

# Ordinanza che istituisce provvedimenti nei confronti della Repubblica democratica del Congo

del 22 giugno 2005 (Stato 9 maggio 2012)

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*Il Consiglio federale svizzero,*

visto l'articolo 2 della legge del 22 marzo 2002<sup>1</sup> sugli embarghi (LEmb);  
in esecuzione delle risoluzioni 1493 (2003), 1596 (2005) e 1807 (2008)<sup>2</sup>  
del Consiglio di sicurezza delle Nazioni Unite,<sup>3</sup>

*ordina:*

## Sezione 1: Misure coercitive

**Art. 1** Divieto di fornire materiale d'armamento e materiale affine

<sup>1</sup> Sono vietati la fornitura, la vendita, il transito e la mediazione a destinazione della Repubblica democratica del Congo di materiale d'armamento d'ogni genere, comprese armi e munizioni, di veicoli e di equipaggiamento militari, di attrezzature paramilitari nonché dei relativi accessori e pezzi di ricambio.

<sup>2</sup> Sono vietate la fornitura, la vendita e la mediazione di consulenza, formazione o assistenza, compresi il finanziamento e l'assistenza finanziaria, connessi con la fornitura, la produzione, la manutenzione o l'utilizzazione del materiale d'armamento di cui al capoverso 1 nonché con attività militari nella Repubblica democratica del Congo.

<sup>3</sup> Sono esclusi dai divieti elencati nei capoversi 1 e 2:

- a. la fornitura di beni e servizi destinati alla missione dell'Organizzazione delle Nazioni Unite nella Repubblica democratica del Congo (MONUC);
- b. la fornitura di materiale militare non letale destinato esclusivamente a scopi umanitari o di protezione, nonché l'assistenza tecnica e la formazione con essa connesse;
- c. la fornitura di beni e servizi per organi statali della Repubblica democratica del Congo;

RU 2005 2551

<sup>1</sup> RS 946.231

<sup>2</sup> S/RES/1493 (2003), S/RES/1596 (2005) e S/RES/1807 (2008); consultabile al seguente indirizzo Internet dell'ONU: [www.un.org/documents/scres.htm](http://www.un.org/documents/scres.htm)

<sup>3</sup> Nuovo testo giusta il n. I dell'O del 25 giu. 2008, in vigore dal 15 lug. 2008 (RU 2008 3185).

- d. l'esportazione temporanea di indumenti di protezione, inclusi i giubbotti antiproiettili e i caschi, per l'uso individuale del personale delle Nazioni Unite e della Svizzera, dei rappresentanti dei mass media e del personale umanitario.<sup>4</sup>

<sup>3bis</sup> La fornitura di beni e servizi di cui al capoverso 3 lettere b e c deve essere notificata alla Segreteria di Stato dell'economia (SECO) con almeno 30 giorni di anticipo.<sup>5</sup>

<sup>4</sup> Sono fatte salve le disposizioni della legge del 13 dicembre 1996<sup>6</sup> sul controllo dei beni a duplice impiego e della legge federale del 13 dicembre 1996<sup>7</sup> sul materiale bellico.

## Art. 2 Blocco degli averi e delle risorse economiche

<sup>1</sup> Gli averi e le risorse economiche di proprietà o sotto il controllo delle persone fisiche, delle imprese e delle organizzazioni menzionate nell'allegato sono bloccati.

<sup>2</sup> È vietato trasferire averi alle persone fisiche, alle imprese e alle organizzazioni che sottostanno al blocco, oppure mettere a loro disposizione, direttamente o indirettamente, averi e risorse economiche.

<sup>3</sup> D'intesa con gli uffici competenti del Dipartimento federale degli affari esteri e del Dipartimento federale delle finanze, la SECO può eccezionalmente autorizzare prelievi da conti bloccati, trasferimenti di valori patrimoniali bloccati, nonché la liberazione delle risorse economiche bloccate per tutelare interessi svizzeri o per prevenire casi di rigore.

