

REGLUGERÐ

um alþjóðlegar þvingunaraðgerðir varðandi alþýðulýðveldið Kongó (Austur-Kongó).

1. gr.

Almenn ákvæði.

Reglugerð þessi er sett til þess að framfylgja ályktunum öryggisráðs Sameinuðu þjóðanna um þvingunaraðgerðir varðandi alþýðulýðveldið Kongó nr. 1493 (2003), 1533 (2004), 1596 (2005), 1649 (2005), 1698 (2006), 1771 (2007), 1807 (2008) og 1857 (2008) og ákvörðunum framkvæmdanefndarinnar um þvingunaraðgerðir varðandi alþýðulýðveldið Kongó, sbr. ályktun nr. 1533 (2004).

Ákvarðanir framkvæmdanefndarinnar, þ.m.t. uppfærðir listar yfir aðila og hluti sem þvingunaraðgerðir beinast að eða varða, eftir því sem við á, eru birtar á vefsetri hennar (<http://www.un.org/sc/committees/1533/index.shtml>).

Ákvæði reglugerðar nr. 119/2009 um framkvæmd alþjóðlegra þvingunaraðgerða skulu gilda um framkvæmd reglugerðar þessarar.

2. gr.

Vopnasölubann.

Vopnasölubann skal gilda gagnvart alþýðulýðveldinu Kongó, sbr. 1. mgr. ályktunar nr. 1857 (2008).

3. gr.

Landgöngubann.

Einstaklingum, sem öryggisráðið eða framkvæmdanefndin tilgreinir, sbr. I. viðauka, er óheimilt að koma til landsins eða hafa hér viðkomu, sbr. 13. og 14. mgr. ályktunar nr. 1596 (2005), 6. mgr. ályktunar nr. 1771 (2007) og 3.-5. mgr. ályktunar nr. 1857 (2008).

4. gr.

Frysting fjármuna.

Frysta skal fjármuni og efnahagslegan auð í eigu aðila sem öryggisráðið eða framkvæmdanefndin tilgreinir, sbr. I. viðauka, sbr. 15. mgr. ályktunar nr. 1596 (2005), 2. mgr. ályktunar nr. 1649 (2005), 6. mgr. ályktunar nr. 1771 (2007) og 3.-5. mgr. ályktunar nr. 1857 (2008).

5. gr.

Bann við fjárhagsaðstoð.

Óheimilt er að veita vopnuðum hópum og samtökum í alþýðulýðveldinu Kongó fjárhagsaðstoð, sbr. 18. mgr. ályktunar nr. 1493 (2003).

6. gr.

Undanþágur frá þvingunaraðgerð.

Ráðherra getur veitt undanþágur frá þvingunaraðgerðum, sem gripið hefur verið til á grundvelli ályktana öryggisráðsins, af mannúðarástæðum eða öðrum ástæðum.

7. gr.

Viðurlög.

Hver sá sem brýtur gegn þvingunaraðgerðum skv. lögum nr. 93/2008 um framkvæmd alþjóðlegra þvingunaraðgerða skal sæta viðurlögum skv. 10. gr. laganna, nema þyngri refsing liggji við samkvæmt öðrum lögum.

8. gr.

Heimild.

Reglugerð þessi er sett með heimild í 12. gr. laga um framkvæmd alþjóðlegra þvingunaraðgerða nr. 93/2008.

Nr. 155

20. janúar 2009

9. gr.
Gildistaka.

Reglugerð þessi öðlast þegar gildi.

Utanríkisráðuneytinu, 20. janúar 2009.

Össur Skarphéðinsson.

Benedikt Jónsson.

I. VIÐAUKI

Listi varðandi landgöngubann og frystingu fjármuna, sbr. 3.-4. gr.

Last updated on 16 December 2008

**LIST OF INDIVIDUALS AND ENTITIES SUBJECT TO THE MEASURES
IMPOSED BY PARAGRAPHS 13 AND 15 OF SECURITY COUNCIL RESOLUTION
1596 (2005), AS RENEWED BY PARAGRAPHS 9, 11 AND 14 OF RESOLUTION
1807 (2008)¹**

On 26 November and 16 December 2008, the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo updated the List of individuals and entities subject to the travel ban and assets freeze imposed by paragraphs 13 and 15 of resolution 1596 (2005) as renewed by paragraphs 9, 11 and 14 of resolution 1807 (2008).

Paragraphs 13 and 15 of resolution 1596 (2005) read as follows:

“The Security Council ...

13. *Decides* that, during the period of enforcement of the measures referred to in paragraph 1 above, all States shall take the necessary measures to prevent the entry into or transit through their territories of all persons designated by the Committee as acting in violation of the measures taken by Member States in accordance with paragraph 1 above, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

...

15. *Decides* that all States shall, during the period of enforcement of the measures referred to in paragraph 1 above, immediately freeze the funds, other financial assets and economic resources which are on their territories from the date of adoption of this resolution, which are owned or controlled, directly or indirectly, by persons designated by the Committee pursuant to paragraph 13 above, or that are held by entities owned or controlled, directly or indirectly, by any persons acting on their behalf or at their direction, as designated by the Committee, and *decides further* that all States shall ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories, to or for the benefit of such persons or entities;

The list is reproduced in full below.

