

Federal Department of Economic Affairs, Education and Research EAER

State Secretariat for Economic Affairs SECO Bilateral Economic Relations Sanctions

Modification of 20.08.2020 with entry into force on 19.08.2020

Sanctions program: Kongo: Verordnung vom 22. Juni 2005 über Massnahmen gegenüber der Demokratischen Republik Kongo (SR 946.231.12), Anhänge 1 und 2 Origin: UN, EU

Sanctions: Art. 2 Abs. 1 (Finanzsanktionen) und Art. 4 Abs. 1 und 2 (Ein- und

Durchreiseverbot), Anhang 1

Sanctions program: Congo: Ordonnance du 22 juin 2005 instituant des mesures à l'encontre de la République démocratique du Congo (RS 946.231.12), annexes 1 et 2 Origin: UN, EU Sanctions: art. 2, al. 1 (Sanctions financières) et art. 4, al. 1 et 2

(Interdiction de séjour et de transit), annexe 1

**Sanctions program:** Congo: Ordinanza del 22 giugno 2005 che istituisce provvedimenti nei confronti della Repubblica democratica del Congo (RS 946.231.12), allegati 1 e 2 **Origin:** UN, EU **Sanctions:** art. 2 cpv. 1 (Sanzioni finanziarie) e art. 4 cpv. 1 e 2 (Divieto di entrata e di transito), allegato 1

## **Amended**

## Individuals

SSID: 100-3373 Name: Sheka Ntabo Ntaberi

DOB: 4 Apr 1976 POB: Walikale, Walikale Territory, Congo DR Address: Goma, North

Kivu, Congo DR (in prison) Nationality: Congo DR

Justification: Ntabo Ntaberi Sheka, Commander-in-Chief of the political branch of the Mayi Mayi Sheka, is the political leader of a Congolese armed group that impedes the disarmament, demobilization, or reintegration of combatants. The Mayi Mayi Sheka is a Congo-based militia group that operates from bases in Walikale territory in eastern DRC. The Mayi Mayi Sheka group has carried out attacks on mines in eastern DRC, including taking over the Bisiye mines and extorting from locals. Ntabo Ntaberi Sheka has also committed serious violations of international law involving the targeting of children. Ntabo Ntaberi Sheka planned and ordered a series of attacks in Walikale territory from 30 July Jul to 2 AugustAug, 2010, to punish local populations accused of collaborating with Congolese Government forces. In the course of the attacks, children were raped and were abducted, subjected to forced labor and subjected to cruel, inhumane or degrading treatment. The Mayi Mayi Sheka militia group also forcibly recruits boys and holds children in their ranks from recruitment drives. Other information: a) Designation: Commander-in-Chief, Nduma Defence of Congo, Mayi Mayi Sheka group. b) He surrendered to MONUSCO on 26 Jul 2017 and has been since detained by the Congolese authorities. His trial for war crimes, crimes against humanity and participation in an insurrectional movement, before the Military Court in Goma, started in Nov 2018. c) INTERPOL-UN Security Council Special Notice web link available. **Modifications:** Amended on 11 Mar 2015, 19 Aug 2020

SSID: 100-3382 Name: Taganda Bosco

**POB:** Bigogwe, Rwanda **Good quality a.k.a.: a)** Bosco Ntaganda **b)** Bosco Ntagenda **c)** General Taganda **Low quality a.k.a.: a)** Lydia **b)** Terminator **c)** Tango Romeo **d)** Romeo **e)** 

Major Address: Goma, Congo DR (as of June 2011) Nationality: Congo DR

Justification: UPC/L military commander, exercising influence over policies and maintaining

