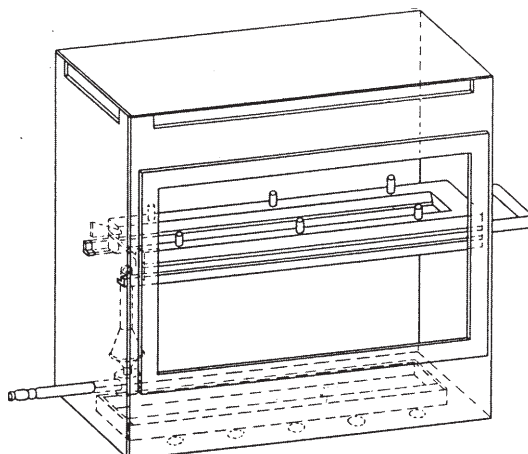


Figure 2

**Example of combustion chamber**

(Dimensions in millimetres)

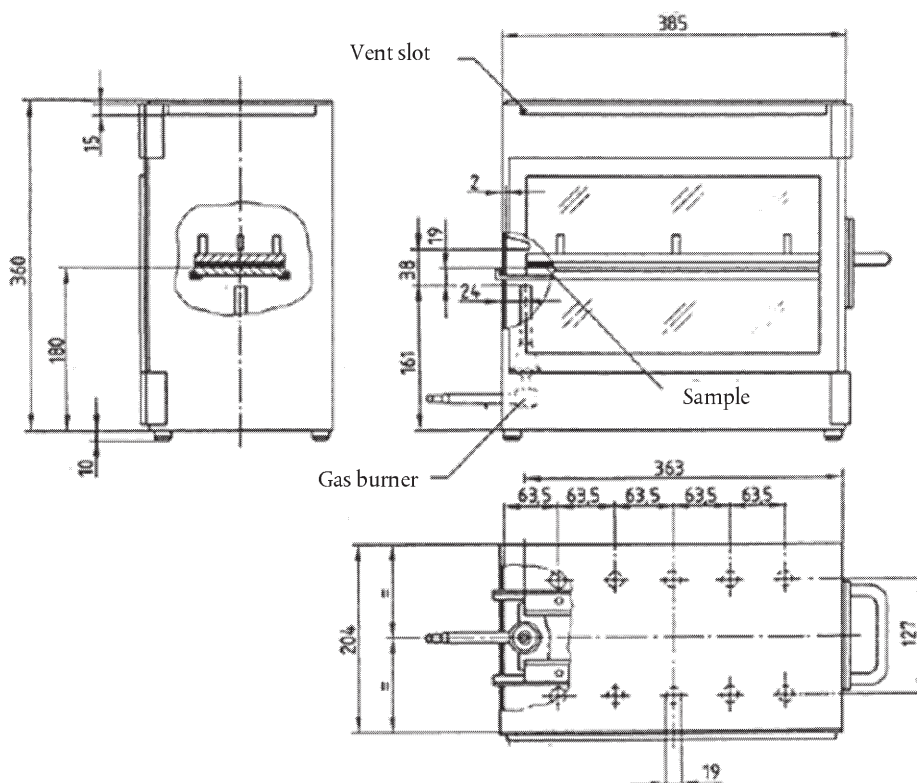
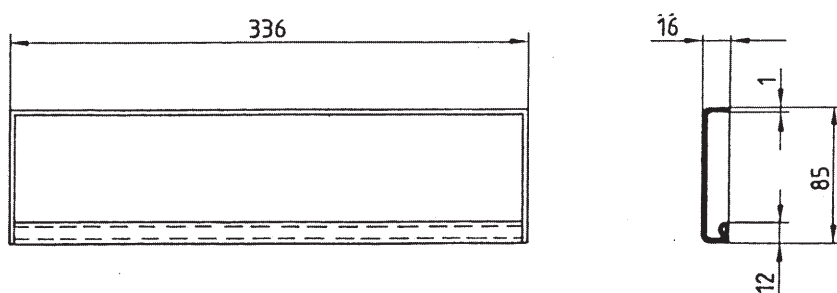


Figure 3

**Typical drip pan**

(Dimensions in millimetres)



- 2.2. Sample holder, consisting of two U-shaped metal plates or frames of corrosion-proof material. Dimensions are given in Figure 4.

The lower plate is equipped with pins, the upper one with corresponding holes in order to ensure a consistent holding of the sample. The pins also serve as the measuring points at the beginning and end of the burning distance.

A support shall be provided in the form of 0,25 mm diameter heat resistant wires spanning the frame at 25 mm intervals over the bottom U-shaped frame (see Figure 5).