The Committee will continue to update the list on a regular basis.

¹ The assets freeze and the travel ban were originally imposed by paragraphs 13 and 15 of Security Council resolution 1596 (2005), subsequently renewed and/or amended by resolutions 1649 (2005), 1698 (2006), 1768 (2007), 1771 (2007), 1799 (2008) and resolution 1807 (2008). The criteria for listing are contained in paragraph 13 of resolution 1807 (2008).

LAST NAME	FIRST NAME	ALIAS	DATE OF BIRTH/ PLACE OF BIRTH	PASSPORT/ IDENTIFYING INFORMATION	DESIGNATION/ JUSTIFICATION
BWAMBALE	Frank Kakolele	Frank Kakorere Frank Kakorere Bwambale		Left the CNDP in January 2008. As of December 2008 resides in Kinshasa.	Former RCD-ML leader, exercising influence over policies and maintaining command and control over the activities of RCD-ML forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo.
KAKWAVU BUKANDE	Jérôme	Jérôme Kakwavu		Congolese Known as: 'Commandant Jérôme' As of December 2008, remains in the FARDC, based in Kinshasa.	Former President of UCD/FAPC. FAPC's control of illegal border posts between Uganda and the DRC - a key transit route for arms flows. As President of the FAPC, he exercises influence over policies and maintains command and control over the activities of FAPC forces, which have been involved in arms trafficking and, consequently, in violations of the arms embargo. Given the rank of General in the FARDC in December 2004.
KATANGA	Germain			Congolese Under house arrest in Kinshasa from March 2005 for FRPI involvement in human rights abuses. Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007.	FRPI chief. Appointed General in the FARDC in December 2004. Involved in weapons transfers, in violation of the arms embargo.

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LUBANGA	Thomas		Ituri	<p>Congolese</p> <p>Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations.</p> <p>Transferred to the ICC by the Congolese authorities on 17 March 2006.</p> <p>As of December 2008 is being tried for war crimes.</p>	President of the UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo.
MANDRO	Khawa Panga	<p>Kawa Panga</p> <p>Kawa Panga Mandro</p> <p>Kawa Mandro</p> <p>Yves Andoul Karim</p> <p>Mandro Panga Kahwa</p> <p>Yves Khawa Panga Mandro</p>	<p>20 August 1973, Bunia</p>	<p>Congolese</p> <p>Known as: "Chief Kahwa" "Kawa"</p> <p>Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery.</p>	Ex-President of PUSIC, one of the armed groups and militia referred to in paragraph 20 of Res. 1493 (2003) involved in arms trafficking, in violation of the arms embargo. In prison in Bunia since 04/05 for sabotage of the Ituri peace process.
MPAMO	Iruta Douglas	<p>Mpano</p> <p>Douglas Iruta Mpamo</p>	<p>28 December 1965, Bashali, Masisi</p> <p>29 December 1965, Goma, DRC (formerly Zaire)</p>	<p>Congolese</p> <p>Based in Goma and Gisenyi, Rwanda. Frequently travels across international border between Rwanda and Congo.</p> <p>Address: Bld Kanyamuhanga 52, Goma</p>	Owner/Manager of the Compagnie Aérienne des Grands Lacs and of Great Lakes Business Company, whose aircraft were used to provide assistance to armed groups and militias referred to in paragraph 20 of Res. 1493 (2003). Also responsible for disguising information on flights and cargo apparently to allow for the violation of the arms embargo.

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MUDACUMURA	Sylvestre			Rwandan Known as: "Radja" "Mupenzi Bernard" "General Major Mupenzi" As of December 2008, continues to serve as FDLR-FOCA military commander. Based in Kibua, Masisi territory, DRC.	FDLR commander, exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo.
MURWANASHY- AKA	Dr. Ignace	Ignace	14 May 1963, Butera (Rwanda) Ngoma, Butare (Rwanda)	Rwandan Resident in Germany As of December 2008, still recognized as the President of the FDLR-FOCA political branch.	President of the FDLR, exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo.
MUSONI	Straton	IO Musoni	6 April 1961 (possibly 4 June 1961) Mugambazi, Kigali, Rwanda	Rwandan passport expired on 10 September 2004 Resident in Neuffen, Germany As of December 2008, still recognized as the Vice President of the FDLR-FOCA political branch.	Through his leadership of the FDLR, a foreign armed group operating in the DRC, Musoni is impeding the disarmament and voluntary repatriation or resettlement of combatants belonging to those groups, in breach of resolution 1649 (2005).
MUTEBUTSI	Jules	Jules Mutebusi Jules Mutebuzi Colonel Mutebutsi	South Kivu	Congolese (South Kivu) Arrested by the Rwandan authorities in December 2007 when he tried to cross the border into the DRC. Reportedly he is currently "restrained."	Former FARDC Deputy Military Regional Commander of 10th MR in April 2004, dismissed for indiscipline and joined forces with other renegade elements of former RCD-G to take town of Bukavu in May 04 by force. Implicated in the receipt

