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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

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II

(Non-legislative acts)

REGULATIONS

COUNCIL IMPLEMENTING REGULATION (EU) 2018/1931

of 10 December 2018

implementing Article 9 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 the Functioning of the European Union,

Having regard to 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 ⁽¹⁾, and in particular Article 9,

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

Whereas:

- (1) On 18 July 2005, the Council adopted Regulation (EC) No 1183/2005.
- (2) Further to the review of the autonomous restrictive measures laid down in Article 2b of Regulation (EC) No 1183/2005, statements of reasons relating to eight persons listed in Annex Ia to Regulation (EC) No 1183/2005 should be amended. Moreover, information concerning all persons listed in that Annex should be updated.
- (3) Annex Ia to Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

The list in Annex Ia to Regulation (EC) No 1183/2005 is replaced by the list as set out 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*.

⁽¹⁾ OJ L 193, 23.7.2005, p. 1.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 December 2018.

For the Council

The President

F. MOGHERINI

ANNEX

‘ANNEX Ia

LIST OF PERSONS, ENTITIES AND BODIES REFERRED TO IN ARTICLE 2b

A. Persons

	Name	Identifying information	Grounds for designation	Date of listing
1.	Ilunga Kampete	a.k.a. Gaston Hughes Ilunga Kampete; a.k.a. Hugues Raston Ilunga Kampete. DOB: 24.11.1964. POB: Lubumbashi (DRC). Military ID number: 1-64-86-22311-29. Nationality: DRC. Address: 69, avenue Nyangwile, Kinsuka Mimosas, Kinshasa/Ngaliema, RDC.	As Commander of the Republican Guard (GR), Ilunga Kampete was responsible for the GR units deployed on the ground and involved in the disproportionate use of force and violent repression, in September 2016 in Kinshasa. In this capacity, Ilunga Kampete was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	12.12.2016
2.	Gabriel Amisi Kumba	a.k.a. Gabriel Amisi Nkumba; ‘Tango Fort’; ‘Tango Four’. DOB: 28.5.1964. POB: Malela (DRC). Military ID number: 1-64-87-77512-30. Nationality: DRC. Address: 22, avenue Mbenseke, Ma Campagne, Kinshasa/Ngaliema, RDC.	Former Commander of the 1st defence zone of the Congolese Army (FARDC), whose forces took part in the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Gabriel Amisi Kumba was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2018, Gabriel Amisi Kumba was appointed Deputy Chief of Staff of the Congolese Armed Forces (FARDC), with responsibility for operations and intelligence.	12.12.2016
3.	Ferdinand Ilunga Luyoyo	DOB: 8.3.1973. POB: Lubumbashi (DRC). Passport no: OB0260335 (valid from 15.4.2011 to 14.4.2016). Nationality: DRC. Address: 2, avenue des Orangers, Kinshasa/Gombe, RDC.	As Commander of the anti-riot unit <i>Légion Nationale d’Intervention</i> of the Congolese National Police (PNC), Ferdinand Ilunga Luyoyo was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Ferdinand Ilunga Luyoyo was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2017, Ferdinand Ilunga Luyoyo was appointed Commander of the PNC unit responsible for the protection of institutions and high-ranking officials.	12.12.2016

	Name	Identifying information	Grounds for designation	Date of listing
4.	Celestin Kanyama	<p>a.k.a. Kanyama Tshisiku Celestin; Kanyama Celestin Cishiku Antoine; Kanyama Cishiku Bilolo Célestin;</p> <p>Esprit de mort.</p> <p>DOB: 4.10.1960.</p> <p>POB: Kananga (DRC).</p> <p>Nationality: DRC.</p> <p>Passport no: OB0637580 (valid from 20.5.2014 to 19.5.2019).</p> <p>Was granted Schengen visa no. 011518403, issued on 2.7.2016.</p> <p>Address: 56, avenue Usika, Kinshasa/Gombe, RDC.</p>	<p>As Commissioner of the Congolese National Police (PNC), Celestin Kanyama was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Celestin Kanyama was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.</p> <p>In July 2017, Celestin Kanyama was appointed Director-General of the National Police's training schools.</p>	12.12.2016
5.	John Numbi	<p>a.k.a. John Numbi Banza Tambo; John Numbi Banza Ntambo; Tambo Numbi.</p> <p>DOB: 16.8.1962.</p> <p>POB: Jadotville-Likasi-Kolwezi (DRC).</p> <p>Nationality: DRC.</p> <p>Address: 5, avenue Oranger, Kinshasa/Gombe, RDC.</p>	<p>Former Inspector-General of the Congolese National Police (PNC), John Numbi was notably involved in the campaign of violent intimidation carried out in the context of the March 2016 gubernatorial elections in the four ex-Katanga provinces and, as such, is responsible for obstructing a consensual and peaceful solution with a view to the holding of elections in DRC. In July 2018, John Numbi was appointed Inspector-General of the Congolese Armed Forces (FARDC).</p>	12.12.2016
6.	Roger Kibelisa	<p>a.k.a. Roger Kibelisa Ngambaswi.</p> <p>DOB: 9.9.1959.</p> <p>POB: Fayala (DRC).</p> <p>Nationality: DRC.</p> <p>Address: 24, avenue Photopao, Kinshasa/Mont Ngafula, RDC.</p>	<p>As Interior Director of the National Intelligence Service (ANR), Roger Kibelisa is involved in the intimidation campaign carried out by ANR officials towards opposition members, including arbitrary arrests and detention. Roger Kibelisa has therefore undermined the rule of law and obstructed a consensual and peaceful solution towards elections in DRC.</p>	12.12.2016
7.	Delphin Kaimbi	<p>a.k.a. Delphin Kahimbi Kasagwe; Delphin Kayimbi Demba Kasangwe; Delphin Kahimbi Kasangwe; Delphin Kahimbi Demba Kasangwe; Delphin Kasagwe Kahimbi.</p> <p>DOB: 15.1.1969 (alternatively: 15.7.1969).</p> <p>POB: Kiniezire/Goma (DRC).</p> <p>Nationality: DRC.</p> <p>Diplomatic passport no: DB0006669 (valid from 13.11.2013 to 12.11.2018).</p> <p>Address: 1, 14eme rue, Quartier Industriel, Linete, Kinshasa, RDC.</p>	<p>Former Head of the Military Intelligence Body (ex-DEMIAP), part of the National Operations Centre, the command and control structure responsible for arbitrary arrests and violent repression in Kinshasa in September 2016, and responsible for forces that participated in intimidation and arbitrary arrests, obstructing a consensual and peaceful solution with a view to the holding of elections in DRC. In July 2018, Delphin Kaimbi was appointed assistant Chief of Staff within the FARDC General Staff, with responsibility for intelligence.</p>	12.12.2016

	Name	Identifying information	Grounds for designation	Date of listing
8.	Evariste Boshab, former Vice Prime Minister and Minister of Interior and Security	a.k.a Evariste Boshab Mabub Ma Bileng. DOB: 12.1.1956. POB: Tete Kalamba (DRC). Nationality: DRC. Diplomatic passport number: DP0000003 (valid: 21.12.2015 — expiry: 20.12.2020). Schengen visa expired on 5.1.2017. Address: 3, avenue du Rail, Kinshasa/Gombe, RDC.	In his capacity as Vice Prime Minister and Minister of Interior and Security from December 2014 to December 2016, Evariste Boshab was officially responsible for the police and security services and coordinating the work of provincial governors. In this capacity, he was responsible for arrests of activists and opposition members, as well as disproportionate use of force, including between September 2016 and December 2016 in response to demonstrations in Kinshasa, which resulted in a large number of civilians being killed or injured by security services. Evariste Boshab was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017
9.	Alex Kande Mupompa, Former Governor of Kasai Central	a.k.a Alexandre Kande Mupomba; Kande-Mupompa. DOB: 23.9.1950. POB: Kananga (DRC). Nationality: DRC and Belgian. DRC passport number: OP0024910 (valid: 21.3.2016 — expiry: 20.3.2021). Addresses: Messidorlaan 217/25, 1180 Uccle, Belgium 1, avenue Bumba, Kinshasa/Ngaliema, RDC.	As Governor of Kasai Central until October 2017, Alex Kande Mupompa has been responsible for the disproportionate use of force, violent repression and extrajudicial killings committed by security forces and the PNC in Kasai Central from August 2016, including killings on the territory of Dibaya in February 2017. Alex Kande Mupompa was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017
10.	Jean-Claude Kazembe Musonda, former Governor of Haut-Katanga	DOB: 17.5.1963. POB: Kashobwe (DRC). Nationality: DRC. Address: 7891, avenue Lubembe, Quartier Lido, Lubumbashi, Haut-Katanga, RDC.	As Governor of Haut Katanga until April 2017, Jean-Claude Kazembe Musonda was responsible for the disproportionate use of force and violent repression committed by security forces and the PNC in Haut Katanga, including between 15 and 31 December 2016, when 12 civilians were killed and 64 were injured as a result of the use of lethal force by security forces including PNC agents in response to protests in Lubumbashi. Jean-Claude Kazembe Musonda was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017

	Name	Identifying information	Grounds for designation	Date of listing
11.	Lambert Mende, Minister of Communications and Media, and spokesperson of the Government	a.k.a Lambert Mende Omalanga. DOB: 11.2.1953. POB: Okolo (DRC). Diplomatic passport number: DB0001939 (issued: 4.5.2017 — expiring: 3.5.2022). Nationality: DRC. Address: 20, avenue Kalongo, Kinshasa/Ngaliema, RDC.	As Communications and Media Minister since 2008, Lambert Mende is responsible for a repressive media policy which breaches the right to freedom of expression and information and undermines a consensual and peaceful solution towards elections in DRC. On 12 November 2016, he adopted a decree limiting the possibility for foreign media outlets to broadcast in DRC. In breach of the political agreement settled on 31 December 2016 between the presidential majority and opposition parties, broadcasting had not resumed for a number of media outlets as of October 2018. In his capacity as Communications and Media Minister, Lambert Mende is therefore responsible for obstructing a consensual and peaceful solution towards elections in DRC, including by acts of repression.	29.5.2017
12.	Brigadier General Eric Ruhorimbere, Deputy Commander of the 21st military region (Mbujimayi)	a.k.a. Eric Ruhorimbere Ruhanga; Tango Two; Tango Deux. DOB: 16.7.1969. POB: Minembwe (DRC). Military ID number: 1-69-09-51400-64. Nationality: DRC. DRC passport number OB0814241. Address: Mbujimayi, Kasai Province, RDC.	As Deputy Commander of the 21st military region from September 2014 to July 2018, Eric Ruhorimbere was responsible for the disproportionate use of force and extrajudicial killings perpetrated by FARDC forces, notably against the Nsapu militia and women and children. Eric Ruhorimbere was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2018, Eric Ruhorimbere was appointed Commander of the Nord Equateur operational sector.	29.5.2017.
13.	Ramazani Shadari, former Vice Prime Minister and Minister of Interior and Security	a.k.a. Emmanuel Ramazani Shadari Mulanda; Shadary. DOB: 29.11.1960. POB: Kasongo (DRC). Nationality: DRC. Address: 28, avenue Ntela, Mont Ngafula, Kinshasa, RDC.	As Vice Prime Minister and Minister of Interior and Security until February 2018, Ramazani Shadari was officially responsible for the police and security services and for coordinating the work of provincial governors. In this capacity, he was responsible for the arrests of activists and opposition members, as well as for the disproportionate use of force, such as the violent crackdown on members of the Bundu Dia Kongo (BDK) movement in Kongo Central, the repression in Kinshasa in January-February 2017 and the disproportionate use of force and violent repression in the Kasai provinces. In this capacity, Ramazani Shadari was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In February 2018, Ramazani Shadari was named Permanent Secretary of the <i>Parti du peuple pour la reconstruction et le développement</i> (PPRD).	29.5.2017

	Name	Identifying information	Grounds for designation	Date of listing
14.	Kalev Mutondo, Head (formally Administrator-General) of the National Intelligence Service (ANR)	a.k.a Kalev Katanga Mutondo, Kalev Motono, Kalev Mutundo, Kalev Mutoid, Kalev Mutombo, Kalev Mutond, Kalev Mutondo Katanga, Kalev Mutund. DOB: 3.3.1957. Nationality: DRC. Passport number: DB0004470 (issued: 8.6.2012 — expires: 7.6.2017). Address: 24, avenue Ma Campagne, Kinshasa, RDC.	As long-term Head of the National Intelligence Service (ANR), Kalev Mutondo is involved in and responsible for the arbitrary arrest, detention and mistreatment of opposition members, civil society activists and others. He has therefore undermined the rule of law and obstructed a consensual and peaceful solution towards elections in DRC, as well as planning or directing acts that constitute serious human rights violations in DRC.	29.5.2017

B. Entities

[...].