The plane of the lower side of samples shall be 178 mm above the floor plate. The distance of the front edge of the sample holder from the end of the chamber shall be 22 mm; the distance of the longitudinal sides of the sample holder from the sides of the chamber shall be 50 mm (all inside dimensions). (See Figures 1 and 2)

Figure 4

## Example of sample holder

(Dimensions in millimetres)

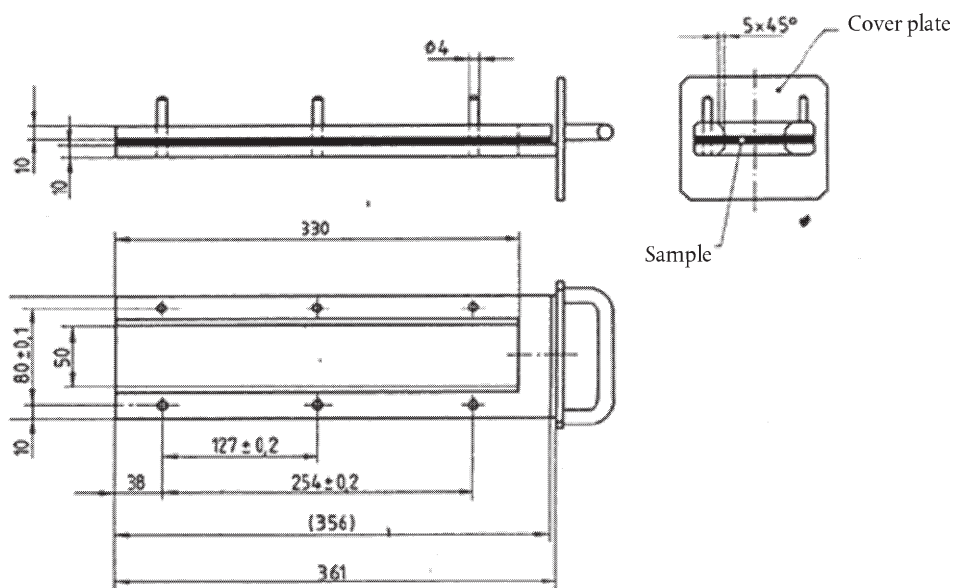
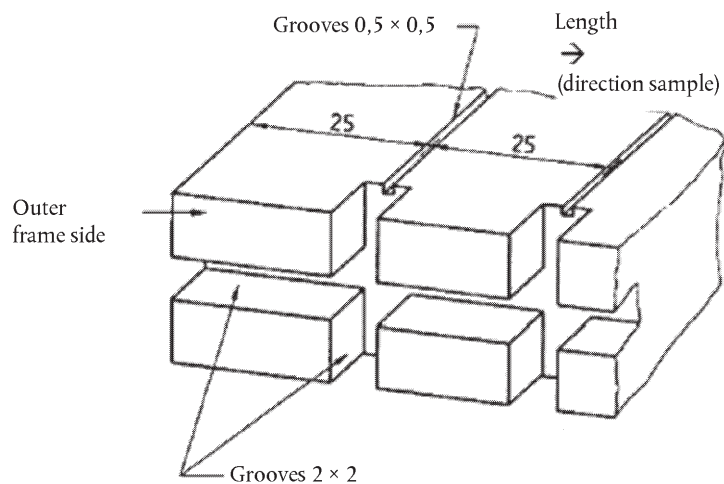


Figure 5

## Example of section of lower U-frame design for wire support facility

(Dimensions in millimetres)



## 2.3. Gas burner

The small ignition source is provided by a Bunsen burner having an inside diameter of  $9,5 \pm 0,5$  mm. It is located in the test cabinet so that the centre of its nozzle is 19 mm below the centre of the bottom edge of the open end of the sample (see Figure 2).

## 2.4. Test gas

The gas supplied to the burner shall have a calorific value near  $38 \text{ MJ/m}^3$  (for example natural gas).

## 2.5. Metal comb, at least 110 mm in length, with seven to eight smooth rounded teeth per 25 mm.

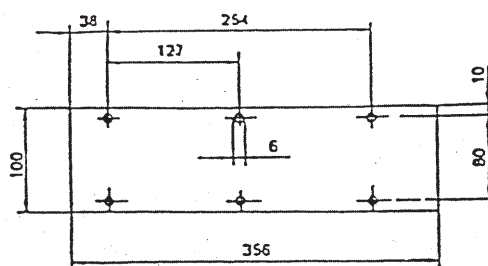
## 2.6. Stop-watch, accurate to 0,5 seconds.

- 2.7. Fume cupboard. The combustion chamber may be placed in a fume cupboard assembly provided that the internal volume is at least 20 times, but not more than 110 times, greater than the volume of the combustion chamber and provided that no single height, width, or length dimension of the fume cupboard is greater than 2,5 times either of the other two dimensions. Before the test, the vertical velocity of the air through the fume cupboard shall be measured 100 mm in front of and behind the final position where the combustion chamber will be located. It shall be between 0,10 and 0,30 m/s in order to avoid possible discomfort, by combustion products, to the operator. It is possible to use a fume cupboard with natural ventilation and an appropriate air velocity.
3. SAMPLES
- 3.1. Shape and dimensions
- 3.1.1. The shape and dimensions of samples are given in Figure 6. The thickness of the sample corresponds to the thickness of the product to be tested. It shall not be more than 13 mm. When taking the sample permits, the sample shall have a constant section over its entire length.