## Art. 3 Definizioni

Nella presente ordinanza si intende per:

- a. *averi*: valori patrimoniali, compresi denaro contante, assegni, crediti monetari, cambiali, ordini o altri strumenti di pagamento, depositi, debiti e riconoscimenti di debito, cartevalori e titoli di debito, certificati azionari, obbligazioni, titoli di credito, opzioni, obbligazioni fondiarie, derivati; interessi, dividendi o altri redditi o plusvalori generati da valori patrimoniali; crediti, diritti a compensazione, fideiussioni, cauzione a garanzia dell'esecuzione del contratto o altri impegni finanziari; accrediti, polizze di carico, cessione fiduciaria, documenti di titolarizzazione di quote di fondi o altre risorse finanziarie e qualsiasi altro strumento di finanziamento delle esportazioni;
- b. *blocco degli averi*: l'impedimento di ogni atto che permetta la gestione o l'utilizzazione degli averi, fatte salve le normali operazioni effettuate dagli istituti finanziari.

<sup>4</sup> Nuovo testo giusta il n. I dell'O del 25 giu. 2008, in vigore dal 15 lug. 2008 (RU 2008 3185).

<sup>5</sup> Introdotto dal n. I dell'O del 25 giu. 2008, in vigore dal 15 lug. 2008 (RU 2008 3185).

<sup>6</sup> RS 946.202

<sup>7</sup> RS 514.51

- c. *risorse economiche*: i valori patrimoniali di ogni genere, indipendentemente dal fatto che siano materiali o immateriali, mobili o immobili, in particolare gli immobili e i beni di lusso, fatti salvi gli averi di cui alla lettera a;
- d. *blocco delle risorse economiche*: l'impedimento dell'impiego di tali risorse per acquisire averi, merci o servizi, comprese la vendita, la locazione o la costituzione in pegno delle risorse medesime.

**Art. 4** Divieto di entrata e di transito

<sup>1</sup> L'entrata in Svizzera o il transito attraverso la Svizzera sono vietati alle persone fisiche elencate nell'allegato.

<sup>2</sup> L'Ufficio federale della migrazione può concedere deroghe in conformità alle decisioni del competente comitato del Consiglio di sicurezza delle Nazioni Unite oppure per tutelare interessi svizzeri.

## **Sezione 2: Esecuzione e disposizioni penali**

**Art. 5** Controllo ed esecuzione

<sup>1</sup> La SECO sorveglia l'esecuzione delle misure coercitive di cui agli articoli 1 e 2. Conformemente alla risoluzione 1807 (2008) essa notifica in via preliminare al Comitato competente del Consiglio di sicurezza dell'ONU la fornitura di beni e servizi di cui all'articolo 1 capoverso 3 lettere b e c.<sup>8</sup>

<sup>2</sup> L'Ufficio federale della migrazione sorveglia l'esecuzione del divieto di entrata e di transito di cui all'articolo 4.

<sup>3</sup> Il controllo al confine è di competenza dell'Amministrazione federale delle dogane.

<sup>4</sup> Su indicazione della SECO, le autorità competenti adottano i provvedimenti necessari al blocco delle risorse economiche, ad esempio la menzione nel registro fondiario di un divieto di disporre dei beni, oppure il pignoramento o il suggellamento di beni di lusso.

**Art. 6** Dichiarazioni obbligatorie

<sup>1</sup> Le persone fisiche e le istituzioni che detengono o amministrano averi, oppure sono a conoscenza di risorse economiche presumibilmente rientranti nel campo d'applicazione del blocco di cui all'articolo 2 capoverso 1, lo dichiarano senza indugio alla SECO.

<sup>2</sup> Le dichiarazioni indicano i nomi dei beneficiari, l'oggetto e il valore degli averi e delle risorse economiche bloccati.

<sup>8</sup> Nuovo testo giusta il n. I dell'O del 25 giu. 2008, in vigore dal 15 lug. 2008 (RU 2008 3185).

**Art. 7** Disposizioni penali

<sup>1</sup> Chiunque viola gli articoli 1, 2 o 4 della presente ordinanza è punito conformemente all'articolo 9 LEmb.

<sup>2</sup> Chiunque viola l'articolo 6 della presente ordinanza è punito conformemente all'articolo 10 LEmb.