COUNCIL REGULATION (EU) 2018/1932**of 10 December 2018****repealing Regulation (EU) No 667/2010 concerning certain restrictive measures in respect of Eritrea**

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 (CFSP) 2018/1944 of 10 December 2018 repealing Decision 2010/127/CFSP concerning restrictive measures against Eritrea ⁽¹⁾,

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) On 23 December 2009, the United Nations Security Council (UNSC) adopted United Nations Security Council Resolution (UNSCR) 1907 (2009) imposing restrictive measures against Eritrea, consisting of a ban on the sale and supply to and from Eritrea of arms and related material.
- (2) Council Regulation (EU) No 667/2010 ⁽²⁾ gives effect to the measures provided for in Council Decision 2010/127/CFSP ⁽³⁾, adopted pursuant to UNSC Resolution 1907 (2009).
- (3) On 14 November 2018, the UNSC adopted UNSCR 2444 (2018) terminating, with immediate effect, all UN restrictive measures against Eritrea.
- (4) On 10 December 2018, the Council adopted Decision (CFSP) 2018/1944 repealing Decision 2010/127/CFSP.
- (5) These measures fall within the scope of the Treaty and, therefore, notably with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (6) Regulation (EU) No 667/2010 should therefore be repealed,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EU) No 667/2010 is hereby repealed.

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 Brussels, 10 December 2018.

For the Council
The President
E. MOGHERINI

⁽¹⁾ See page 60 of this Official Journal.

⁽²⁾ Council Regulation (EU) No 667/2010 of 26 July 2010 concerning certain restrictive measures in respect of Eritrea (OJ L 195, 27.7.2010, p. 16).

⁽³⁾ Council Decision 2010/127/CFSP of 1 March 2010 concerning restrictive measures against Eritrea (OJ L 51, 2.3.2010, p. 19).

COUNCIL REGULATION (EU) 2018/1933**of 10 December 2018****amending Regulation (EU) No 356/2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia**

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 2010/231/CFSP of 26 April 2010 concerning restrictive measures against Somalia and repealing Common Position 2009/138/CFSP ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EU) No 356/2010 ⁽²⁾ gives effect to measures provided for in Decision 2010/231/CFSP.
- (2) On 14 November 2018, the United Nations Security Council (UNSC) adopted Resolution 2444 (2018). This Resolution notes that one of the listing criteria under Resolution 1844 (2008) is engaging in or providing support for acts that threaten the peace, security or stability of Somalia, and decides that such acts may also include, but are not limited to planning, directing or committing acts involving sexual and gender-based violence.
- (3) Council Decision (CFSP) 2018/1945 ⁽³⁾ amended Decision 2010/231/CFSP in order to reflect the changes in UNSC Resolution 2444 (2018).
- (4) These measures fall within the scope of the Treaty and, therefore, notably with a view to ensuring their uniform application in all Member States, regulatory action at the level of the Union is necessary.
- (5) Regulation (EU) No 356/2010 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Article 2(3), subparagraph (a) of Regulation (EU) No 356/2010 is replaced by the following:

- ‘(a) engaging in, or providing support for, acts that threaten the peace, security or stability of Somalia, where such acts include, but are not limited to:
- (i) planning, directing or committing acts involving sexual and gender-based violence;
 - (ii) acts that threaten the peace and reconciliation process in Somalia;
 - (iii) acts that threaten the Federal Government of Somalia or the African Union Mission in Somalia (AMISOM) by force;’.

Article 2

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

⁽¹⁾ Council Decision 2010/231/CFSP of 26 April 2010 concerning restrictive measures against Somalia and repealing Common Position 2009/138/CFSP (OJ L 105, 27.4.2010, p. 17).

⁽²⁾ Council Regulation (EU) No 356/2010 of 26 April 2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia (OJ L 105, 27.4.2010, p. 1).

⁽³⁾ Council Decision (CFSP) 2018/1945 of 10 December 2018 amending Decision 2010/231/CFSP concerning restrictive measures against Somalia (see page 61 of this Official Journal).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 December 2018.

For the Council

The President

F. MOGHERINI

COUNCIL IMPLEMENTING REGULATION (EU) 2018/1934**of 10 December 2018****implementing Article 20(3) of Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan**

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to Council Regulation (EU) 2015/735 of 7 May 2015 concerning restrictive measures in respect of the situation in South Sudan, and repealing Regulation (EU) No 748/2014 ⁽¹⁾, and in particular Article 20(3) thereof,

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

Whereas:

- (1) On 7 May 2015, the Council adopted Regulation (EU) 2015/735.
- (2) On 21 November 2018, the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 2206 (2015) updated the information relating to one person subject to restrictive measures.
- (3) Annex I to Regulation (EU) 2015/735 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) 2015/735 is hereby amended as set out 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 Brussels, 10 December 2018.

For the Council
The President
E. MOGHERINI

⁽¹⁾ OJ L 117, 8.5.2015, p. 13.

ANNEX

The entry concerning the person listed below is replaced by the following entry:

1. Gabriel JOK RIAK MAKOL (alias: a) Gabriel Jok b) Jok Riak c) Jock Riak)

Title: Lieutenant General

Designation: a) Former Sudan People's Liberation Army's (SPLA) Sector One Commander; b) Chief of Defence Forces

Date of Birth: 1 Jan. 1966

Place of Birth: Bor, Sudan/South Sudan

Nationality: South Sudan

Passport no: South Sudan number D00008623

National identification no: M6600000258472

Address: a) Unity State, South Sudan b) Wau, Western Bahr El Ghazal, South Sudan

Date of UN designation: 1 Jul. 2015

Other information: Appointed as Chief of Defence Forces on 2 May 2018. Commanded SPLA Sector One, which operates primarily within Unity State, since January 2013. In his position as the SPLA Sector One commander, he has expanded or extended the conflict in South Sudan through breaches of the Cessation of Hostilities Agreement. The SPLA is a South Sudanese military entity that has engaged in actions that have extended the conflict in South Sudan, including breaches of the January 2014 Cessation of Hostilities Agreement and the May 9, 2014 Agreement to Resolve the Crisis in South Sudan, which was a re-commitment to the CoHA and has obstructed the activities of IGAD's Monitoring and Verification Mechanism. INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/notice/search/un/5879060>

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

Gabriel Jok Riak was listed on 1 July 2015 pursuant to paragraphs 7(a), 7(f) and 8 of resolution 2206 (2015) for, "actions or policies that have the purpose or effect of expanding or extending the conflict in South Sudan or obstructing reconciliation or peace talks or processes, including breaches of the Cessation of Hostilities Agreement"; "the obstruction of the activities of international peacekeeping, diplomatic, or humanitarian missions in South Sudan, including IGAD's Monitoring and Verification Mechanism or of the delivery or distribution of, or access to, humanitarian assistance"; and as a leader "of any entity, including any South Sudanese government, opposition, militia, or other group, that has, or whose members have, engaged in any of the activities described in paragraphs 6 and 7".

Gabriel Jok Riak is the commander of the Sudan People's Liberation Army's (SPLA) Sector One, a South Sudanese military entity that has engaged in actions that have extended the conflict in South Sudan, including breaches of the January 2014 Cessation of Hostilities Agreement (CoHA) and the May 9, 2014 Agreement to Resolve the Crisis in South Sudan (May Agreement), which was a re-commitment to the CoHA.

Jok Riak has commanded SPLA Sector One, which operates primarily within Unity State, since January 2013. SPLA Divisions Three, Four, and Five are subordinate to Sector One and its commander, Jok Riak.

Jok Riak and SPLA Sector One and Three forces under his overall command engaged in several actions, as detailed below, that violated the January 2014 CoHA's commitments to cease all military actions aimed at opposing forces, as well as other provocative actions, freeze forces in their current locations, and refrain from activities such as movement of forces or ammunition resupply that could lead to military confrontation.

SPLA forces under Jok Riak's overall command breached the CoHA agreement several times through outright hostilities.

On January 10, 2014, an SPLA force under the overall command of Sector One commander Jok Riak captured Bentiu, which had previously been under Sudan People's Liberation Army in Opposition (SPLM-IO) control since December 20, 2013. SPLA Division Three ambushed and shelled SPLM-IO fighters near Leer soon after the signing of the January 2014 CoHA and in mid-April 2014 captured Mayom and killed more than 300 SPLM-IO troops.

On May 4, 2014, an SPLA force led by Jok Riak again recaptured Bentiu. On state television in Juba, an SPLA spokesman said that the government army commanded by Jok Riak had captured Bentiu at four in the afternoon, adding that Division Three and a special SPLA taskforce were involved. Hours after the May Agreement was announced, SPLA Third and Fourth Division forces engaged and repelled opposition fighters who had earlier attacked SPLA positions near Bentiu and in the northern oil regions of South Sudan.

Also after the signing of the May Agreement, SPLA Division Three troops recaptured Wang Kai, and the division commander, Santino Deng Wol, authorized his forces to kill anyone carrying weapons or hiding in homes, and ordered them to burn any homes containing opposition forces.

In late April and May 2015, SPLA Sector One forces led by Jok Riak conducted a full-scale military offensive against opposition forces in Unity State from Lakes State.

In violation of the terms of the CoHA as detailed above, Jok Riak reportedly sought to have tanks repaired and modified for use against opposition forces in early September 2014. In late October 2014, at least 7 000 SPLA troops and heavy weapons from the Third and Fifth Divisions were redeployed to reinforce Fourth Division troops bearing the brunt of an opposition attack near Bentiu. In November 2014, the SPLA brought new military equipment and weaponry, including armored personnel carriers, helicopters, artillery guns, and ammunition into Sector One's area of responsibility, likely in preparation for fighting against the opposition. In early February 2015, Jok Riak reportedly ordered armored personnel carriers to be sent to Bentiu, possibly to respond to recent ambushes by the opposition.

Subsequent to the April and May 2015 offensive in Unity State, SPLA Sector One denied requests by the Inter-governmental Authority on Development Monitoring and Verification Team (IGAD-MVM) in Bentiu to investigate this violation of the CoHA; thereby denying the IGAD-MVM freedom of movement to carry out its mandate.

Additionally, in April 2014, Jok Riak expanded the conflict in South Sudan by reportedly assisting in arming and mobilizing as many as 1 000 Dinka youths to supplement traditional SPLA forces.'

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1935**of 7 December 2018****establishing the forms referred to in Council Regulation (EU) 2016/1103 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) 2016/1103 of 24 June 2016 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes ⁽¹⁾, and in particular Article 45(3)(b), Article 58(1), Article 59(2) and Article 60(2) thereof,

After consulting the Committee concerning applicable law, jurisdiction and enforcement in matters of matrimonial property regimes,

Whereas:

- (1) For the purpose of proper application of Regulation (EU) 2016/1103 several forms should be established.
- (2) In accordance with Council Decision (EU) 2016/954 ⁽²⁾ authorising enhanced cooperation in the area of property regimes of international couples, Regulation (EU) 2016/1103 implements enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in the matter of property regimes of international couples between Belgium, Bulgaria, the Czech Republic, Germany, Greece, Spain, France, Croatia, Italy, Cyprus, Luxembourg, Malta, Netherlands, Austria, Portugal, Slovenia, Finland and Sweden. Therefore only those Member States are taking part in the adoption of this Regulation,
- (3) The measures provided for in this Regulation are in accordance with the opinion of the Committee concerning applicable law, jurisdiction and enforcement in matters of matrimonial property regimes,

HAS ADOPTED THIS REGULATION:

Article 1

1. The form to be used for the attestation referred to in Article 45(3)(b) of Regulation (EU) 2016/1103 shall be as set out in Annex I.
2. The form to be used for the attestation concerning an authentic instrument referred to in Articles 58(1) and 59(2) of Regulation (EU) 2016/1103 shall be as set out in Annex II.
3. The form to be used for the attestation concerning a court settlement referred to in Article 60(2) of Regulation (EU) 2016/1103 shall be as set out in Annex III.

Article 2

This Regulation shall enter into force on 29 January 2019.