Figure 6

**Sample**

(Dimensions in millimetres)



- 3.1.2. If the shape and dimensions of a product do not permit taking a sample of the given size, the following minimum dimensions shall be maintained:
- For samples having a width of 3 to 60 mm, the length shall be 356 mm. In this case the material is tested in the product's width;
  - For samples having a width of 60 to 100 mm, the length shall be at least 138 mm. In this case the potential burning distance corresponds to the length of the sample, the measurement starting at the first measuring point.
- 3.2. Conditioning
- The samples shall be conditioned for at least 24 hours but not more than 7 days at a temperature of  $23\text{ °C} \pm 2\text{ °C}$  and a relative humidity of  $50 \pm 5\%$  and shall be maintained under these conditions until immediately prior to testing.
4. PROCEDURE
- Place samples with napped or tufted surfaces on a flat surface and comb twice against the nap using the comb (paragraph 2.5).
  - Place the sample in the sample holder (paragraph 2.2) so that the exposed side will be downwards to the flame.
  - Adjust the gas flame to a height of 38 mm using the mark in the chamber, the air intake of the burner being closed. Before starting the first test, the flame shall burn at least for 1 min for stabilisation.
  - Push the sample-holder into the combustion chamber so that the end of the sample is exposed to the flame, and after 15 seconds cut off the gas flow.

- 4.5. The measurement of the burning time starts at the moment when the foot of the flame passes the first measuring point. Observe the flame propagation on the side burning faster than the other (upper or lower side).
- 4.6. Measurement of burning time is completed when the flame has come to the last measuring point or when the flame extinguishes before coming to the last measuring point. If the flame does not reach the last measuring point, measure the burnt distance up to the point where the flame extinguished. Burnt distance is the decomposed part of the sample, which is destroyed on its surface or in the interior by burning.
- 4.7. In so far as the sample does not ignite or does not continue burning after the burner has been extinguished, or when the flame extinguishes before reaching the first measuring point, so that no burning time is measured note in the test report that the burning rate is 0 mm/min.
- 4.8. When running a series of tests or repeat tests, ensure that the combustion chamber and sample holder have a maximum temperature of 30 °C before starting the next test.

#### 5. CALCULATION

The burning rate, B <sup>(1)</sup>, in millimetres per minute, is given by the formula:

$$B = 60 s/t$$

where:

s = the burnt distance, in millimetres;

t = the time, in seconds, to burn distance s.

---

<sup>(1)</sup> The burning rate (B) for each sample is only calculated in the case where the flame reaches the last measuring point or the end of the sample.



## ANNEX 7

**TEST TO DETERMINE THE MELTING BEHAVIOUR OF MATERIALS**

## 1. SAMPLING AND PRINCIPLE

- 1.1. Four samples, for both faces (if they are not identical) shall undergo the test.
- 1.2. A sample is placed in a horizontal position and is exposed to an electric radiator. A receptacle is positioned under the specimen to collect the resultant drops. Some cotton wool is put in this receptacle in order to verify if any drop is flaming.

## 2. APPARATUS

The apparatus shall consist of (Figure 1):

- (a) an electric radiator;
- (b) a support for the sample with grill;
- (c) a receptacle (for resultant drops);
- (d) a support (for the apparatus).

- 2.1. The source of heat is an electric radiator with a useful output of 500 W. The radiating surface must be made of a transparent quartz plate with a diameter of  $100 \pm 5$  mm.

The radiated heat from the apparatus, measured on a surface which is situated parallel to the surface of the radiator at a distance of 30 mm, shall be  $3 \text{ W/cm}^2$ .

## 2.2. Calibration

For calibration of the radiator, a heat flux meter (radiometer) of the Gardon (foil) type with a design range not exceeding  $10 \text{ W/cm}^2$  shall be used. The target receiving radiation, and possibly to a small extent convection, shall be flat, circular, not more than 10 mm in diameter and coated with a durable matt black finish.

The target shall be contained within a water cooled body the front face of which shall be of highly polished metal, flat, coinciding with the plane of the target and circular, with a diameter of about 25 mm.

Radiation shall not pass through any window before reaching the target.

The instrument shall be robust, simple to set up and use, insensitive to draughts, and stable in calibration. The instrument shall have an accuracy of within  $\pm 3 \%$  and a repeatability within 0,5 %.

The calibration of the heat flux meter shall be checked whenever a recalibration of the radiator is carried out, by comparison with an instrument held as a reference standard and not used for any other purpose.

The reference standard instrument shall be fully calibrated at yearly intervals in accordance with a national standard.

## 2.2.1. Calibration check

The irradiance produced by the power input which the initial calibration has shown to correspond to an irradiance of  $3 \text{ W/cm}^2$  shall be frequently checked (at least once every 50 operating hours) and the apparatus shall be recalibrated if such a check reveals a deviation greater than  $0,06 \text{ W/cm}^2$ .