command and control over the activities of UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms. in violation of the arms embargo. He was appointed General in the FARDC in December Dec 2004 but refused to accept the promotion, therefore remaining outside of the FARDC. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002 and 2003, and 155 cases of direct and/or command responsibility for recruitment and use of children in North Kivu from 2002 to 2009. As CNDP Chief of Staff, had direct and command responsibility for the massacre at Kiwanja (NovemberNov 2008). Other information: a) DOB range: between 1973 and 1974 b) Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. Nominated FARDC Brigadier-General by Presidential Decree on 11 December Dec 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January Jan 2009. Since January Jan 2009, de facto Deputy Commander of consecutive anti-FDLR operations «Umoja Wetu», «Kimia II», and «Amani Leo» in North and South Kivu. c) Entered Rwanda in Mar 2013 and voluntarily surrendered to ICC officials in Kigali on March 22. Transferred to the ICC in The Hague, Netherlands. On 9 June Jun 2014, ICC confirmed 13 charges of war crimes and five charges of crimes against humanity against him; the trial is scheduled to start 2 June Jun 2015. d) On 8 Jul 2019, the ICC found him guilty of 18 counts of war crimes and crimes against humanity, committed in Ituri in 2002-2003. On 7 Nov 2019, he was sentenced to a total of 30 years imprisonment. He has appealed both his conviction and sentence. e) INTERPOL-UN Security Council Special Notice web link available. f) Low quality a.k.a. a) Lydia (when he was part of APR.), c) Tango Romeo (Call sign), d) Romeo (Call sign) Modifications: Amended on 8 May 2013, 11 Mar 2015, 19 Aug 2020

## **Entities**

SSID: 100-3440 Name: Machanga LTD

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

Justification: Machanga bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes «provision of assistance» to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). Other information: a) Gold export company (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya). In 2010, assets belonging to Machanga, held in the account of Emirates Gold, were frozen by Bank of Nova Scotia Mocatta (UK). The owners of Machanga have remained involved in purchasing gold from eastern DRC. b) Machanga Ltd last filed an annual return in 2004 and was listed as "status inactive" according to the authorities of the Republic of Uganda. c) INTERPOL-UN Security Council Special Notice web link available. Modifications: Amended on 11 Mar 2015, 19 Aug 2020

SSID: 100-3454 Name: Uganda Commercial Impex (UCI) LTD

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

**Justification:** UCI bought gold through a regular commercial relationship with traders in the DRC tightly linked to militias. This constitutes «provision of assistance» to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005). **Other information:** a) Gold export company (Directors Mr. Jamnadas V. Lodhia – known as «Chuni» – and his sons Mr. Kunal J. Lodhia and Jitendra J. Lodhia). In <del>January Jan</del> 2011, Ugandan authorities notified the Committee that following an exemption on its financial

holdings, Emirates Gold repaid UCI's dept to Crane Bank in Kampala, leading to final closure of its accounts. The directors of UCI have remained involved in purchasing gold from eastern DRC. b) <u>Uganda Commercial Impex (UCI) Ltd last filed a return in 2013 and was listed as "Inactive – status inactive" by the authorities of the Republic of Uganda.</u> c) <u>INTERPOL-UN Security Council Special Notice web link available.</u> Modifications: Amended on 8 May 2013, 11 Mar 2015, 19 Aug 2020

SSID: 100-27961 Name: ADF

**Good quality a.k.a.:** Allied Democratic Forces **F.k.a.:** a) Forces Démocratiques Alliées - Armée Nationale de Libération de l'Ouganda b) ADF/NALU c) NALU **Address:** North Kivu Province, Congo DR

Justification: a) The ADF has recruited and used child soldiers in violation of applicable international law (UNSCR paragraph 4 (d)). The United Nations Group of Experts on the Democratic Republic of the Congo's ("GOE") 2013 final report stated that the GOE interviewed three former ADF fighters who had escaped during 2013 and who described how ADF recruiters in Uganda lure people to the DRC with false promises of employment (for adults) and free education (for children) and then force them to join the ADF. Also according to the GOE's report, former ADF fighters told the GOE that the ADF's training groups typically include adult men and boys and two boys who escaped from the ADF in 2013 told the GOE that they had received military training from the ADF. The GOE report also includes an account of ADF's training by a "former ADF child soldier". According to the GOE's 2012 final report, the ADF recruits include children, as exemplified by the case of an ADF recruiter who was captured by Ugandan authorities in Kasese with six young boys on his way to the DRC in Jul 2012. A specific example of the ADF's recruitment and use of children is seen in a 6 Jan 2009 letter from the former Africa Director for Human Rights Watch, Georgette Gagnon, to Uganda's former Minister of Justice, Kiddhu Makubuyu, stating that a boy named Bushobozi Irumba was abducted at 9 years of age by the ADF in 2000. He was required to provide transport and other services to ADF fighters. In addition, "The Africa Report" cited allegations that the ADF is allegedly recruiting children as young as 10 years of age as child soldiers and cited a Uganda People's Defence Force (UPDF) spokesperson as stating that the UPDF rescued 30 children from a training camp on Buvuma Island in Lake Victoria. b) The ADF has also committed numerous violations of international human rights and international humanitarian law against women and children, including killing, maiming, and sexual violence (UNSCR paragraph 4 (e)). According to the GOE 2013 final report, in 2013 the ADF attacked numerous villages, which prompted more than 66,000 people to flee into Uganda. These attacks depopulated a large area, which ADF has since controlled by abducting or killing people who return to their villages. Between Jul and Sep 2013, ADF decapitated at least five people in the Kamango area, shot several others, and kidnapped dozens more. These actions terrorized the local population and deterred people from returning home. The Global Horizontal Note, a monitoring and reporting mechanism of grave violations against children in situations of armed conflict, reported to the Security Council's Working Group on Children and Armed Conflict (CAAC) that during the Oct to Dec 2013 reporting period, ADF was responsible for 14 of the 18 child casualties documented, including in an incident on 11 Dec 2013, in Beni territory, North Kivu, when ADF attacked the village of Musuku, killing 23 people, including 11 children (three girls and eight boys), aged 2 months to 17 years. All victims had all been severely mutilated with machetes, including two children who survived the attack. The Mar 2014 Report of the Secretary General on Conflict Related Sexual Violence identifies the "Allied Democratic