This Regulation shall be binding in its entirety and directly applicable in the Member States in accordance with the Treaties.

Done at Brussels, 7 December 2018.

*For the Commission**The President*

Jean-Claude JUNCKER

⁽¹⁾ OJ L 183, 8.7.2016, p. 1.⁽²⁾ Council Decision (EU) 2016/954 of 9 June 2016 authorising enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions on the property regimes of international couples, covering both matters of matrimonial property regimes and the property consequences of registered partnerships (OJ L 159, 16.6.2016, p. 16).

ANNEX I

ATTESTATION	
CONCERNING A DECISION IN A MATTER OF MATRIMONIAL PROPERTY REGIMES	
(Article 45(3)(b) of Council Regulation (EU) 2016/1103 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes ⁽¹⁾)	
1.	<p>Member State of origin (*)</p> <p><input type="checkbox"/> Belgium <input type="checkbox"/> Bulgaria <input type="checkbox"/> Czech Republic <input type="checkbox"/> Germany <input type="checkbox"/> Greece <input type="checkbox"/> Spain <input type="checkbox"/> France <input type="checkbox"/> Croatia <input type="checkbox"/> Italy <input type="checkbox"/> Cyprus <input type="checkbox"/> Luxembourg <input type="checkbox"/> Malta <input type="checkbox"/> Netherlands <input type="checkbox"/> Austria <input type="checkbox"/> Portugal <input type="checkbox"/> Slovenia <input type="checkbox"/> Finland <input type="checkbox"/> Sweden</p>
2.	<p>Court or competent authority issuing the attestation</p> <p>2.1. Name and designation of court or authority (*):</p> <p>2.2. Address</p> <p>2.2.1. Street and number/PO box (*):</p> <p>.....</p> <p>.....</p> <p>2.2.2. Place and postcode (*):</p> <p>2.3. Telephone (*):</p> <p>2.4. Fax</p> <p>2.5. Email:</p> <p>2.6. Other relevant information (please specify):</p> <p>.....</p> <p>.....</p>
3.	<p>Court ⁽²⁾ which gave the decision (to be completed ONLY if different from the authority referred to in section 2)</p> <p>3.1. Name and designation of court (*):</p> <p>3.2. Address</p>

⁽¹⁾ OJ L 183, 8.7.2016, p. 1.

^(*) Mandatory information.

⁽²⁾ In accordance with Article 3(2) of Council Regulation (EU) 2016/1103, the term 'court' includes under certain conditions, in addition to judicial authorities, other authorities and legal professionals with competence in matters of matrimonial property regimes which exercise judicial functions or act pursuant to a delegation of power by a judicial authority or act under the control of a judicial authority. The list of these other authorities and legal professionals is published in the *Official Journal of the European Union*.

- 3.2.1. Street and number/PO box (*):
-
- 3.2.2. Place and postcode (*):
- 3.3. Telephone (*):
- 3.4. Fax:
- 3.5. Email:

4. **Decision**

4.1. Date (dd/mm/yyyy) of the decision (*):

4.2. Reference number of the decision (*):

4.3. Parties to the decision

4.3.1. ***Party A***

4.3.1.1. Surname and given name(s) (*):

.....

4.3.1.2. Date (dd/mm/yyyy) and place of birth:

4.3.1.3. Identification number ⁽¹⁾

4.3.1.3.1. Identity number:

4.3.1.3.2. Social security number:

4.3.1.3.3. Other (please specify):

4.3.1.4. Address

4.3.1.4.1. Street and number/PO box:

.....

4.3.1.4.2. Place and postcode:

4.3.1.4.3. Country

- Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
 Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
 Sweden

Other (please specify ISO-code):

4.3.1.5. Email:

4.3.1.6. Role in the proceedings (*)

(*) Mandatory information.

(¹) Please indicate the most relevant number if applicable.

4.3.1.6.1. Claimant

4.3.1.6.2. Defendant

4.3.1.6.3. Other (please specify):

4.3.2. **Party B**

4.3.2.1. Surname and given name(s) (*):

.....

4.3.2.2. Date (dd/mm/yyyy) and place of birth:

4.3.2.3. Identification number (1)

4.3.2.3.1. Identity number:

4.3.2.3.2. Social security number:

4.3.2.3.3. Other (please specify):

4.3.2.4. Address

4.3.2.4.1. Street and number/PO box:

.....

.....

4.3.2.4.2. Place and postcode:

4.3.2.4.3. Country

Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy

Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland

Sweden

Other (please specify ISO-code):

4.3.2.5. Email:

4.3.2.6. Role in the proceedings (*)

4.3.2.6.1. Claimant

4.3.2.6.2. Defendant

4.3.2.6.3. Other (please specify):

4.4. The decision was given in default of appearance (*)

4.4.1. Yes (please indicate the date (dd/mm/yyyy) on which the document instituting the proceedings or the equivalent document was served on the person concerned):

4.4.2. No

(*) Mandatory information.

(1) Please indicate the most relevant number if applicable.

4.5. Is registration in a public register sought?

4.5.1. Yes

4.5.2. No

4.6. If YES under point 4.5.1, the decision is no longer subject to ordinary appeal, including any appeal to the Court of last instance:

4.6.1. Yes

4.6.2. No

5. Enforceability of the decision

5.1. Is attestation sought for the purpose of enforcement of the decision in another Member State? (*)

5.1.1. Yes

5.1.2. No

5.1.3. Don't know

5.2. If YES under point 5.1.1, the decision is enforceable in the Member State of origin without any further conditions having to be met (*)

5.2.1. Yes (please specify the enforceable obligation(s)):

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5.2.2. Yes, but limited to part(s) of the decision (please specify the enforceable obligation(s)):

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.....

5.2.3. The obligation(s) is (are) enforceable against the following person(s):

5.2.3.1. Party A

(*) Mandatory information.

- 5.2.3.2. Party B
- 5.2.3.3. Other (please specify):

6. Interest

6.1. Is recovery of interest sought? (*)

- 6.1.1. Yes
- 6.1.2. No

6.2. If YES under point 6.1.1 (*)

6.2.1. Interest

- 6.2.1.1. Not specified in the decision
- 6.2.1.2. Yes, specified in the decision as follows

6.2.1.2.1. Interest due from: (date (dd/mm/yyyy) or event) to: (date (dd/mm/yyyy) or event) (1)

6.2.1.2.2. Final Amount:

6.2.1.2.3. Method to calculate the interest

6.2.1.2.3.1. Rate: %

6.2.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)

in force on: (date (dd/mm/yyyy) or event)

6.2.2. Statutory interest to be calculated in accordance with (please specify relevant statute):

6.2.2.1. Interest due from: (date (dd/mm/yyyy) or event) to: (date (dd/mm/yyyy) or event) (1)

6.2.2.2. Method to calculate the interest

6.2.2.2.1. Rate: %

6.2.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank:)

in force on: (date (dd/mm/yyyy) or event)

6.2.2.2.2.1. First date of the respective semester in which the debtor is overdue

6.2.2.2.2.2. Other event (please specify):

(*) Mandatory information.

(1) Add the number of periods necessary if more than one period.

6.2.3. Capitalisation of interest (please specify):

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6.2.4. Currency

euro (EUR) lev (BGN)

Czech koruna (CZK) kuna (HRK)

krona (SEK) Other (please specify (ISO code)):

7. **Costs or expenses**

7.1. Parties having benefited from complete or partial legal aid

7.1.1. Party A

7.1.2. Party B

7.1.3. Other Party (please specify):

7.2. Parties having benefited from exemption from costs or expenses

7.2.1. Party A

7.2.2. Party B

7.2.3. Other Party (please specify):

7.3. Is recovery of costs or expenses sought? (*)

7.3.1. Yes (1)

7.3.2. No

7.4. If YES under point 7.3.1, the following person(s) against whom enforcement is sought has/have been ordered to bear the costs or expenses (*)

7.4.1. Party A

7.4.2. Party B

7.4.3. Other Party (please specify):

7.4.4. If more than one person has to bear the costs or expenses, may the whole amount be collected from any of them?

(*) Mandatory information.

(1) This point also covers situations where the costs or expenses are awarded in a separate decision.

7.4.4.1. Yes

7.4.4.2. No

7.5. If YES under point 7.3.1, the costs or expenses for which recovery is sought are as follows (in the event that the costs or expenses may be recovered from several persons, insert the breakdown for each person separately) (*)

7.5.1. The costs or expenses have been fixed in the decision by way of a total amount (please specify the amount):

7.5.2. The costs or expenses have been fixed in the decision by way of a percentage of total costs (please specify percentage of total): %.

7.5.3. Liability for the costs or expenses has been determined in the decision and the exact amounts are as follows:

7.5.3.1. Court fees:

7.5.3.2. Lawyers' fees:

7.5.3.3. Cost of service of documents:

7.5.3.4. Other (please specify):

7.5.4. Other (please specify):

7.6. If YES under point 7.3.1 (*)

7.6.1. Interest on costs or expenses

7.6.1.1. Not specified in the decision

7.6.1.2. Yes, specified in the decision as follows

7.6.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)

to: (date (dd/mm/yyyy) or event) (1)

7.6.1.2.2. Final amount:

7.6.1.2.3. Method to calculate the interest

7.6.1.2.3.1. Rate: %

7.6.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:) in force on: (date (dd/mm/yyyy) or event)

7.6.2. Statutory interest to be calculated in accordance with (please specify relevant statute):

.....

.....

.....

(*) Mandatory information.

(1) Add the number of periods necessary if more than one period.

7.6.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾

7.6.2.2. Method to calculate the interest

7.6.2.2.1. Rate: %

7.6.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank)
in force on: (date (dd/mm/yyyy) or event)

7.6.3. Capitalisation of interest (please specify):
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.....
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7.6.4. Currency

<input type="checkbox"/> euro (EUR)	<input type="checkbox"/> lev (BGN)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> kuna (HRK)
<input type="checkbox"/> krona (SEK)	<input type="checkbox"/> Other (please specify (ISO code)):

If additional sheets have been attached, state the total number of pages (*)

Done at (*): on (*): (dd/mm/yyyy)

Signature and/or stamp of the court or competent authority issuing the attestation (*):

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.....

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.....

⁽¹⁾ Add the number of periods necessary if more than one period.

^(*) Mandatory information.

ANNEX II

ATTESTATION	
CONCERNING AN AUTHENTIC INSTRUMENT IN A MATTER OF MATRIMONIAL PROPERTY REGIMES	
(Articles 58(1) and 59(2) of Council Regulation (EU) 2016/1103 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes ⁽¹⁾)	
1.	<p>Member State of origin (*)</p> <p> <input type="checkbox"/> Belgium <input type="checkbox"/> Bulgaria <input type="checkbox"/> Czech Republic <input type="checkbox"/> Germany <input type="checkbox"/> Greece <input type="checkbox"/> Spain <input type="checkbox"/> France <input type="checkbox"/> Croatia <input type="checkbox"/> Italy <input type="checkbox"/> Cyprus <input type="checkbox"/> Luxembourg <input type="checkbox"/> Malta <input type="checkbox"/> Netherlands <input type="checkbox"/> Austria <input type="checkbox"/> Portugal <input type="checkbox"/> Slovenia <input type="checkbox"/> Finland <input type="checkbox"/> Sweden </p>
2.	<p>Authority having established the authentic instrument and issuing the attestation</p> <p>2.1. Name and designation of authority (*):</p> <p>2.2. Address</p> <p>2.2.1. Street and number/PO box (*):</p> <p>.....</p> <p>.....</p> <p>2.2.2. Place and postcode (*):</p> <p>2.3. Telephone (*):</p> <p>2.4. Fax</p> <p>2.5. Email:</p> <p>2.6. Other relevant information (please specify):</p> <p>.....</p> <p>.....</p>
3.	<p>Authentic instrument</p> <p>3.1. Date (dd/mm/yyyy) on which the authentic instrument was drawn up (*):</p> <p>3.2. Reference number of the authentic instrument:</p> <p>3.3. Date (dd/mm/yyyy) on which the authentic instrument was</p> <p>3.3.1. registered at the register in the Member State of origin OR</p> <p>3.3.2. deposited at the register in the Member State of origin</p>

⁽¹⁾ OJ L 183, 8.7.2016, p. 1.

(*) Mandatory information.