## 2.2.2. Calibration procedure

The apparatus shall be placed in an environment essentially free of air currents (not more than 0,2 m/s).

Place the heat flux meter in the apparatus in the specimen position so that the target of the heat flux meter is located centrally within the radiator surface.

Switch on the electricity supply and establish the power input of the controller required to produce irradiance at the centre of the radiator surface of 3 W/cm<sup>2</sup>. Adjustment to the power unit to record 3 W/cm<sup>2</sup> should be followed by a five minute period without further adjustment to ensure equilibrium.

- 2.3. The support for the samples shall be a metallic ring (Figure 1). On top of this support a grill, made of stainless steel-wire, is placed with the following dimensions:
  - (a) Interior diameter: 118 mm,
  - (b) Dimension of the holes: 2,10 mm square,
  - (c) Diameter of the steel-wire: 0,70 mm.
- 2.4. The receptacle shall consist of a cylindrical tube with an interior diameter of 118 mm and a depth of 12 mm. The receptacle shall be filled with cotton wool.
- 2.5. A vertical column shall support the items specified in paragraphs 2.1, 2.3 and 2.4.

The radiator is placed on top of the support in a manner such that the radiating surface is horizontal and the radiation is downwards.

A lever/pedal shall be provided in the column to lift the support of the radiator slowly. It shall also be provided with a catch in order to ensure that the radiator can be brought back in its normal position.

In their normal position, the axes of the radiator, the support for the sample and the receptacle shall coincide.

### 3. SAMPLES

The test samples shall measure: 70 mm × 70 mm. Samples shall be taken in the same way from finished products, when the shape of the product permits. When the thickness of the product is more than 13 mm, it shall be reduced to 13 mm by a mechanical process applied to the side which does not face the respective compartment (interior, engine or separate heating compartment). If it is impossible, the test shall be carried out, in accordance with the Technical Service, on the initial width of the material which shall be mentioned in the test report.

Composite materials (see paragraph 6.1.3 of the Regulation) shall be tested as if they were of uniform construction.

In the case of materials made of superimposed layers of different composition which are not composite materials, all the layers of material included within a depth of 13 mm from the surface facing towards the respective compartment (interior, engine or separate heating compartment) shall be tested individually.

The total mass of the sample to be tested shall be at least 2 g. If the mass of one sample is less, a sufficient number of samples shall be added.

If the two faces of the material differ, both faces must be tested, which means that eight samples are to be tested. The samples and the cotton wool shall be conditioned for at least 24 hours at a temperature 23 °C ± 2 °C and a relative humidity of 50 ± 5 % and shall be maintained under these conditions until immediately prior to testing.

### 4. PROCEDURE

The sample is placed on the support and the latter is so positioned that the distance between the surface of the radiator and the upper side of the sample is 30 mm.

The receptacle, including the cotton wool, is placed beneath the grill of the support at a distance of 300 mm.

The radiator is put aside, so that it cannot radiate on the sample, and switched on. When it is on full capacity it is positioned above the sample and timing is started.

If the material melts or deforms, the height of the radiator is modified to maintain the distance of 30 mm.

If the material ignites, the radiator is put aside three seconds afterwards. It is brought back in position when the flame has extinguished and the same procedure is repeated as frequently as necessary during the first five minutes of the test.

After the fifth minute of the test:

- (i) if the sample has extinguished (whether or not it has ignited during the first five minutes of the test) leave the radiator in position even if the sample reignites;
- (ii) if the material is flaming, await extinction before bringing the radiator into position again.

In either case, the test shall be continued for an additional five minutes.