<sup>3</sup> Le infrazioni di cui agli articoli 9 e 10 LEmb sono perseguite e giudicate dalla SECO; esso può ordinare sequestri o confische.

**Sezione 3: Entrata in vigore****Art. 8**

La presente ordinanza entra in vigore il 23 giugno 2005.

*Allegato*<sup>9</sup>  
(art. 2 cpv. 1 e 4 cpv. 1)

## Persone fisiche, imprese e organizzazioni interessate dai provvedimenti di cui agli art. 2 e 4

### A. Persone fisiche

COGNOME	NOME	ALIAS	DATA / LUOGO DI NASCITA	NUMERO DI PASSAPORTO / INFORMAZIONI PER L'IDENTIFICAZIONE	FUNZIONE / GIUSTIFICAZIONE
BWAMBALE	Frank Kakolele	Frank Kakorere Frank Kakorere Bwambale		<p>Congolese</p> <p>FARDC General, without posting as of June 2011.</p> <p>Left the CNDP in January 2008.</p> <p>As of June 2011, resides in Kinshasa.</p> <p>Since 2010, Kakolele has been involved in activities apparently on behalf of the DRC government's <i>Programme de Stabilisation et Reconstruction des Zones Sortant des Conflits Armés</i> (STAREC), including participation in a STAREC mission to Goma and Beni in March 2011.</p>	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.

<sup>9</sup> Nuovo testo giusta il n. I dell'O del DFE del 4 mag. 2012, in vigore dal 9 mag. 2012 (RU 2012 2587).

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IYAMUREMYE	Gaston	Rumuli Byiringiro Victor Rumuli Victor Rumuri Michel Byiringiro	1948 Musanze District (Northern Province), Rwanda Ruhengeri, Rwanda	Rwandan FDLR President and 2 <sup>nd</sup> Vice-President of FDLR-FOCA As of June 2011, based at kalonge, North Kivu Province. Brigadier General	According to multiple sources, including the UNSC DRC Sanctions Committee's Group of Experts, Gaston Iyamuremye is the second vice president of the FDLR and is considered a core member of the FDLR military and political leadership. Gaston Iyamuremye also ran Ignace Murwanashyaka's (President of the FDLR) office in Kibua, DRC until December 2009.
KAKWAVU BUKANDE	Jérôme	Jérôme Kakwavu Commandant Jérôme	Goma	Congolese Given the rank of General in the FARDC in December 2004. As of June 2011, detained in Makala Prison in Kinshasa. On 25 March 2011, the High Military Court in Kinshasa opened a trial against Kakwavu for war crimes.	Former President of UCD/FAPC. FAPC's control of illegal border posts between Uganda and the DRC – a key transit route for arms flows. As President of the FAPC, he exercised influence over policies and command and control over the activities of FAPC forces, which were involved in arms trafficking and, consequently, in violations of the arms embargo.  According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri in 2002.  One of five senior FARDC

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					officers who had been accused of serious crimes involving sexual violence and whose cases the Security Council had brought to the Government's attention during its visit in 2009.
KATANGA	Germain			<p>Congolese</p> <p>Appointed General in the FARDC in December 2004.</p> <p>Handed over by the Government of the DRC to the International Criminal Court on 18 October 2007. His trial began in November 2009.</p>	<p>FRPI chief. Involved in weapons transfers, in violation of the arms embargo.</p> <p>According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003.</p>
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 DRC authorities on 17 March 2006.</p> <p>His trial began in January 2009 and is due to close in 2011.</p>	<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.</p> <p>According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2002 to 2003.</p>