(3.3.1 or 3.3.2 to be completed ONLY if different from the date indicated in point 3.1 and if the date of registration/deposit at the register determines the legal effect of the instrument)

3.3.3. Reference number in the register:

3.4. Parties to the authentic instrument ⁽¹⁾

3.4.1. **Party A**

3.4.1.1. Surname and given name(s) (*):

.....

3.4.1.2. Date (dd/mm/yyyy) and place of birth:

3.4.1.3. Identification number ⁽²⁾

3.4.1.3.1. Identity number:

3.4.1.3.2. Social security number:

3.4.1.3.3. Other (please specify):

3.4.1.4. Address

3.4.1.4.1. Street and number/PO box:

.....

3.4.1.4.2. Place and postcode:

3.4.1.4.3. Country

Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
 Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
 Sweden

Other (please specify ISO-code):

3.4.2. **Party B**

3.4.2.1. Surname and given name(s) (*):

3.4.2.2. Date (dd/mm/yyyy) and place of birth:

3.4.2.3. Identification number ⁽²⁾

3.4.2.3.1. Identity number:

3.4.2.3.2. Social security number:

3.4.2.3.3. Other (please specify):

3.4.2.4. Address

⁽¹⁾ If the authentic instrument concerns more than two parties, please attach an additional sheet.

^(*) Mandatory information.

⁽²⁾ Please indicate the most relevant number if applicable.

3.4.2.4.1. Street and number/PO box:

.....

.....

3.4.2.4.2. Place and postcode:

3.4.2.4.3. Country

- Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
- Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
- Sweden

Other (please specify ISO-code):

4. Acceptance of the authentic instrument (Article 58 of Council Regulation (EU) 2016/1103)

4.1. Is acceptance of the authentic instrument sought? (*)

4.1.1. Yes

4.1.2. No

4.2. Authenticity of the instrument (*) if YES under point 4.1.1)

4.2.1. Under the law of the Member State of origin, the authentic instrument has specific evidentiary effects compared to other written documents (*).

4.2.1.1. The specific evidentiary effects concern the following elements: (*)

4.2.1.1.1. the date the authentic instrument was drawn up

4.2.1.1.2. the place where the authentic instrument was drawn up

4.2.1.1.3. the origin of the signatures from the parties of the authentic instrument

4.2.1.1.4. the content of the declarations of the parties

4.2.1.1.5. the facts that the authority declares as having been verified in its presence

4.2.1.1.6. the actions which the authority declares to have carried out

4.2.1.1.7. other (please specify):

.....

.....

.....

4.2.2. Under the law of the Member State of origin, the authentic instrument loses its specific evidentiary effects on the basis of (please indicate if relevant):

4.2.2.1. a judicial decision given in

4.2.2.1.1. an ordinary judicial procedure

4.2.2.1.2. a special judicial procedure provided by the law for this purpose (please indicate the name and/or the relevant legal references):

.....

(*) Mandatory information.

4.2.2.2. Other (please specify):

.....

4.2.3. To the knowledge of the authority, the authentic instrument has not been challenged in the Member State of origin as to its authenticity (*).

4.3. **Legal acts and relationships recorded in the authentic instrument (*) if YES under point 4.1.1)**

4.3.1. To the knowledge of the authority, the authentic instrument (*):

4.3.1.1. is not challenged as to the legal acts and/or legal relationships recorded

4.3.1.2. is being challenged as to the legal acts and/or legal relationships recorded on specific points not covered by this attestation (please specify):

.....

.....

.....

4.3.2. Other relevant information (please specify):

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.....

.....

.....

5. **Other information**

5.1. In the Member State of origin, the authentic instrument is a valid document for the purposes of recording a right in immovable or movable property in its registers (1).

5.1.1. Yes (please specify):

.....

.....

.....

.....

5.1.2. No

6. **Enforceability of the authentic instrument** (Article 59 of Council Regulation (EU) 2016/1103)

6.1. Is enforcement of the authentic instrument sought? (*)

6.1.1. Yes

(*) Mandatory information.

(1) The recording in a register of a right in immovable or movable property is subject to the law of the Member State in which the register is kept.

6.1.2. No

6.2. If YES under point 6.1.1, is the authentic instrument enforceable in the Member State of origin without any further conditions having to be met? (*)

6.2.1. Yes (please specify the enforceable obligation(s)):

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.....

6.2.2. Yes, but limited to part(s) of the authentic instrument (please specify the enforceable obligation(s)):

.....

.....

.....

.....

6.2.3. The obligation(s) is(are) enforceable against the following person(s): (*)

6.2.3.1. Party A

6.2.3.2. Party B

6.2.3.3. Other (please specify):

.....

.....

7. Interest

7.1. Is recovery of interest sought? (*)

7.1.1. Yes

7.1.2. No

7.2. If YES under point 7.1.1 (*)

7.2.1. Interest

7.2.1.1. Not specified in the authentic instrument

7.2.1.2. Yes, specified in the authentic instrument as follows

7.2.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)

to: (date (dd/mm/yyyy) or event) (1)

(*) Mandatory information.
 (1) Add the number of periods necessary if more than one period.

7.2.1.2.2. Final amount:

7.2.1.2.3. Method to calculate the interest

7.2.1.2.3.1. Rate: %

7.2.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
 in force on: (date (dd/mm/yyyy) or event)

7.2.2. Statutory interest to be calculated in accordance with (specify relevant statute):

7.2.2.1. Interest due from: (date (dd/mm/yyyy) or event)
 to: (date (dd/mm/yyyy) or event) ⁽¹⁾

7.2.2.2. Method to calculate the interest

7.2.2.2.1. Rate: %

7.2.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
 in force on: (date (dd/mm/yyyy) or event)

7.2.3. Capitalisation of interest (please specify):

7.2.4. Currency

<input type="checkbox"/> euro (EUR)	<input type="checkbox"/> lev (BGN)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> kuna (HRK)
<input type="checkbox"/> krona (SEK)	<input type="checkbox"/> Other (please specify (ISO code)):

If additional sheets have been added, state the total number of pages (*)

Done at (*): **on (*)**: **(dd/mm/yyyy)**

Signature and/or stamp of the court or competent authority issuing the attestation (*):

.....

⁽¹⁾ Add the number of periods necessary if more than one period.
^(*) Mandatory information.

ANNEX III

ATTESTATION	
CONCERNING A COURT SETTLEMENT IN A MATTER OF MATRIMONIAL PROPERTY REGIMES	
(Article 60(2) of Council Regulation (EU) 2016/1103 implementing enhanced cooperation in the area of jurisdiction, applicable law and the recognition and enforcement of decisions in matters of matrimonial property regimes ⁽¹⁾)	
1.	<p>Member State of origin (*)</p> <p> <input type="checkbox"/> Belgium <input type="checkbox"/> Bulgaria <input type="checkbox"/> Czech Republic <input type="checkbox"/> Germany <input type="checkbox"/> Greece <input type="checkbox"/> Spain <input type="checkbox"/> France <input type="checkbox"/> Croatia <input type="checkbox"/> Italy <input type="checkbox"/> Cyprus <input type="checkbox"/> Luxembourg <input type="checkbox"/> Malta <input type="checkbox"/> Netherlands <input type="checkbox"/> Austria <input type="checkbox"/> Portugal <input type="checkbox"/> Slovenia <input type="checkbox"/> Finland <input type="checkbox"/> Sweden </p>
2.	<p>Court which approved the court settlement or before which the court settlement was concluded and issuing the attestation</p> <p>2.1. Name and designation of court ⁽²⁾ (*):</p> <p>2.2. Address</p> <p>2.2.1. Street and number/PO box (*):</p> <p>.....</p> <p>.....</p> <p>2.2.2. Place and postcode (*):</p> <p>2.3. Telephone (*):</p> <p>2.4. Fax</p> <p>2.5. Email:</p> <p>2.6. Other relevant information (please specify):</p> <p>.....</p> <p>.....</p>
3.	<p>Court settlement</p> <p>3.1. Date (dd/mm/yyyy) of the court settlement (*):</p> <p>3.2. Reference number of court settlement (*):</p>

⁽¹⁾ OJ L 183, 8.7.2016, p. 1.

^(*) Mandatory information.

⁽²⁾ In accordance with Article 3(2) of Council Regulation (EU) 2016/1103, the term 'court' includes under certain conditions, in addition to judicial authorities, other authorities and legal professionals with competence in matters of matrimonial property regimes which exercise judicial functions or act pursuant to a delegation of power by a judicial authority or act under the control of a judicial authority. The list of these other authorities and legal professionals is published in the *Official Journal of the European Union*.

3.3. Parties to the court settlement (1)

3.3.1. **Party A**

3.3.1.1. Surname and given name(s) (*):

3.3.1.2. Date (dd/mm/yyyy) and place of birth:

3.3.1.3. Identification number (2)

3.3.1.3.1. Identity number:

3.3.1.3.2. Social security number:

3.3.1.3.3. Other (please specify):

3.3.1.4. Address

3.3.1.4.1. Street and number/PO box:

3.3.1.4.2. Place and postcode:

3.3.1.4.3. Country

Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
 Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
 Sweden

Other (please specify ISO-code):

3.3.1.5. Email:

3.3.1.6. Role in the proceedings (*)

3.3.1.6.1. Claimant3.3.1.6.2. Defendant3.3.1.6.3. Other (please specify):3.3.2. **Party B**

3.3.2.1. Surname and given name(s) (*):

3.3.2.2. Date (dd/mm/yyyy) and place of birth:

3.3.2.3. Identification number (2)

(1) If the court settlement concerns more than two parties, please attach an additional sheet.

(*) Mandatory information.

(2) Please indicate the most relevant number if applicable.

3.3.2.3.1. Identity number:

3.3.2.3.2. Social security number:

3.3.2.3.3. Other (please specify):

3.3.2.4. Address

3.3.2.4.1. Street and number/PO box:

3.3.2.4.2. Place and postcode:

3.3.2.4.3. Country

- Belgium Bulgaria Czech Republic Germany Greece Spain France Croatia Italy
- Cyprus Luxembourg Malta Netherlands Austria Portugal Slovenia Finland
- Sweden

Other (please specify ISO-code):

3.3.2.5. Email:

3.3.2.6. Role in the proceedings (*)

3.3.2.6.1. Claimant

3.3.2.6.2. Defendant

3.3.2.6.3. Other (please specify):

4. Enforceability of the court settlement

4.1. Is the court settlement enforceable in the Member State of origin without any further conditions having to be met? (*)

4.1.1. Yes (please specify the enforceable obligation(s)):

4.1.2. Yes, but limited to part(s) of the court settlement (please specify the enforceable obligation(s)):

4.2. The obligation is enforceable against the following person(s) (*)

(*) Mandatory information.

- 4.2.1. Party A
- 4.2.2. Party B
- 4.2.3. Other (please specify):
-

5. **Interest**

- 5.1. Is recovery of interest sought? (*)
- 5.1.1. Yes
- 5.1.2. No
- 5.2. If YES under point 5.1.1 (*)
- 5.2.1. Interest
- 5.2.1.1. Not specified in the court settlement
- 5.2.1.2. Yes, specified in the court settlement as follows:
- 5.2.1.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾
- 5.2.1.2.2. Final amount:
- 5.2.1.2.3. Method to calculate the interest
- 5.2.1.2.3.1. Rate: %
- 5.2.1.2.3.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)
- 5.2.2. Statutory interest to be calculated in accordance with (specify relevant statute):
-
-
- 5.2.2.1. Interest due from: (date (dd/mm/yyyy) or event)
to: (date (dd/mm/yyyy) or event) ⁽¹⁾
- 5.2.2.2. Method to calculate the interest
- 5.2.2.2.1. Rate: %
- 5.2.2.2.2. Rate: % over reference rate (ECB/reference rate of national central bank:)
in force on: (date (dd/mm/yyyy) or event)

(*) Mandatory information.

⁽¹⁾ Add the number of periods necessary if more than one period.

5.2.3. Capitalisation of interest (please specify):

.....

.....

.....

.....

.....

5.2.4. Currency

<input type="checkbox"/> euro (EUR)	<input type="checkbox"/> lev (BGN)
<input type="checkbox"/> Czech koruna (CZK)	<input type="checkbox"/> kuna (HRK)
<input type="checkbox"/> krona (SEK)	<input type="checkbox"/> Other (please specify (ISO code)):

If additional sheets have been added, state the total number of pages (*)

Done at (*): on (*): (dd/mm/yyyy)

Signature and/or stamp of the court or competent authority issuing the attestation (*):

.....

(*) Mandatory information.