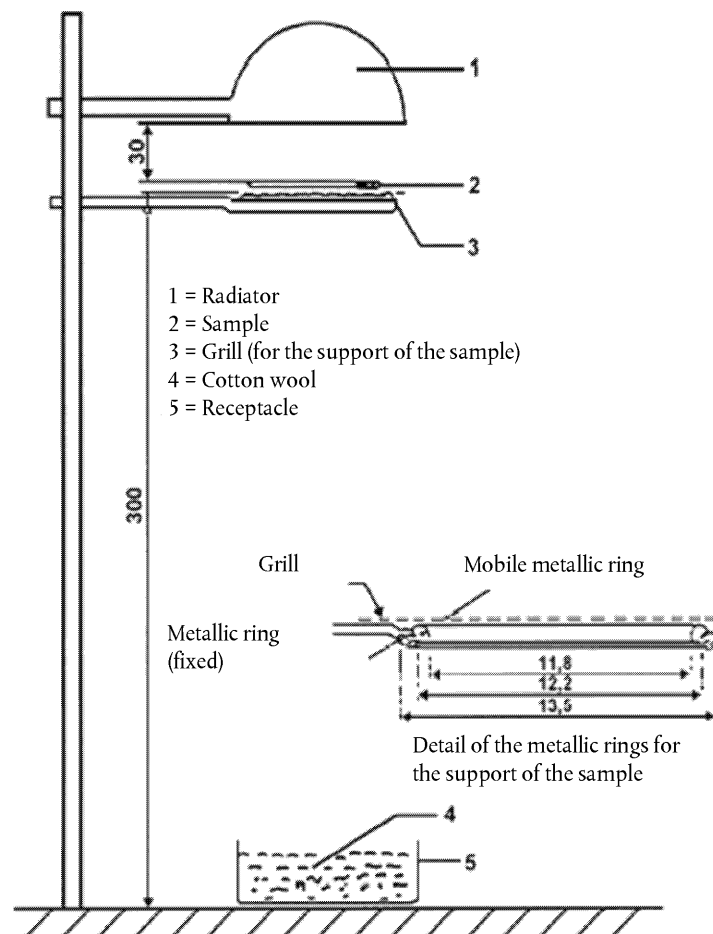
## 5. RESULTS

Observed phenomena shall be noted in the test-report, such as:

- (i) the fall of drops, if any, whether flaming or not;
- (ii) if ignition of the cotton wool has taken place.

Figure 1

(Dimensions in millimetres)



## ANNEX 8

**TEST TO DETERMINE THE VERTICAL BURNING RATE OF MATERIALS**

## 1. SAMPLING AND PRINCIPLE

- 1.1. Three samples shall undergo the test in the case of an isotropic material, or six samples in the case of a non-isotropic material.
- 1.2. This test consists of exposing samples, held in a vertical position, to a flame and determining the speed of propagation of the flame over the material to be tested.

## 2. APPARATUS

The apparatus shall consist of:

- (a) a specimen holder;
  - (b) a burner;
  - (c) a ventilation system to extract gas and combustion products;
  - (d) a template;
  - (e) marker threads of white mercerised cotton threads having a maximum linear density of 50 tex.
- 2.1. The specimen holder shall consist of a rectangular frame of 560 mm high and shall have two rigidly connected parallel rods spaced 150 mm apart on which pins shall be fitted for mounting the test specimen which is located in a plane at least 20 mm from the frame. The mounting pins shall be not greater than 2 mm in diameter and at least 27 mm long. The pins shall be located on the parallel rods at locations shown in Figure 1. The frame shall be fitted onto a suitable support to maintain the rods in a vertical orientation during testing (for the purpose of locating the specimen on the pins in a plane away from the frame, spacer stubs 2 mm in diameter may be provided adjacent to the pins).
  - 2.2. The burner is described in Figure 3.  
  
The gas supplied to the burner can be either commercial propane gas or commercial butane gas.  
  
The burner shall be positioned in front of, but below, the specimen such that it lies in a plane passing through the vertical centreline of the specimen and perpendicular to its face (see Figure 2), such that the longitudinal axis is inclined upwards at 30° to the vertical towards the lower edge of the specimen. The distance between the tip of the burner and the lower edge of the specimen shall be 20 mm.
  - 2.3. The test apparatus may be placed in a fume cupboard assembly provided that the internal volume is at least 20 times, but not more than 110 times, greater than the volume of the test apparatus and provided that: no single height, width, or length dimension of the fume cupboard is greater than 2,5 times either of the other two dimensions. Before the test, the vertical velocity of the air through the fume cupboard shall be measured 100 mm in front of and behind the final position where the test apparatus will be located. It shall be between 0,10 and 0,30 m/s in order to avoid possible discomfort, by combustion products, to the operator. It is possible to use a fume cupboard with natural ventilation and an appropriate air velocity.
  - 2.4. A flat rigid template made of suitable material and of a size corresponding to the size of the specimen shall be used. Holes approximately 2 mm in diameter shall be drilled in the template and positioned so that the distances between the centres of the holes correspond to the distances between the pins on the frames (see Figure 1). The holes shall be located equidistant about the vertical centrelines of the template.

## 3. SAMPLES

- 3.1. The samples dimensions are: 560 × 170 mm.

If the dimensions of a material do not permit taking a sample of the given dimensions the test shall be carried out, in accordance with the Technical Service, on the fitted size of the material which shall be mentioned in the test report.

- 3.2. When the thickness of the sample is more than 13 mm, it shall be reduced to 13 mm by a mechanical process applied to the side which does not face the respective compartment (interior, engine or separate heating compartment). If it is impossible, the test shall be carried out in accordance with the Technical Service the initial thickness of the material, which shall be mentioned in the test report. Composite materials (see paragraph 6.1.3) shall be tested as if they were of uniform construction. In the case of materials made of superimposed layers of different composition which are not composite materials, all the layers of material included within a depth of 13 mm from the surface facing towards the respective compartment shall be tested individually.
- 3.3. The samples shall be conditioned for at least 24 hours at a temperature of  $23\text{ °C} \pm 2\text{ °C}$  and a relative humidity of  $50 \pm 5\%$  and shall be maintained under these conditions until immediately prior to testing.