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					of weapons outside of FARDC structures and provision of supplies to armed groups and militia mentioned in paragraph 20 of Res. 1493 (2003), in violation of the arms embargo.
NGUDJOLO	Mathieu, Chui	Cui Ngudjolo		'Colonel' or 'General' Surrendered by the Government of the DRC to the International Criminal Court on 7 February 2008.	FNI Chief of Staff and former Chief of Staff of the FRPI, exercising influence over policies and maintaining command and control the activities of FRPI forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo. Arrested by MONUC in Bunia in October 2003.
NJABU	Floribert Ngabu	Floribert Njabu Floribert Ndjabu Floribert Ngabu Ndjabu		Arrested and placed under house arrest in Kinshasa from March 2005 for FNI involvement in human rights abuses.	President of FNI, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo.

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NKUNDA	Laurent	Nkunda Mihigo Laurent Laurent Nkunda Bwatare Laurent Nkundabatware Laurent Nkunda Mahoro Batware Laurent Nkunda Batware	6 February 1967 North Kivu/Rutshuru 2 February 1967	Congolese Resides in Tebero and Kitchanga, Masisi territory. Known as: "Chairman" "General Nkunda" "Papa Six" As of December 2008, commander of the CNDP in North Kivu.	Former RCD-G General. Joined forces with other renegade elements of former RCD-G to take Bukavu in May 04 by force. In receipt of weapons outside of FARDC in violation of the arms embargo. Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy- Goma (RCD-G), 1998- 2006; Officer Rwandan Patriotic Front (RPF), 1992-1998.
NYAKUNI	James			Ugandan	Trade partnership with Commandant Jerome, particularly smuggling across the DRC/Uganda border, including suspec- ted smuggling of weapons and military material in unchecked trucks. Viola- tion of the arms embargo and provision of assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003), including financial support that allows them to operate militarily.
OZIA MAZIO	Dieudonné	Ozia Mazio	6 June 1949, Ariwara	Congolese Known as: 'Omari' 'Mr Omari' Deceased in Ariwara on 23 September 2008.	President of FEC in Aru territory. Financial schemes with Comman- dant Jerome and FAPC and smuggling across the DRC/Uganda border, allowing supplies and cash to be made available to Commandant Jerome and his troops. Violation of the arms embargo, inclu- ding by providing assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003).

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TAGANDA	Bosco	Bosco Ntaganda Bosco Ntagenda General Taganda		Congolese Known as: 'Terminator' 'Major' As of December 2008, chief of staff of the CNDP. Based in Bunagana and Rutshuru.	UPC/L military commander, exercising influence over policies and maintaining command and control over the activities of UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. He was appointed General in the FARDC in December 2004 but refused to accept the promotion, therefore remaining outside of the FARDC.
BUTEMBO AIRLINES (BAL)			Butembo, DRC	Privately-owned airline, operates out of Butembo As of December 2008, BAL no longer holds an aircraft operating license in the DRC.	Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008) used his airline to transport FNI gold, rations and weapons between Mongbwalu and Butembo. This constitutes 'provision of assistance' to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).
CONGOCOM TRADING HOUSE			Butembo, DRC Tel: +253 (0) 99 983 784	Gold trading house in Butembo.	CONGOCOM was owned by Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008). Kambale acquired almost all the gold production in the Mongbwalu district, which is controlled by the FNI. The FNI derive substantial income from taxes imposed on this production. This constitutes 'provision of assistance' to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).

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COMPAGNIE AERIENNE DES GRANDS LACS (CAGL) GREAT LAKES BUSINESS COMPANY (GLBC)			CAGL Avenue Président Mobutu Goma, DRC (CAGL also has an office in Gisenyi, Rwanda) GLBC, PO Box 315, Goma, DRC (GLBC also has an office in Gisenyi, Rwanda)	As of December 2008, GLBC no longer had any operational aircraft, although several aircraft continued flying in 2008 despite UN sanctions.	CAGL and GLBC are companies owned by Douglas MPAMO, an individual already subject to sanctions under resolution 1596 (2005). CAGL and GLBC were used to transport arms and ammunition in violation of the arms embargo of resolutions 1493 (2003) and 1596 (2005).
MACHANGA LTD			Kampala, Uganda	Gold export company in Kampala (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya).	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).
TOUS POUR LA PAIX ET LE DEVELOPPEMENT (NGO)		TPD	Goma, North Kivu	As of December 2008, TPD still existed and had offices in several towns in Masisi and Rutshuru territories, but its activities had almost ceased.	Implicated in violation of the arms embargo, by providing assistance to RCD-G, particularly in supplying trucks to transport arms and troops, and also by transporting weapons to be distributed to parts of the population in Masisi and Rutshuru, North Kivu, in early 2005.
UGANDA COMMERCIAL IMPEX (UCI) LTD			Kajoka Street Kisemete Kampala, Uganda Tel.: +256 41 533 578/9; Alternative address: PO Box 22709 Kampala, Uganda	Gold export company in Kampala. (Directors Mr. Kunal LODHIA and Mr. J.V. LODHIA).	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).