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1936**of 10 December 2018****amending Implementing Regulation (EU) No 371/2011 as regards the maximum limit of dimethylaminoethanol (DMAE)****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 1831/2003 of the European Parliament and of the Council of 22 September 2003 on additives for use in animal nutrition ⁽¹⁾, and in particular Article 9(2) and Article 13(3) thereof,

Whereas:

- (1) Regulation (EC) No 1831/2003 provides for the authorisation of additives for use in animal nutrition and for the grounds and procedures for granting such authorisation.
- (2) The use of dimethylglycine sodium salt as feed additive was authorised for 10 years for chickens for fattening by Commission Implementing Regulation (EU) No 371/2011 ⁽²⁾.
- (3) In accordance with Article 13(3) of Regulation (EC) No 1831/2003 in conjunction with Article 7 thereof, the holder of the authorisation has proposed changing the terms of the authorisation by modifying the manufacturing process. That application was accompanied by the relevant supporting data. The Commission forwarded that application to the European Food Safety Authority (hereinafter 'the Authority').
- (4) The Authority concluded in its opinion of 17 April 2018 ⁽³⁾ that the additive manufactured by the new manufacturing process does not have an adverse effect on animal health, human health or the environment. Furthermore, it also concluded that the presence of Dimethylaminoethanol (DMAE) at a level equal to or less than 0,1 % does not affect the efficacy of the additive. The Authority does not consider that there is a need for specific requirements of post-market monitoring. It also verified the report on the method of analysis of the feed additive in feed submitted by the Reference Laboratory set up by Regulation (EC) No 1831/2003.
- (5) The assessment of the dimethylglycine sodium salt produced through the new manufacturing process shows that the conditions for authorisation, as provided for in Article 5 of Regulation (EC) No 1831/2003, are satisfied. Accordingly, the use of that substance should be authorised as specified in this Regulation.
- (6) Implementing Regulation (EU) No 371/2011 should therefore be amended accordingly.
- (7) The measures provided for in this Regulation are in accordance with the opinion of the Standing Committee on Plants, Animals, Food and Feed,

HAS ADOPTED THIS REGULATION:

Article 1

In the Annex to Implementing Regulation (EU) No 371/2011, in the fourth column 'Composition, chemical formula, description, analytical method', under 'Active substance', the following is inserted, at the end: 'Dimethylaminoethanol (DMAE) ≤ 0,1 %'.

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*.

⁽¹⁾ OJ L 268, 18.10.2003, p. 29.

⁽²⁾ Commission Implementing Regulation (EU) No 371/2011 of 15 April 2011 concerning the authorisation of dimethylglycine sodium salt as feed additive for chickens for fattening (holder of the authorisation Taminco N.V.) (OJ L 102, 16.4.2011, p. 6).

⁽³⁾ EFSA Journal 2018; 16(5):5268.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 10 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

COMMISSION IMPLEMENTING REGULATION (EU) 2018/1937**of 10 December 2018****replacing Annex X to Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations ⁽¹⁾, and in particular Article 2(2) thereof,

Whereas:

- (1) Annex X to Regulation (EC) No 4/2009 provides a list of administrative authorities referred to in Article 2(2) of that Regulation.
- (2) The United Kingdom and Latvia have notified the Commission of changes to the administrative authorities to be listed in Annex X to Regulation (EC) No 4/2009.
- (3) The administrative authorities notified by the United Kingdom and by Latvia and listed in the Annex to this Regulation satisfy the requirements set out in Article 2(2) of Regulation (EC) No 4/2009.
- (4) The measures provided for in this Regulation are in accordance with the opinion of the Committee concerning applicable law, jurisdiction and enforcement in matrimonial matters, parental responsibility and maintenance obligations.
- (5) Annex X to Regulation (EC) No 4/2009 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex X to Regulation (EC) No 4/2009 is replaced by the text in the Annex to this Regulation.

*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 the Member States in accordance with the Treaties.

Done at Brussels, 10 December 2018.

For the Commission
The President
Jean-Claude JUNCKER

⁽¹⁾ OJ L 7, 10.1.2009, p. 1.

ANNEX

'ANNEX X

The administrative authorities referred to in Article 2(2) of Regulation (EC) No 4/2009 are as follows:

- in Latvia, the Maintenance Guarantee Fund (“Uzturliedzekļu Garantiju Fonds”),
 - in Finland, the Social Welfare Board (“Sosiaalilautakunta/Socialnämnd”),
 - in Sweden, the Enforcement Authority (“Kronofogdemyndigheten”),
 - in the United Kingdom:
 - a) in England and Wales and Scotland, The Department for Work and Pensions (DWP) including its administrative branches the Child Support Agency (CSA) and the Child Maintenance Service (CMS),
 - b) in Northern Ireland, the Child Maintenance Service (CMS).’
-

DECISIONS

COUNCIL DECISION (EU) 2018/1938

of 18 September 2018

on the position to be taken on behalf of the European Union in the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, with regard to the adoption of a recommendation approving the extension of the EU-Morocco Action Plan implementing the advanced status (2013-2017)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217, in conjunction with Article 218(9) thereof,

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

Whereas:

- (1) The Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ⁽¹⁾ (hereinafter referred to as 'the Agreement'), was signed on 26 February 1996 and entered into force on 1 March 2000 ⁽²⁾.
- (2) In accordance with Article 80 of the Agreement, the Association Council established by the Agreement has the power to adopt decisions and also to make recommendations.
- (3) On 16 December 2013, the Association Council adopted a recommendation with regard to the implementation of an EU-Morocco Action Plan implementing the advanced status (2013-2017) ⁽³⁾ (hereinafter referred to as the 'Action Plan').
- (4) In order to ensure continuity between the Action Plan and the future priorities of the partnership, the Association Council, by means of an Exchange of Letters, should adopt a recommendation approving the extension of the Action Plan.
- (5) It is appropriate to establish the position to be taken on behalf of the Union in the Association Council, with regard to the adoption of a recommendation approving the extension of the Action Plan, given that the recommendation has legal effects.
- (6) The extension of the Action Plan will constitute the basis of EU-Morocco relations for the current year and will allow discussions to take place to establish the direction of and the new priorities for the EU-Morocco partnership in the years ahead,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on behalf of the European Union in the Association Council set up by the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part, with regard to the adoption of a recommendation approving the extension by one year, starting on the date of expiry, the EU-Morocco Action Plan implementing the advanced status (2013-2017) shall be based on the draft recommendation attached to this Decision.

⁽¹⁾ OJ L 70, 18.3.2000, p. 2.

⁽²⁾ Council and Commission Decision 2000/204/EC, ECSC of 26 January 2000 on the conclusion of the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part (OJ L 70, 18.3.2000, p. 1).

⁽³⁾ Recommendation No 1/2013 of the EU-Morocco Association Council of 16 December 2013 on the implementation of the EU-Morocco ENP Action Plan implementing the advanced status (2013-2017) (OJ L 352, 24.12.2013, p. 78).

Article 2

This Decision is addressed to the Commission and to the High Representative.

Done at Brussels, 18 September 2018.

For the Council
The President
G. BLÜMEL

DRAFT

RECOMMENDATION No 1/2018 OF THE EU-MOROCCO ASSOCIATION COUNCIL
of ...
approving the extension by one year of the EU-Morocco Action Plan implementing the advanced status (2013-2017)

THE EU-MOROCCO ASSOCIATION COUNCIL,

Having regard to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part ⁽¹⁾,

Whereas:

- (1) The Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and the Kingdom of Morocco, of the other part (hereinafter referred to as the 'Agreement') entered into force on 1 March 2000.
- (2) In accordance with Article 80 of the Agreement, the Association Council has the power to issue recommendations it considers necessary to attain the objectives of the Agreement.
- (3) Under Article 90 of the Agreement, the parties are to take any general or specific measures necessary to fulfil their obligations under the Agreement and to ensure that the objectives set out in the Agreement are attained.
- (4) Article 10 of the rules of procedure of the Association Council provides for the possibility of issuing recommendations between sessions by written procedure.
- (5) The extension of the EU-Morocco Action Plan implementing the advanced status (2013-2017) will constitute the basis of EU-Morocco relations for the current year and will enable negotiations to begin in order to establish the direction of and the new priorities for the EU-Morocco partnership in the years ahead,

RECOMMENDS:

Sole Article

The Association Council, by written procedure, recommends that the EU-Morocco Action Plan implementing the advanced status (2013-2017) be extended by one year.

Done at ...,

For the EU-Morocco Association Council
The President

⁽¹⁾ OJ L 70, 18.3.2000, p. 2.

COUNCIL DECISION (CFSP) 2018/1939**of 10 December 2018****on Union support for the universalisation and effective implementation of the International Convention for the Suppression of Acts of Nuclear Terrorism**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

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

Whereas:

- (1) On 12 December 2003 the European Council adopted the EU Strategy against Proliferation of Weapons of Mass Destruction ('the Strategy'), which states that non-proliferation, disarmament and arms control can make an essential contribution in the global fight against terrorism by reducing the risk of non-State actors gaining access to weapons of mass destruction, radioactive materials and means of delivery. Chapter III of the Strategy contains a list of measures that need to be taken both within the Union and in third countries to combat such proliferation.
- (2) The Union is actively implementing the Strategy and is giving effect to the measures listed in Chapter III thereof, in particular by working towards the universalisation and, where necessary, strengthening of the main treaties, agreements and verification arrangements on disarmament and non-proliferation and by releasing financial resources to support specific projects conducted by multilateral institutions such as the United Nations (UN) Office on Drugs and Crime (UNODC) and the UN Office of Counter-Terrorism (UNOCT).
- (3) In his Agenda for Disarmament entitled 'Securing our Common Future', which was launched on 24 May 2018, the UN Secretary-General noted that the current nuclear risks were unacceptable and that they were growing.
- (4) On 13 April 2005 the UN General Assembly adopted the International Convention for the Suppression of Acts of Nuclear Terrorism, which was opened for signature on 14 September 2005.
- (5) The technical implementation of this Decision should be entrusted to the UNODC and the UN Counter-Terrorism Centre (UNCCT) of the UNOCT.
- (6) This Decision should be implemented in accordance with the Financial and Administrative Framework Agreement concluded by the European Commission with the UN concerning the management of financial contributions by the Union to programmes or projects administered by the UN,

HAS ADOPTED THIS DECISION:

Article 1

1. For the purpose of ensuring the continuous and practical implementation of certain elements of the Strategy, the Union shall promote the universalisation and effective implementation of the International Convention for the Suppression of Acts of Nuclear Terrorism ('ICSANT') by providing support for the activities of the UNODC, and in particular its Terrorism Prevention Branch (TPB), which, inter alia, supports the efforts of States to adhere to relevant international legal instruments and to strengthen their national legal and criminal justice frameworks and institutional capacity to counter nuclear terrorism, and the UNCCT programme on preventing and responding to weapons of mass destruction ('WMD')/chemical, biological, radiological and nuclear ('CBRN') terrorism, which, inter alia, seeks to support States and international organisations in preventing terrorist groups from accessing and using WMD/CBRN materials and in ensuring that they are better prepared for, and can effectively respond to, a terrorist attack involving WMD/CBRN materials.

2. The projects to be financed by the Union shall aim to:

- (a) increase the number of States Parties to ICSANT;
- (b) increase ICSANT awareness among beneficiaries, such as national policy- and decision-makers, including members of parliament, and in international fora;
- (c) improve national legislation by incorporating all ICSANT requirements;

- (d) develop e-learning and other relevant training materials and incorporate them into technical legal assistance delivery, including, inter alia, case studies;
- (e) develop and maintain a reference website containing all ICSANT-relevant information, including good practices;
- (f) enhance the capacities of criminal justice officials and other relevant national stakeholders with regard to the investigation, prosecution and adjudication of cases;
- (g) develop synergies with other relevant international legal instruments, such as the Convention on the Physical Protection of Nuclear Material and the Amendment thereto, and UN Security Council (UNSC) Resolution 1540 (2004);
- (h) strengthen the capacity of States to detect and respond to the threat of terrorists acquiring nuclear or other radioactive materials.

The projects shall be implemented by the UNODC and the UNCCT in close collaboration with relevant UNODC field offices and other relevant institutions and experts, including the International Atomic Energy Agency, the United Nations Office for Disarmament Affairs, the Group of Experts of the UNSC Committee established pursuant to UNSC Resolution 1540 (2004) and the EU CBRN Risk Mitigation Centres of Excellence.