Forces — National Army for the Liberation of Uganda" on its list of "Parties credibly suspected of committing or being responsible for rape or other forms of sexual violence in situations of armed conflict." c) The ADF has also participated in attacks against the UN Organization Stabilization Mission in the DRC (MONUSCO) peacekeepers (UNSCR paragraph 4 (i)). MONUSCO reported that ADF has conducted at least two attacks on MONUSCO peacekeepers. The first, on 14 Jul 2013, was an attack on a MONUSCO patrol on the road between Mbau and Kamango. This attack is detailed in the 2013 GOE final report. The second attack occurred on 3 Mar 2014. A MONUSCO vehicle was attacked with grenades 10 kilometres from the Mavivi airport in Beni, resulting in injuries to five peacekeepers. Relation: a) The ADF's leader is Related to Mukulu Jamil (SSID 100-3217) b) Related to Seka Baluku (SSID 100-41278) Other information: a) The ADF was created in 1995 and is located in the mountainous DRC-Uganda border area. According to the GOE's 2013 final report, citing Ugandan officials and UN sources, in 2013 the ADF had an estimated strength of 1,200 to 1,500 armed fighters located in north-east Beni Territory of North Kivu province, close to the border with Uganda. These same sources estimate ADF's total membership — including women and children — to be between 1,600 and 2,500. Due to offensive military operations by the Congolese Armed Forces (FARDC) and MONUSCO conducted in 2013 and 2014, ADF has dispersed its fighters to numerous smaller bases, and moved women and children to areas west of Beni, and along the Ituri-North Kivu border. b) The ADF's military commander is Hood Lukwago. c) The ADF's military commander is Hood Lukwago and its supreme leader is the sanctioned individual Jamil Mukulu. d) ADF founder and leader, Jamil Mukulu (SSID: 100-3217), was arrested in Dar es Salaam, Tanzania in AprilApr 2015. He was subsequently extradited to Kampala, Uganda in JulyJul 2015. As of JuneJun 2016, Mukulu is reportedly being held in a police detention cell awaiting his trial. e) Seka Baluku (SSID: 100-41278) succeeded Jamil Mukulu (SSID: 100-3217) as the overall leader of the ADF. As highlighted in several reports from the Group of Experts on the DRC (\$/2015/19, \$/2015/797, \$/2016/1102, \$/2017/672, \$/2018/531, \$/2019/469, \$/2019/974, S/2020/482), the ADF, including under Seka Baluku's leadership, continued to commit the repeated targeting, killing and maiming, rape and other sexual violence, abduction of civilians, including children, as well as attacks on villages and health facilities, in particular in Mamove, Beni territory, on 12 and 24 Feb 2019, and Mantumbi, Beni territory, on 5 Dec 2019 and 30 Jan 2020, as well as the continuous recruitment and use of children during attacks and for forced labour in Beni territory in the DRC since at least 2015. f) INTERPOL-UN Security Council Special Notice web link available. Modifications: Listed on 12 Aug 2014, amended on 11 Mar 2015, 19 Oct 2016, 19 Aug 2020