#### 4. PROCEDURE

- 4.1. The test shall be carried out in an atmosphere having a temperature between  $10\text{ °C}$  and  $30\text{ °C}$  and a relative humidity between 15 % and 80 %.
- 4.2. The burner shall be preheated for 2 minutes. The flame height shall be adjusted to  $40 \pm 2\text{ mm}$  measured as the distance between the top of the burner tube and the tip of the yellow part of the flame when the burner is vertically oriented and the flame is viewed in dim light.
- 4.3. The specimen shall be placed (after the rearward marker threads have been located) on the pins of the test frame, making certain that the pins pass through the points marked off from the template and that the specimen is at least 20 mm removed from the frame. The frame shall be fitted on the support so that the specimen is vertical.
- 4.4. The marker threads shall be attached horizontally in front of and behind the specimen at the locations shown in Figure 1. At each location, a loop of thread shall be mounted so that the two segments are spaced 1 mm and 5 mm from the front and rear face of the specimen.

Each loop shall be attached to a suitable timing device. Sufficient tension shall be imposed to the threads to maintain their position relative to the specimen.

- 4.5. The flame shall be applied to the specimen for 5 seconds. Ignition shall be deemed to have occurred if flaming of the specimen continues for 5 seconds after removal of the igniting flame. If ignition does not occur, the flame shall be applied for 15 seconds to another conditioned specimen.
- 4.6. If any result in any set of three specimens exceeds the minimum result by 50 %, another set of three specimens shall be tested for that direction or face. If one or two specimens in any set of three specimens fail to burn to the top marker thread, another set of three specimens shall be tested for that direction or face.
- 4.7. The following times, in seconds, shall be measured:
  - (a) from the start of the application of the igniting flame to the severance of one of the first marker threads ( $t_1$ );
  - (b) from the start of the application of the igniting flame to the severance of one the second marker threads ( $t_2$ );
  - (c) from the start of the application of the igniting flame to the severance of one the third marker threads ( $t_3$ ).
- 4.8. If the sample does not ignite or does not continue burning after the burner has been extinguished or if the flame extinguishes before the destruction of one of the first marker threads occurred, so that no burning time is measured, the burning rate is considered to be 0 mm/min.
- 4.9. If the sample does ignite and the flames of the burning sample do reach the height of the third marker threads without destroying the first and second marker threads (e.g. due to material characteristics of thin material sample), the burning rate is considered to be more than 100 mm/min.

## 5. RESULTS

The observed phenomena shall be written down in the test-report, to include:

- (a) the durations of combustion:  $t_1$ ,  $t_2$  and  $t_3$  in seconds, and
- (b) the corresponding burnt distances:  $d_1$ ,  $d_2$  and  $d_3$  in mm.

The burning rate  $V_1$  and the rates  $V_2$  and  $V_3$ , if applicable, shall be calculated (for each sample if the flame reaches at least one of the first marker threads) as follows:

$$V_i = 60 d_i/t_i \text{ (mm/min)}$$

The highest burning rate of  $V_1$ ,  $V_2$  and  $V_3$  shall be taken into account.

Figure 1

### Specimen holder

(Dimensions in millimetres)

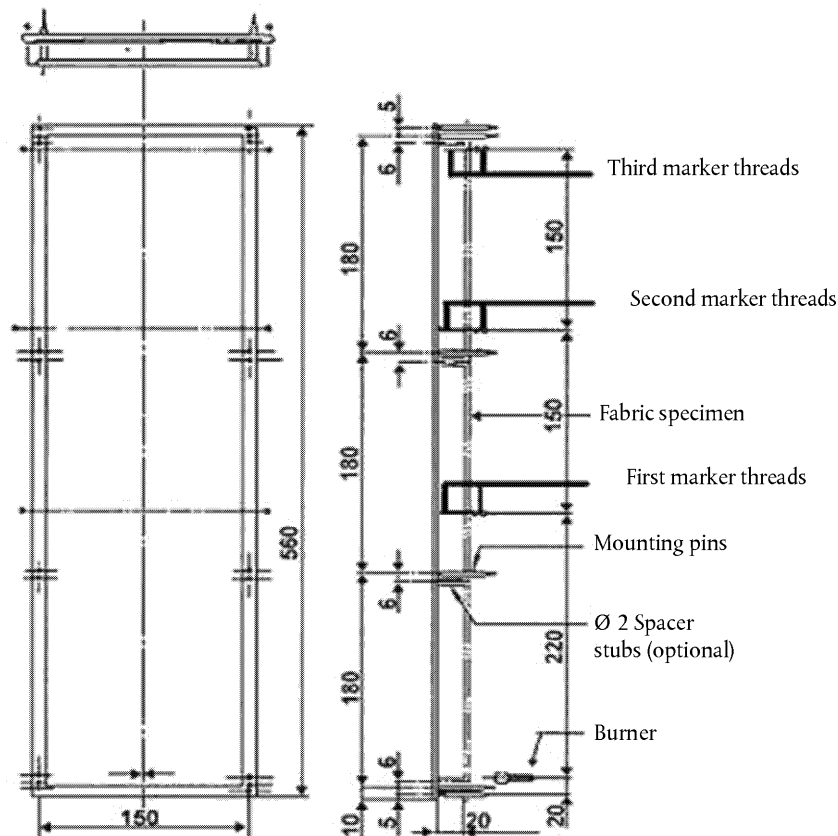


Figure 2  
Burner ignition location  
(Dimensions in millimetres)