In the implementation of the projects, both Union visibility and proper programme management shall be ensured.

All project components shall be supported by proactive and innovative public outreach activities, and resources shall be allocated accordingly.

A detailed description of the projects is set out in the Annex.

Article 2

1. The High Representative of the Union for Foreign Affairs and Security Policy ('the High Representative') shall be responsible for the implementation of this Decision.
2. The technical implementation of the projects referred to in Article 1(2) shall be carried out by the UNODC and the UNCCT. They shall perform that task under the responsibility of the High Representative. For that purpose, the High Representative shall enter into the necessary arrangements with the UNODC and the UNCCT.

Article 3

1. The financial reference amount for the implementation of the projects referred to in Article 1(2) shall be EUR 4 999 986. The total estimated budget of the overall project shall be EUR 5 223 907, which shall be provided through co-financing.
2. The expenditure financed by the financial reference amount set out in paragraph 1 shall be managed in accordance with the procedures and rules applicable to the Union budget.
3. The Commission shall supervise the proper management of the financial reference amount referred to in paragraph 1. For that purpose, it shall conclude financing agreements with the UNODC and the UNCCT. The financing agreements shall stipulate that the UNODC and the UNCCT have to ensure the visibility of the Union contribution, appropriate to its size.
4. The Commission shall endeavour to conclude the financing agreements referred to in paragraph 3 as soon as possible after the entry into force of this Decision. It shall inform the Council of any difficulties in that process and of the date of conclusion of the financing agreements.

Article 4

1. The High Representative shall report to the Council twice a year on the implementation of this Decision on the basis of regular reports prepared by the UNODC and the UNCCT. Those reports shall form the basis for the evaluation carried out by the Council.
2. The Commission shall provide information twice a year on the financial aspects of the implementation of the projects referred to in Article 1(2).

Article 5

This Decision shall enter into force on the date of its adoption.

This Decision shall expire 36 months after the date of the conclusion of the financing agreements referred to in Article 3(3). However, it shall expire six months after the date of its entry into force if no financing agreement has been concluded within that period.

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

ANNEX

- Project 1: Promotion of adherence through a high-level event to be held in New York in close cooperation with the UN Office of Legal Affairs

Project details: A high-level event will be held either in the margins of the 2020 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons or in the margins of the annual Treaty Event, organised by the UN Secretary-General and held in parallel with the general debate of the General Assembly. The high-level event could also be held during any special UN forum on specific treaties that are intended to facilitate the participation of States in the multilateral treaty framework.

Implementing entity: UNCCT

- Project 2: Promotion of adherence via regional workshops and country visits

Project details: Organising up to six regional, interregional and subregional workshops for policy- and decision-makers of States not party to ICSANT ⁽¹⁾ in:

- Africa,
- Central and South Asia,
- Europe,
- South-East Asia and the Pacific.

Relevant materials developed under the project (e.g. case studies and self-assessment questionnaires) will be used in the workshops. In addition to focusing on ICSANT, the workshops will address synergies with the Convention on the Physical Protection of Nuclear Material and the Amendment thereto, as well as UNSC Resolution 1540 (2004).

Implementing entity: UNODC

- Project 3: Provision of relevant legislative assistance

Project details: Provision of relevant legislative assistance to requesting States via desk reviews or legislative drafting workshops (up to 10 States).

Implementing entity: UNODC

- Project 4: Capacity building for relevant stakeholders, including criminal justice officials who could be involved in investigating, prosecuting and adjudicating cases involving nuclear and other radioactive material covered by ICSANT

Project details: Three regional workshops will be held for prosecutors of selected States Parties to ICSANT in Africa, Europe and Asia.

Implementing entity: UNODC

- Project 5: Promotion of adherence through engagement with the Inter-Parliamentary Union

Project details: Consultations will be held with the Inter-Parliamentary Union with a view to organising events to support speedy adherence to ICSANT and joint appeals to States that are not yet party to ICSANT.

Implementing entity: UNCCT

- Project 6: Study on reasons for States not adhering to ICSANT and the challenges faced by those States

Project details: Study on the reasons for States not adhering to ICSANT and the challenges faced by those States. The UNCCT will conduct an academic study to obtain a deeper understanding of the reasons for States not becoming party to ICSANT and the challenges faced by those States, and will issue recommendations on how to address those reasons and challenges in order to ensure increased adherence and will indicate legislative requirements and measures for effective implementation.

Implementing entity: UNCCT

⁽¹⁾ Invitations could be extended to States Parties to ICSANT on a case-by-case basis if there is an added value in their participation.

Project 7: Development and maintenance of a regularly updated, password-protected website on all resources on ICSANT, including examples of national legislation

Project details: The website will contain all available resources on ICSANT, including a collection of all existing national legislation implementing ICSANT in all States Parties, a collection of good practices and model legislation, scholarly articles, information and a calendar on outreach activities, a dedicated email address for questions, information on available assistance, a questionnaire with answers on ICSANT and the delivery of 12 one-hour webinars on different aspects of ICSANT (four in English, four in French and four in Spanish).

Implementing entity: UNODC

Project 8: Development and delivery of a training manual on ICSANT-relevant fictional case studies

Project details: A training manual on ICSANT will be developed on the basis of fictional case studies.

Implementing entity: UNODC

Project 9: Development of an e-learning module on ICSANT

Project details: The module will be translated into at least four UN official languages and will be hosted on the UNODC Global e-learning website (<https://www.unodc.org/elearning>).

Implementing entity: UNODC

Project 10: Nuclear-terrorism-related capacity building in the area of border security and management

Project details: The UNCCT will hold capacity-building events on border security and management in six regions:

- Sahel,
- South Asia and South-East Asia,
- Horn of Africa,
- Central Asia and the Caucasus,
- Eastern and South-Eastern Europe,
- Middle East and North Africa.

Implementing entity: UNCCT

Project 11: Development of flyers and learning material

Project details: Development of promotional flyers on ICSANT in all six UN official languages and a self-assessment questionnaire for States considering adherence.

Implementing entity: UNODC

Expected outcome of the above projects:

1. increase in the number of States Parties to ICSANT;
2. increased ICSANT awareness among beneficiaries, such as national policy- and decision-makers, including members of parliament, and in international fora;
3. national legislation improved by incorporating all ICSANT requirements;
4. e-learning and other relevant training materials developed and incorporated into technical legal assistance delivery, including, inter alia, case studies;
5. a reference website containing all ICSANT-relevant information developed and maintained, including good practices;

6. enhanced capacities of criminal justice officials and other relevant national stakeholders with regard to the investigation, prosecution and adjudication of cases;
 7. synergies developed with other relevant international legal instruments such as the Convention on the Physical Protection of Nuclear Material and the Amendment thereto, and UNSC Resolution 1540 (2004);
 8. strengthened capacity of States to detect and respond to the threat of terrorists acquiring nuclear or other radioactive materials.
-

COUNCIL DECISION (CFSP) 2018/1940
of 10 December 2018
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,

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

Whereas:

- (1) On 20 December 2010, the Council adopted Decision 2010/788/CFSP ⁽¹⁾ concerning restrictive measures against the Democratic Republic of the Congo (DRC).
- (2) On 12 December 2016, the Council adopted Decision (CFSP) 2016/2231 ⁽²⁾ in response to the obstruction of the electoral process and the related human rights violations in DRC. That Decision amended Decision 2010/788/CFSP by, inter alia, introducing autonomous restrictive measures under Article 3(2) thereof.
- (3) On the basis of a review of the measures referred to in Article 3(2) of Decision 2010/788/CFSP, the restrictive measures should be renewed until 12 December 2019.
- (4) In its conclusions of December 2017, the Council called on all Congolese actors, and above all the Congolese authorities and institutions, to play a constructive role in the electoral process. Considering the upcoming elections, the Council reiterates the importance of holding credible, transparent, peaceful and inclusive elections in line with the aspiration of the Congolese people to elect their representatives. The Council will further review the restrictive measures in the light of and following the elections in DRC and stands ready to adjust them accordingly.
- (5) The statements of reasons relating to eight persons listed in Annex II should be amended. Moreover, information concerning all persons listed in that Annex should be updated.
- (6) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Paragraph (2) of Article 9 of Decision 2010/788/CFSP is replaced by the following:

‘2. The measures referred to in Article 3(2) shall apply until 12 December 2019. They shall be renewed, or amended as appropriate, if the Council deems that their objectives have not been met.’

Article 2

The list in Annex II to Decision 2010/788/CFSP is replaced by the list set out in the Annex to this Decision.

⁽¹⁾ 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).

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

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 Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

ANNEX

'ANNEX II

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLE 3(2)

A. Persons

	Name	Identifying information	Grounds for designation	Date of listing
1.	Ilunga Kampete	a.k.a. Gaston Hughes Ilunga Kampete; a.k.a. Hugues Raston Ilunga Kampete. DOB: 24.11.1964. POB: Lubumbashi (DRC). Military ID number: 1-64-86-22311-29. Nationality: DRC. Address: 69, avenue Nyangwile, Kinsuka Mimosas, Kinshasa/Ngaliema, RDC.	As Commander of the Republican Guard (GR), Ilunga Kampete was responsible for the GR units deployed on the ground and involved in the disproportionate use of force and violent repression, in September 2016 in Kinshasa. In this capacity, Ilunga Kampete was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	12.12.2016
2.	Gabriel Amisi Kumba	a.k.a. Gabriel Amisi Nkumba; 'Tango Fort'; 'Tango Four'. DOB: 28.5.1964. POB: Malela (DRC). Military ID number: 1-64-87-77512-30. Nationality: DRC. Address: 22, avenue Mbenseke, Ma Campagne, Kinshasa/Ngaliema, RDC.	Former Commander of the 1st defence zone of the Congolese Army (FARDC), whose forces took part in the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Gabriel Amisi Kumba was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2018, Gabriel Amisi Kumba was appointed Deputy Chief of Staff of the Congolese Armed Forces (FARDC), with responsibility for operations and intelligence.	12.12.2016
3.	Ferdinand Ilunga Luyoyo	DOB: 8.3.1973. POB: Lubumbashi (DRC). Passport no: OB0260335 (valid from 15.4.2011 to 14.4.2016). Nationality: DRC. Address: 2, avenue des Orangers, Kinshasa/Gombe, RDC.	As Commander of the anti-riot unit <i>Légion Nationale d'Intervention</i> of the Congolese National Police (PNC), Ferdinand Ilunga Luyoyo was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Ferdinand Ilunga Luyoyo was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2017, Ferdinand Ilunga Luyoyo was appointed Commander of the PNC unit responsible for the protection of institutions and high-ranking officials.	12.12.2016