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MANDRO	Khawa Panga	Kawa Panga Kawa Panga Mandro Kawa Mandro Yves Andoul Karim Mandro Panga Kahwa Yves Khawa Panga Mandro Chief Kahwa Kawa	20 August 1973, Bunia	Congolese Placed in prison in Bunia in April 2005 for sabotage of the Ituri peace process. Arrested by Congolese authorities in October 2005, acquitted by the Court of Appeal in Kisangani, subsequently transferred to the judicial authorities in Kinshasa on new charges of crimes against humanity, war crimes, murder, aggravated assault and battery. As of June 2011 detained at makala Central Prison, Kinshasa.	Ex-President of PUSIC, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003) involved in arms trafficking, in violation of the arms embargo.  According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children from 2001 to 2002.
MBARUSHIMANA	Callixte		24 July 1963, Ndusu/Ruhengeri Northern Province, Rwanda	Rwandan Arrested in Paris on 3 October 2010 under ICC warrant for war crimes and crimes against humanity committed by FDLR troops in the Kivus in 2009 and transferred to The Hague on 25 January 2011.	Executive Secretary of the FDLR and Vice-President of the FDLR military high command until his arrest.  Political/Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, per Security Council resolution 1857 (2008) OP 4 (b).

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MPAMO	Iruta Douglas	Mpano Douglas Iruta Mpamo	28 December 1965, Bashali, Masisi  29 December 1965, Goma, DRC (formerly Zaire) Uvira	Congolese As of June 2011, resides in Gisenyi, Rwanda.  No known occupation since two of the planes managed by Great Lakes Business Company (GLBC) crashed.	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.
MUDACUMURA	Sylvestre	Radja Mupenzi Bernard General Major Mupenzi General Mudacumura		Rwandan Military commander of FDLR-FOCA, also political 1 <sup>st</sup> Vice-President and head of FOCA High Command, thus combining overall military and political command functions since the arrest of FDLR leaders in Europe.  As of June 2011, based at Kikoma forest, near Bogoyi, Walikale, North Kivu.	FDLR Commander, exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in trafficking of arms, in violation of the arms embargo.  Mudacumura (or staff) was in telephone communication with FDLR leader Murwanashyaka in Germany, including at the time of the Busurungi Massacre May 2009, and military commander Major Guillaume during Umoja Wetu and

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					Kimia II operations in 2009. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for 27 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2007.
MUGARAGU	Leodomir	Manzi Leon Leo Manzi	1954 1953 Kigali, Rwanda Rushashi (Northern Province), Rwanda	FDLR-FOCA Chief of Staff, in charge of administration. As of June 2011, based at the FDLR HQ at Kikoma forest, Bogoyi, Walikale, North Kivu.	According to open-source and official reporting, Leodomir Mugaragu is the Chief of Staff of the Forces Combattantes Abucunguzi/Combatant Force for the Liberation of Rwanda (FOCA), the FDLR's armed wing. According to official reporting Mugaragu is a senior planner for FDLR's military operations in the eastern DRC.
MUKULU	Jamil	Professor Musharaf Steven Alirabaki David Kyagulanyi Musezi Talengelanimiro Mzee Tutu Abdullah Janjuaka Alilabaki Kyagulanyi Hussein Muhammad	1965 Alt.: January 1, 1964 Ntoke Village, Ntenjeru Sub County, Kayunga District, Uganda	Title: Head of the Allied Democratic Forces (ADF) Alt. Title: Commander, Allied Democratic Forces Nationality: Ugandan	According to open-source and official reporting, including the UNSC DRC Sanctions Committee's Group of Experts' reports, Mr. Jamil Mukulu is the military leader of the Allied Democratic Forces (ADF), a foreign armed group operating in the DRC that impedes the disarmament and voluntary

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		Nicolas Luumu Talengelanimiro			<p>repatriation or resettlement of ADF combatants, as described in paragraph 4 (b) of resolution 1857 (2008).</p> <p>The UNSC DRC Sanction Committee's Group of Experts has reported that Mukulu has provided leadership and material support to the ADF, an armed group operating in the territory of the DRC.</p> <p>According to multiple sources including the UNSC DRC Sanctions Committee's Group of Experts' reports, Jamil Mukulu has also continued to exercise influence over the policies, provided financing, and maintained direct command and control over the activities of, ADF forces in the field, including overseeing links with international terrorist networks.</p>
MUJYAMBERE	Leopold	Musenyeri Achille Frere Petrus Ibrahim	17 March 1962 Kigali, Rwanda Est. 1966	<p>Rwandan</p> <p>As of June 2011, Commander of the South Kivu operational sector now called «Amazon» of FDLR-FOCA.</p> <p>Based at Nyakaleke (south-east of Mwenga, South Kivu).</p>	<p>Commander of the Second Division of FOCA/the Reserve Brigades (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disar-</p>