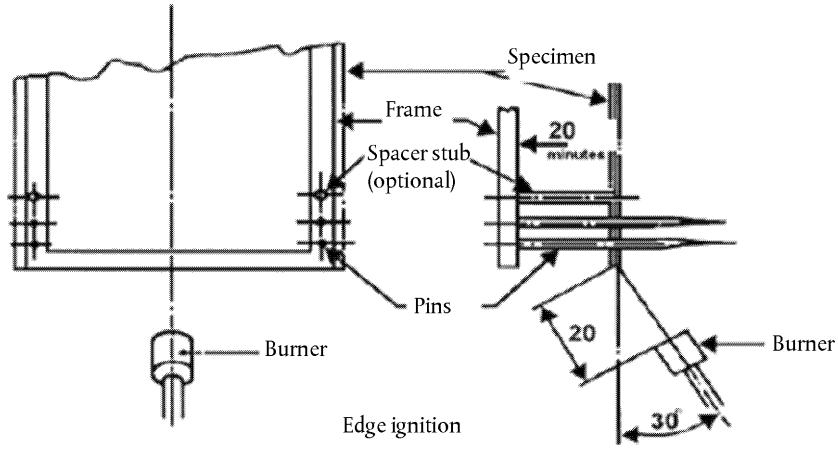
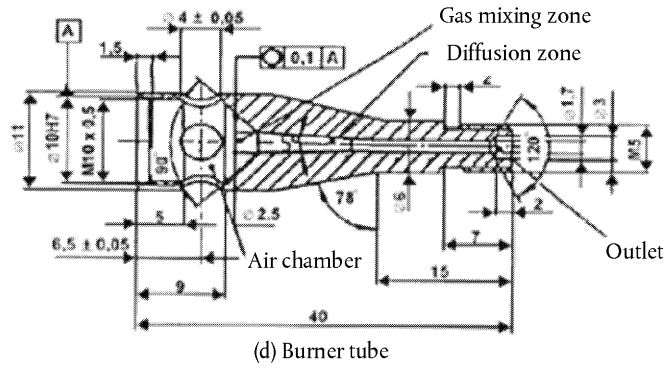
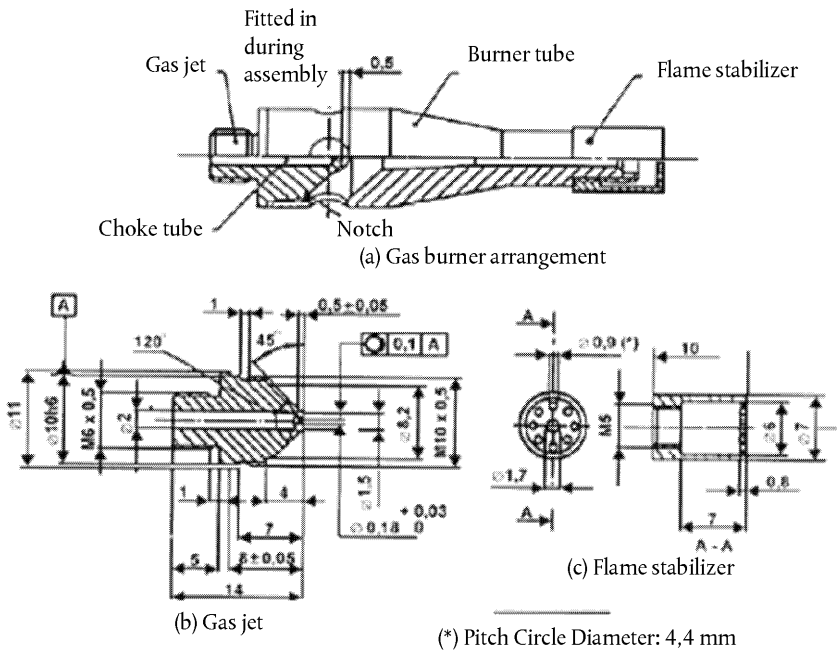


Figure 3  
Gas burner  
(Dimensions in millimetres)



## ANNEX 9

**TEST TO DETERMINE THE CAPABILITY OF MATERIALS TO REPEL FUEL OR LUBRICANT**

## 1. SCOPE

This annex lists prescriptions to test the capability of insulation materials used in engine compartments and separate heating compartments.

## 2. SAMPLING AND PRINCIPLE

2.1. The test samples shall measure: 140 mm × 140 mm.

2.2. The thickness of the samples shall be 5 mm. If the thickness of the test sample is more than 5 mm, it shall be reduced to 5 mm by a mechanical process applied to the side which does not face the engine compartment or separate heating compartment.