	Name	Identifying information	Grounds for designation	Date of listing
4.	Celestin Kanyama	<p>a.k.a. Kanyama Tshisiku Celestin; Kanyama Celestin Cishiku Antoine; Kanyama Cishiku Bilolo Célestin;</p> <p>Esprit de mort.</p> <p>DOB: 4.10.1960.</p> <p>POB: Kananga (DRC).</p> <p>Nationality: DRC.</p> <p>Passport no: OB0637580 (valid from 20.5.2014 to 19.5.2019).</p> <p>Was granted Schengen visa no. 011518403, issued on 2.7.2016.</p> <p>Address: 56, avenue Usika, Kinshasa/Gombe, RDC.</p>	<p>As Commissioner of the Congolese National Police (PNC), Celestin Kanyama was responsible for the disproportionate use of force and violent repression in September 2016 in Kinshasa. In this capacity, Celestin Kanyama was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.</p> <p>In July 2017, Celestin Kanyama was appointed Director-General of the National Police's training schools.</p>	12.12.2016
5.	John Numbi	<p>a.k.a. John Numbi Banza Tambo; John Numbi Banza Ntambo; Tambo Numbi.</p> <p>DOB: 16.8.1962.</p> <p>POB: Jadotville-Likasi-Kolwezi (DRC).</p> <p>Nationality: DRC.</p> <p>Address: 5, avenue Oranger, Kinshasa/Gombe, RDC.</p>	<p>Former Inspector-General of the Congolese National Police (PNC), John Numbi was notably involved in the campaign of violent intimidation carried out in the context of the March 2016 gubernatorial elections in the four ex-Katanga provinces and, as such, is responsible for obstructing a consensual and peaceful solution with a view to the holding of elections in DRC. In July 2018, John Numbi was appointed Inspector-General of the Congolese Armed Forces (FARDC).</p>	12.12.2016
6.	Roger Kibelisa	<p>a.k.a. Roger Kibelisa Ngambaswi.</p> <p>DOB: 9.9.1959.</p> <p>POB: Fayala (DRC).</p> <p>Nationality: DRC.</p> <p>Address: 24, avenue Photopao, Kinshasa/Mont Ngafula, RDC.</p>	<p>As Interior Director of the National Intelligence Service (ANR), Roger Kibelisa is involved in the intimidation campaign carried out by ANR officials towards opposition members, including arbitrary arrests and detention. Roger Kibelisa has therefore undermined the rule of law and obstructed a consensual and peaceful solution towards elections in DRC.</p>	12.12.2016
7.	Delphin Kaimbi	<p>a.k.a. Delphin Kahimbi Kasagwe; Delphin Kayimbi Demba Kasangwe; Delphin Kahimbi Kasangwe; Delphin Kahimbi Demba Kasangwe; Delphin Kasagwe Kahimbi.</p> <p>DOB: 15.1.1969 (alternatively: 15.7.1969).</p> <p>POB: Kiniezire/Goma (DRC).</p> <p>Nationality: DRC.</p> <p>Diplomatic passport no: DB0006669 (valid from 13.11.2013 to 12.11.2018).</p> <p>Address: 1, 14eme rue, Quartier Industriel, Linete, Kinshasa, RDC.</p>	<p>Former Head of the Military Intelligence Body (ex-DEMIAP), part of the National Operations Centre, the command and control structure responsible for arbitrary arrests and violent repression in Kinshasa in September 2016, and responsible for forces that participated in intimidation and arbitrary arrests, obstructing a consensual and peaceful solution with a view to the holding of elections in DRC. In July 2018, Delphin Kaimbi was appointed assistant Chief of Staff within the FARDC General Staff, with responsibility for intelligence.</p>	12.12.2016

	Name	Identifying information	Grounds for designation	Date of listing
8.	Evariste Boshab, former Vice Prime Minister and Minister of Interior and Security	a.k.a Evariste Boshab Mabub Ma Bileng. DOB: 12.1.1956. POB: Tete Kalamba (DRC). Nationality: DRC. Diplomatic passport number: DP0000003 (valid: 21.12.2015 — expiry: 20.12.2020). Schengen visa expired on 5.1.2017. Address: 3, avenue du Rail, Kinshasa/Gombe, RDC.	In his capacity as Vice Prime Minister and Minister of Interior and Security from December 2014 to December 2016, Evariste Boshab was officially responsible for the police and security services and coordinating the work of provincial governors. In this capacity, he was responsible for arrests of activists and opposition members, as well as disproportionate use of force, including between September 2016 and December 2016 in response to demonstrations in Kinshasa, which resulted in a large number of civilians being killed or injured by security services. Evariste Boshab was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017
9.	Alex Kande Mupompa, Former Governor of Kasai Central	a.k.a Alexandre Kande Mupomba; Kande-Mupompa. DOB: 23.9.1950. POB: Kananga (DRC). Nationality: DRC and Belgian. DRC passport number: OP0024910 (valid: 21.3.2016 — expiry: 20.3.2021). Addresses: Messidorlaan 217/25, 1180 Uccle, Belgium 1, avenue Bumba, Kinshasa/Ngaliema, RDC.	As Governor of Kasai Central until October 2017, Alex Kande Mupompa has been responsible for the disproportionate use of force, violent repression and extrajudicial killings committed by security forces and the PNC in Kasai Central from August 2016, including killings on the territory of Dibaya in February 2017. Alex Kande Mupompa was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017
10.	Jean-Claude Kazembe Musonda, former Governor of Haut-Katanga	DOB: 17.5.1963. POB: Kashobwe (DRC). Nationality: DRC. Address: 7891, avenue Lubembe, Quartier Lido, Lubumbashi, Haut-Katanga, RDC.	As Governor of Haut Katanga until April 2017, Jean-Claude Kazembe Musonda was responsible for the disproportionate use of force and violent repression committed by security forces and the PNC in Haut Katanga, including between 15 and 31 December 2016, when 12 civilians were killed and 64 were injured as a result of the use of lethal force by security forces including PNC agents in response to protests in Lubumbashi. Jean-Claude Kazembe Musonda was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC.	29.5.2017

	Name	Identifying information	Grounds for designation	Date of listing
11.	Lambert Mende, Minister of Communications and Media, and spokesperson of the Government	a.k.a Lambert Mende Omalanga. DOB: 11.2.1953. POB: Okolo (DRC). Diplomatic passport number: DB0001939 (issued: 4.5.2017 — expiring: 3.5.2022). Nationality: DRC. Address: 20, avenue Kalongo, Kinshasa/Ngaliema, RDC.	As Communications and Media Minister since 2008, Lambert Mende is responsible for a repressive media policy which breaches the right to freedom of expression and information and undermines a consensual and peaceful solution towards elections in DRC. On 12 November 2016, he adopted a decree limiting the possibility for foreign media outlets to broadcast in DRC. In breach of the political agreement settled on 31 December 2016 between the presidential majority and opposition parties, broadcasting had not resumed for a number of media outlets as of October 2018. In his capacity as Communications and Media Minister, Lambert Mende is therefore responsible for obstructing a consensual and peaceful solution towards elections in DRC, including by acts of repression.	29.5.2017
12.	Brigadier General Eric Ruhorimbere, Deputy Commander of the 21st military region (Mbujimayi)	a.k.a. Eric Ruhorimbere Ruhanga; Tango Two; Tango Deux. DOB: 16.7.1969. POB: Minembwe (DRC). Military ID number: 1-69-09-51400-64. Nationality: DRC. DRC passport number OB0814241. Address: Mbujimayi, Kasai Province, RDC.	As Deputy Commander of the 21st military region from September 2014 to July 2018, Eric Ruhorimbere was responsible for the disproportionate use of force and extrajudicial killings perpetrated by FARDC forces, notably against the Nsapu militia and women and children. Eric Ruhorimbere was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In July 2018, Eric Ruhorimbere was appointed Commander of the Nord Equateur operational sector.	29.5.2017
13.	Ramazani Shadari, former Vice Prime Minister and Minister of Interior and Security	a.k.a. Emmanuel Ramazani Shadari Mulanda; Shadary. DOB: 29.11.1960. POB: Kasongo (DRC). Nationality: DRC. Address: 28, avenue Ntela, Mont Ngafula, Kinshasa, RDC.	As Vice Prime Minister and Minister of Interior and Security until February 2018, Ramazani Shadari was officially responsible for the police and security services and for coordinating the work of provincial governors. In this capacity, he was responsible for the arrests of activists and opposition members, as well as for the disproportionate use of force, such as the violent crackdown on members of the Bundu Dia Kongo (BDK) movement in Kongo Central, the repression in Kinshasa in January-February 2017 and the disproportionate use of force and violent repression in the Kasai provinces. In this capacity, Ramazani Shadari was therefore involved in planning, directing, or committing acts that constitute serious human rights violations in DRC. In February 2018, Ramazani Shadari was named Permanent Secretary of the <i>Parti du peuple pour la reconstruction et le développement</i> (PPRD).	29.5.2017

	Name	Identifying information	Grounds for designation	Date of listing
14.	Kalev Mutondo, Head (formally Administrator-General) of the National Intelligence Service (ANR)	a.k.a Kalev Katanga Mutondo, Kalev Motono, Kalev Mutundo, Kalev Mutoid, Kalev Mutombo, Kalev Mutond, Kalev Mutondo Katanga, Kalev Mutund. DOB: 3.3.1957. Nationality: DRC. Passport number: DB0004470 (issued: 8.6.2012 — expires: 7.6.2017). Address: 24, avenue Ma Campagne, Kinshasa, RDC.	As long-term Head of the National Intelligence Service (ANR), Kalev Mutondo is involved in and responsible for the arbitrary arrest, detention and mistreatment of opposition members, civil society activists and others. He has therefore undermined the rule of law and obstructed a consensual and peaceful solution towards elections in DRC, as well as planning or directing acts that constitute serious human rights violations in DRC.	29.5.2017

B. Entities

[...].

COUNCIL DECISION (CFSP) 2018/1941
of 10 December 2018
amending Decision (CFSP) 2016/610 on a European Union military training mission in the Central African Republic

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union and in particular Article 42(4) and Article 43(2) thereof,

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

Whereas:

- (1) On 19 April 2016, the Council adopted Decision (CFSP) 2016/610 ⁽¹⁾ which established a European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA).
- (2) On 30 July 2018, the Council through Decision (CFSP) 2018/1082 ⁽²⁾ extended the Mission's mandate until 19 September 2020.
- (3) On 15 October 2018, the Council, in conclusions on the Central African Republic, recognised the appropriateness of meeting the request from the Central African authorities for additional assistance to the Central African Republic's Internal Security Forces through establishing and deploying a dedicated interoperability pillar as soon as possible within EUTM RCA tasked with providing strategic advice in this area.
- (4) Decision (CFSP) 2016/610 should be amended accordingly.
- (5) In addition, the Council in its conclusions of 15 October 2018 recognised the usefulness, highlighted by the strategic review of EUTM RCA, of continuing to assess the appropriateness of reinforcing the European Union's action in relation to the Internal Security Forces with a dedicated civilian CSDP action. The Council noted in these conclusions that it will return to this issue in the summer of 2019, taking account of the initial results of the interoperability pillar and in the context of the strategic review of EUTM RCA.
- (6) In accordance with Article 5 of the Protocol on the position of Denmark annexed to the Treaty on the European Union and to the Treaty on the Functioning of the European Union, Denmark does not participate in the elaboration and implementation of decisions and actions of the Union which have defence implications. Consequently, Denmark is not participating in the adoption of this Decision, is neither bound by it nor subject to its application and does not participate in the financing of this mission,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2016/610 is amended as follows:

- (1) in Article 1(2), the following is added:

'(d) strategic advice to the Ministry of Internal Affairs, the Director General of the Police and the Director General of the Gendarmerie, in order to enable the subsequent interoperability and coordinated employment of defence and internal security forces in the Central African Republic.';

- (2) in Article 10, paragraph 3 is replaced by the following:

'3. The financial reference amount for the common costs of EUTM RCA for the period from 20 September 2018 until 19 September 2020 shall be EUR 26 131 485. The percentage of this reference amount referred to in Article 25(1) of Decision (CFSP) 2015/528 shall be 0 % and the percentage referred to in Article 34(3) of that Decision shall be 0 % for commitments and 0 % for payments.'

⁽¹⁾ Council Decision (CFSP) 2016/610 of 19 April 2016 on a European Union CSDP Military Training Mission in the Central African Republic (EUTM RCA) (OJ L 104, 20.4.2016, p. 21).

⁽²⁾ Council Decision (CFSP) 2018/1082 of 30 July 2018 amending Decision (CFSP) 2016/610 on a European Union military training mission in the Central African Republic (OJ L 194, 31.7.2018, p. 140).

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (CFSP) 2018/1942**of 10 December 2018****extending and amending Decision 2012/389/CFSP on the European Union Capacity Building Mission in Somalia (EUCAP Somalia)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 42(4) and 43(2) thereof,

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

Whereas:

- (1) On 16 July 2012, the Council adopted Decision 2012/389/CFSP ⁽¹⁾ on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR).
- (2) On 12 December 2016, the Council adopted Decision (CFSP) 2016/2240 ⁽²⁾, amending Decision 2012/389/CFSP. The name of the mission was changed to EUCAP Somalia and its mandate was extended until 31 December 2018.
- (3) On 15 February 2018, the Council adopted Decision (CFSP) 2018/226 ⁽³⁾, amending Decision 2012/389/CFSP and providing for a financial reference amount for the period until 31 December 2018.
- (4) Following the Holistic and Coordinated Strategic Review of CSDP engagement in Somalia and the Horn of Africa, the Political and Security Committee agreed to amend the Mission's mandate and extend it until 31 December 2020.
- (5) Decision 2012/389/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2012/389/CFSP is amended as follows:

- (1) in Article 3(1), point (c) is replaced by the following:

'(c) pursue these objectives through supporting Somali authorities in developing the necessary legislation and in setting up judicial authorities, through providing the necessary mentoring, advice, training and equipment to Somali maritime civilian law enforcement entities, and through providing advice on policy, command, control and coordination to the Ministry of Internal Security and the police in support of initiatives from the Union and international partners.';

- (2) in Article 13(1), the following subparagraph is added:

'The financial reference amount intended to cover the expenditure related to EUCAP Somalia for the period from 1 January 2019 to 31 December 2020 shall be EUR 66 100 000.';

- (3) in Article 16, the second sentence is replaced by the following:

'It shall apply until 31 December 2020.'.