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					mament and the voluntary repatriation and resettlement of combatants, per Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, per Security Council resolution 1857 (2008) OP4 (d) and (e).
MURWANASHYAKA	Dr. Ignace	Ignace	14 May 1963, Butera (Rwanda) Ngoma, Butare (Rwanda)	Rwandan Arrested by German authorities on 17 November 2009. Replaced by Gaston Iamuremye, alias «Rumuli» as President of FDLR-FOCA. Murwanashyaka's trial for war crimes and crimes against humanity committed by FDLR troops in	President of FDLR, and supreme commander of the FDLR armed forces exercising influence over policies, and maintaining command and control over the activities of FDLR forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in

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				DRC in 2008 and 2009 began on 4 May 2011 in a German court.	<p>trafficking of arms, in violation of the arms embargo.</p> <p>In telephone communication with FDLR military field commanders (including during the Busurungi May 2009 massacre); gave military orders to the high command; involved in coordinating the transfer of arms and ammunition to FDLR units and relaying specific instructions for use; managing large sums of money raised through illicit sale of natural resources in areas of FDLR control.</p> <p>According to the Office of the SRSG on Children and Armed Conflict, he held command responsibility as President and military commander of FDLR for recruitment and use of children by the FDLR in Eastern Congo.</p>
MUSONI	Straton	IO Musoni	6 April 1961 (possibly 4 June 1961), Mugambazi, Kigali, Rwanda	<p>Rwandan</p> <p>Arrested by German authorities on 17 November 2009.</p> <p>Musoni's trial for war crimes and crimes against humanity committed by FDLR troops in DRC in 2008 and 2009 began on 4 May 2011 in a German court.</p>	<p>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).</p>

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				Replaced as 1 <sup>st</sup> Vice-President of the FDLR by Sylvestre Mudacumura.	
MUTEBUTSI	Jules	Jules Mutebusi Jules Mutebuzi Colonel Mutebutsi	1964, Minembwe South Kivu	Congolese Former FARDC Deputy Military Regional Commander of 10 <sup>th</sup> MR in April 2004, dismissed for indiscipline. In December 2007, he was arrested by Rwandan authorities when he tried to cross the border into DRC. He has lived since in semi-liberty in Kigali (not authorized to leave the country).	Joined forces with other renegade elements of former RCD-G to take town of Bukavu in May 2004 by force. Implicated in the receipt of weapons outside of FARDC structures and provision of supplies to armed groups and militia mentioned in paragraph 20 of Res. 1493 (2003), in violation of the arms embargo.
NGUDJOLO	Matthieu, Chui	Cui Ngudjolo		Arrested by MONUC in Bunia in October 2003. 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 over the activities of FRPI forces, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), responsible for trafficking of arms, in violation of the arms embargo.  According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of

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					children under 15 years old in Ituri in 2006.
NJABU	Floribert Ngabu	Floribert Njabu Floribert Ndjabu Floribert Ngabu Ndjabu		Under house arrest in Kinshasa since March 2005 for FNI involvement in human rights abuses.  Transferred to The Hague on 27 March 2011 to testify in the ICC Germain Katanga and Mathieu Ngudjolo trials.	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.
NKUNDA	Laurent	Laurent Nkunda Bwatare Laurent Nkundabatware Laurent Nkunda Mahoro Bwatare Laurent Nkunda Batware Nkunda Mihigo Laurent Chairman General Nkunda Papa Six	6 February 1967, North Kivu/Rutshuru 2 February 1967	Congolese Former RCD-G General.  Founder, National Congress for the People's Defense, 2006; Senior Officer, Rally for Congolese Democracy-Goma (RCD-G), 1998-2006; Officer Rwandan Patriotic Front (RPF), 1992-1998.  Laurent Nkunda was arrested by Rwandan authorities in Rwanda in January 2009 and replaced as the commander of the CNDP. since then, he has been under house arrest in Kigali, Rwanda.  DRC Government's request to extradite Nkunda for crimes committed in eastern DRC has been refused by Rwanda.  In 2010, Nkunda's appeal for illegal detention was rejected by	Joined forces with other renegade elements of former RCD-G to take Bukavu in May 2004 by force. In receipt of weapons outside of FARDC in violation of the arms embargo.  According to the Office of the SRSRG on Children and Armed Conflict, he was responsible for 264 cases of recruitment and use of children by troops under his command in North Kivu from 2002 to 2009.