2.3. The test liquid shall be diesel fuel according to standard EN 590:1999 (Market fuels). or alternatively diesel fuel according to Regulation No 83 (Annex 10: Specification of reference fuels).

2.4. Four samples shall undergo the test.

## 3. APPARATUS (SEE FIGURES 4a AND 4a)

The apparatus shall consist of:

A a base plate, with a hardness of at least 70 Shore D;

B an absorbent surface on the baseplate (e.g. paper);

C a metal cylinder (inner diameter of 120 mm, outer diameter of 130 mm, height of 50 mm), filled with the test liquid;

D-D' two screws with wing nuts;

E the test sample;

F top plate

## 4. PROCEDURE

4.1. The test sample and the apparatus shall be conditioned for at least 24 hours at a temperature of  $23\text{ °C} \pm 2\text{ °C}$  and a relative humidity of  $50 \pm 5\%$  and shall be maintained under these conditions until immediately prior to testing.

4.2. The test sample shall be weighed.

4.3. The test sample, with its exposed face uppermost, shall be placed on the base of the apparatus by fixing the metal cylinder in a centred position with sufficient pressure on the screws. No test liquid shall leak.

4.4. Fill the metal cylinder with test liquid to a height of 20 mm and let the system rest for 24 hours.

4.5. Remove the test liquid and the test sample from the apparatus. If residue of the test liquid is found on the test sample it shall be removed without compressing the test sample.



4.6. The test sample shall be weighed.

Figure 4a

**Apparatus for testing the capability to repel fuel or lubricant**

(Dimensions in millimetres)

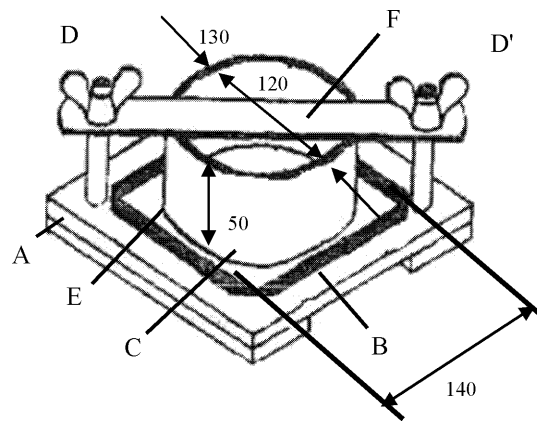
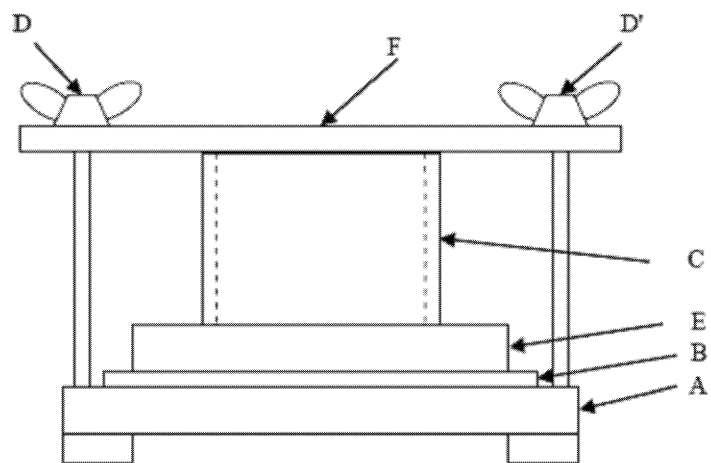


Figure 4b

**Apparatus for testing the capability to repel fuel or lubricant**

(Side View)



**CORRIGENDA****Corrigendum to Council Decision 2013/743/EU of 3 December 2013 establishing the specific programme implementing Horizon 2020 — the Framework Programme for Research and Innovation (2014-2020) and repealing Decisions 2006/971/EC, 2006/972/EC, 2006/973/EC, 2006/974/EC and 2006/975/EC**

*(Official Journal of the European Union L 347 of 20 December 2013)*

On page 1038, Annex II, 3. PART III. PRIORITY 'SOCIAL CHALLENGES', last sentence:

*for:* 'Moreover, for each of the challenges, progress shall be assessed against the contribution to the specific objectives which are detailed in Annex I to Regulation (EU) No 104/2013.'

*read:* 'Moreover, for each of the challenges, progress shall be assessed against the contribution to the specific objectives which are detailed in Annex I to Regulation (EU) No 1291/2013.'

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**Corrigendum to Definitive adoption (EU, Euratom) 2015/339 of the European Union's general budget for the financial year 2015**

*(Official Journal of the European Union L 69 of 13 March 2015)*

In Section III 'Commission', the following budget lines:

02 05 11, 04 03 11, 06 02 04, 07 02 05 01, 07 02 05 02, 07 02 06, 09 02 03, 09 02 04, 15 02 12, 18 02 04, 18 02 05, 18 02 06, 32 02 10, 33 02 06, 33 02 07 and 33 03 04

must be read as differentiated appropriations.

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