⁽¹⁾ Council Decision 2012/389/CFSP of 16 July 2012 on the European Union Capacity Building Mission in Somalia (EUCAP Somalia) (OJ L 187, 17.7.2012, p. 40).

⁽²⁾ Council Decision (CFSP) 2016/2240 of 12 December 2016 amending Decision 2012/389/CFSP on the European Union Mission on Regional Maritime Capacity Building in the Horn of Africa (EUCAP NESTOR) (OJ L 337, 13.12.2016, p. 18).

⁽³⁾ Council Decision (CFSP) 2018/226 of 15 February 2018 amending Decision 2012/389/CFSP on the European Union Capacity Building Mission in Somalia (EUCAP Somalia) (OJ L 43, 16.2.2018, p. 15).

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (CFSP) 2018/1943**of 10 December 2018****amending Decision (CFSP) 2017/2303 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons, in the framework of the implementation of the EU Strategy against proliferation of weapons of mass destruction**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Articles 28(1) and 31(1) thereof,

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

Whereas:

- (1) On 12 December 2017, the Council adopted Decision (CFSP) 2017/2303 ⁽¹⁾.
- (2) Decision (CFSP) 2017/2303 provides for a 12-month implementation period for the activities referred to in Article 1(2) thereof from the date of the conclusion of the financing agreement referred to in Article 3(3) thereof.
- (3) On 3 October 2018, the Organisation for the Prohibition of Chemical Weapons ('the OPCW'), which is responsible for the technical implementation of the project, requested the authorisation of the Union to extend the implementation period of Decision (CFSP) 2017/2303 by 12 months. That extension would allow the OPCW to continue the implementation of the activities as supplemented by the Decision Addressing the Threat from Chemical Weapons Use (C-SS-4/DEC.3) of the Conference of the States Parties to the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction and to reach the planned objectives of those activities, including enhancing the capacity of the OPCW to address the threat of the use of chemical weapons.
- (4) The requested amendment of Decision (CFSP) 2017/2303 concerns Article 5(2) thereof, and section 8 of the Annex to that Decision where the descriptions have to be modified.
- (5) The continuation of the activities referred to in Article 1(2) of Decision (CFSP) 2017/2303, as specifically mentioned in the request made by the OPCW on 3 October 2018, could be performed without any resource implication.
- (6) Decision (CFSP) 2017/2303 should, therefore, be amended to enable the continued implementation of the activities contained therein, by extending its duration accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision (CFSP) 2017/2303 is hereby amended as follows:

- (1) Article 5(2) is replaced by the following:

'2. This Decision shall expire 24 months after the date of the conclusion of the financing agreement between the Commission and the OPCW referred to in Article 3(3), or it shall expire six months after its entry into force if that financing agreement has not been concluded by that time.'

- (2) The text of Section 8 of the Annex is replaced by the following:

'Estimated duration

The duration of the project is envisaged to be 24 months.'

⁽¹⁾ Council Decision (CFSP) 2017/2303 of 12 December 2017 in support of the continued implementation of UN Security Council Resolution 2118 (2013) and OPCW Executive Council decision EC-M-33/DEC.1 on the destruction of Syrian chemical weapons, in the framework of the implementation of the EU Strategy against proliferation of weapons of mass destruction (OJ L 329, 13.12.2017, p. 55).

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

COUNCIL DECISION (CFSP) 2018/1944
of 10 December 2018
repealing Decision 2010/127/CFSP concerning restrictive measures against Eritrea

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 23 December 2009, the United Nations Security Council (UNSC) adopted United Nations Security Council Resolution (UNSCR) 1907 (2009) imposing restrictive measures against Eritrea, consisting of a ban on the sale and supply to and from Eritrea of arms and related materiel.
- (2) On 1 March 2010, the Council adopted Decision 2010/127/CFSP (⁽¹⁾) concerning restrictive measures against Eritrea pursuant to UNSCR 1907 (2009).
- (3) On 14 November 2018, the UNSC adopted UNSCR 2444 (2018) terminating, with immediate effect, all UN restrictive measures against Eritrea.
- (4) Decision 2010/127/CFSP should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2010/127/CFSP is hereby repealed.

Article 2

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

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

⁽¹⁾ Council Decision 2010/127/CFSP of 1 March 2010 concerning restrictive measures against Eritrea (OJ L 51, 2.3.2010, p. 19).

COUNCIL DECISION (CFSP) 2018/1945
of 10 December 2018
amending Decision 2010/231/CFSP concerning restrictive measures against Somalia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 26 April 2010, the Council adopted Decision 2010/231/CFSP ⁽¹⁾.
- (2) On 14 November 2018, the United Nations Security Council adopted Resolution 2444 (2018). This Resolution notes that one of the listing criteria under Resolution 1844 (2008) is engaging in or providing support for acts that threaten the peace, security or stability of Somalia, and decides that such acts may also include but are not limited to planning, directing or committing acts involving sexual and gender-based violence.
- (3) Decision 2010/231/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

In Article 2 of Decision 2010/231/CFSP, the first indent is replaced by the following:

- ‘— engaging in, or providing support for, acts that threaten the peace, security or stability of Somalia, where such acts include, but are not limited to:
- (i) planning, directing or committing acts involving sexual and gender-based violence;
 - (ii) acts that threaten the peace and reconciliation process in Somalia;
 - (iii) acts that threaten the Federal Government of Somalia or AMISOM by force;’.

Article 2

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

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

⁽¹⁾ Council Decision 2010/231/CFSP of 26 April 2010 concerning restrictive measures against Somalia and repealing Common Position 2009/138/CFSP (OJ L 105, 27.4.2010, p. 17).

COUNCIL IMPLEMENTING DECISION (CFSP) 2018/1946
of 10 December 2018
implementing Decision (CFSP) 2015/740 concerning restrictive measures in view of the situation
in South Sudan

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 (CFSP) 2015/740 of 7 May 2015 concerning restrictive measures in view of the situation in South Sudan and repealing Decision 2014/449/CFSP ⁽¹⁾, and in particular Article 9 thereof,

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

Whereas:

- (1) On 7 May 2015, the Council adopted Decision (CFSP) 2015/740.
- (2) On 21 November 2018, the United Nations Security Council Committee established pursuant to United Nations Security Council Resolution 2206 (2015) updated the information relating to one person subject to restrictive measures.
- (3) Annex I to Decision (CFSP) 2015/740 should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Annex I to Decision (CFSP) 2015/740 is hereby amended as set out in the Annex to this Decision.

Article 2

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

Done at Brussels, 10 December 2018.

For the Council
The President
F. MOGHERINI

⁽¹⁾ OJ L 117, 8.5.2015, p. 52.

ANNEX

The entry concerning the person listed below is replaced by the following entry:

1. Gabriel JOK RIAK MAKOL (alias: a) Gabriel Jok b) Jok Riak c) Jock Riak)

Title: Lieutenant General

Designation: a) Former Sudan People's Liberation Army's (SPLA) Sector One Commander; b) Chief of Defence Forces

Date of Birth: 1 Jan. 1966

Place of Birth: Bor, Sudan/South Sudan

Nationality: South Sudan

Passport no: South Sudan number D00008623

National identification no: M6600000258472

Address: a) Unity State, South Sudan b) Wau, Western Bahr El Ghazal, South Sudan

Date of UN designation: 1 Jul. 2015

Other information: Appointed as Chief of Defence Forces on 2 May 2018. Commanded SPLA Sector One, which operates primarily within Unity State, since January 2013. In his position as the SPLA Sector One commander, he has expanded or extended the conflict in South Sudan through breaches of the Cessation of Hostilities Agreement. The SPLA is a South Sudanese military entity that has engaged in actions that have extended the conflict in South Sudan, including breaches of the January 2014 Cessation of Hostilities Agreement and the May 9, 2014 Agreement to Resolve the Crisis in South Sudan, which was a re-commitment to the CoHA and has obstructed the activities of IGAD's Monitoring and Verification Mechanism. INTERPOL-UN Security Council Special Notice web link: <https://www.interpol.int/en/notice/search/un/5879060>

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

Gabriel Jok Riak was listed on 1 July 2015 pursuant to paragraphs 7(a), 7(f) and 8 of resolution 2206 (2015) for, "actions or policies that have the purpose or effect of expanding or extending the conflict in South Sudan or obstructing reconciliation or peace talks or processes, including breaches of the Cessation of Hostilities Agreement"; "the obstruction of the activities of international peacekeeping, diplomatic, or humanitarian missions in South Sudan, including IGAD's Monitoring and Verification Mechanism or of the delivery or distribution of, or access to, humanitarian assistance"; and as a leader "of any entity, including any South Sudanese government, opposition, militia, or other group, that has, or whose members have, engaged in any of the activities described in paragraphs 6 and 7".

Gabriel Jok Riak is the commander of the Sudan People's Liberation Army's (SPLA) Sector One, a South Sudanese military entity that has engaged in actions that have extended the conflict in South Sudan, including breaches of the January 2014 Cessation of Hostilities Agreement (CoHA) and the May 9, 2014 Agreement to Resolve the Crisis in South Sudan (May Agreement), which was a re-commitment to the CoHA.

Jok Riak has commanded SPLA Sector One, which operates primarily within Unity State, since January 2013. SPLA Divisions Three, Four, and Five are subordinate to Sector One and its commander, Jok Riak.

Jok Riak and SPLA Sector One and Three forces under his overall command engaged in several actions, as detailed below, that violated the January 2014 CoHA's commitments to cease all military actions aimed at opposing forces, as well as other provocative actions, freeze forces in their current locations, and refrain from activities such as movement of forces or ammunition resupply that could lead to military confrontation.

SPLA forces under Jok Riak's overall command breached the CoHA agreement several times through outright hostilities.

On January 10, 2014, an SPLA force under the overall command of Sector One commander Jok Riak captured Bentiu, which had previously been under Sudan People's Liberation Army in Opposition (SPLM-IO) control since December 20, 2013. SPLA Division Three ambushed and shelled SPLM-IO fighters near Leer soon after the signing of the January 2014 CoHA and in mid-April 2014 captured Mayom and killed more than 300 SPLM-IO troops.

On May 4, 2014, an SPLA force led by Jok Riak again recaptured Bentiu. On state television in Juba, an SPLA spokesman said that the government army commanded by Jok Riak had captured Bentiu at four in the afternoon, adding that Division Three and a special SPLA taskforce were involved. Hours after the May Agreement was announced, SPLA Third and Fourth Division forces engaged and repelled opposition fighters who had earlier attacked SPLA positions near Bentiu and in the northern oil regions of South Sudan.

Also after the signing of the May Agreement, SPLA Division Three troops recaptured Wang Kai, and the division commander, Santino Deng Wol, authorized his forces to kill anyone carrying weapons or hiding in homes, and ordered them to burn any homes containing opposition forces.

In late April and May 2015, SPLA Sector One forces led by Jok Riak conducted a full-scale military offensive against opposition forces in Unity State from Lakes State.

In violation of the terms of the CoHA as detailed above, Jok Riak reportedly sought to have tanks repaired and modified for use against opposition forces in early September 2014. In late October 2014, at least 7 000 SPLA troops and heavy weapons from the Third and Fifth Divisions were redeployed to reinforce Fourth Division troops bearing the brunt of an opposition attack near Bentiu. In November 2014, the SPLA brought new military equipment and weaponry, including armored personnel carriers, helicopters, artillery guns, and ammunition into Sector One's area of responsibility, likely in preparation for fighting against the opposition. In early February 2015, Jok Riak reportedly ordered armored personnel carriers to be sent to Bentiu, possibly to respond to recent ambushes by the opposition.

Subsequent to the April and May 2015 offensive in Unity State, SPLA Sector One denied requests by the Inter-governmental Authority on Development Monitoring and Verification Team (IGAD-MVM) in Bentiu to investigate this violation of the CoHA; thereby denying the IGAD-MVM freedom of movement to carry out its mandate.

Additionally, in April 2014, Jok Riak expanded the conflict in South Sudan by reportedly assisting in arming and mobilizing as many as 1 000 Dinka youths to supplement traditional SPLA forces.'

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