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				Rwandan court in Gisenyi, ruling that the matter should be examined by a military court. Nkunda's lawyers initiated a procedure with the Rwandan Military court. Retains some influence over certain elements of the CNDP.	
NSANZUBUKIRE	Felicien	Fred Irakeza	1967 Murama, Kinyinya, Rubungo, Kigali, Rwanda	Rwandan 1 <sup>st</sup> battalion leader of the FDLR-FOCA, based in the Uvira-Sange area of South Kivu. A member of the FDLR since at least 1994 and operating in eastern DRC since October 1998. As of June 2011, based in Magunda, Mwenga territory, South Kivu.	Felicien Nsanzubukire supervised and coordinated the trafficking of ammunition and weapons between at least November 2008 and April 2009 from the United Republic of Tanzania, via Lake Tanganyika, to FDLR units based in the Uvira and Fizi areas of South Kivu.
NTAWUNGUKA	Pacifique	Colonel Omega Nzeri Israel Pacifique Ntawungula	1 January 1964, Gaseke Gisenyi Province Rwanda Est. 1964	Rwandan Commander, Operational Sector North Kivu «SONOKI» of FDLR-FOCA. As of June 2011, based at Matembe, North Kivu. Received military training in Egypt	Commander of the First Division of FOCA (an FDLR armed wing). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and resettlement of combatants, in violation of Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC

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					Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, in violation of Security Council resolution 1857 (2008) OP4 (d) and (e).
NYAKUNI	James			Ugandan	Trade partnership with Jérôme Kakwavu, particularly smuggling across the DRC/Uganda border, including suspected smuggling of weapons and military material in unchecked trucks. Violation of the arms embargo and provision of assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003), including financial support that allows them to operate militarily.

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NZEYIMANA	Stanislas	Deogratias Bigaruka Izabayo Bigaruka Bigurura Izabayo Deo Jules Mateso Mlamba	1 January 1966, Mugusa (Butare), Rwanda Est. 1967 Alt. 28 August 1966	Rwandan Deputy commander of the FDLR-FOCA. As of June 2011, based at Mukoberwa, North Kivu.	Deputy Commander of the FOCA (an FDLR armed branch). Military leader of a foreign armed group operating in the Democratic Republic of the Congo, impeding the disarmament and the voluntary repatriation and resettlement of combatants, per Security Council resolution 1857 (2008) OP 4 (b). In evidence collated by the UNSC DRC Sanctions Committee Group of Experts, detailed in its report of 13 February 2008, girls recovered from FDLR-FOCA had previously been abducted and sexually abused. Since mid-2007, FDLR-FOCA, which previously recruited boys in their mid to late teens, has been forcefully recruiting youth from the age of 10 years. The youngest are then used as escorts, and older children are deployed as soldiers on the frontline, per Security Council resolution 1857 (2008) OP4 (d) and (e).
OZIA MAZIO	Dieudonné	Ozia Mazio Omari Mr Omari	6 June 1949, Ariwara, DRC	Congolese While president of the <i>Fédération des entreprises congolaises</i>	Financial schemes with Jérôme Kakwavu and FAPC and smuggling across the

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				(FEC) in Aru territory, Dieudonné Ozia Mazio is believed to have died in Ariwara on 23 September 2008.	DRC/Uganda border, allowing supplies and cash to be made available to Kakwavu and his troops. Violation of the arms embargo, including by providing assistance to armed groups and militia referred to in paragraph 20 of Res. 1493 (2003).
SHEKA	Ntabo Ntaberi		4 April 1976 Walikale Territory, DRC	Congolese Commander-in-Chief, Nduma Defence of Congo, Mayi Mayi Sheka group.	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

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					and ordered a series of attacks in Walikale territory from 30 July to 2 August, 2010, to punish local populations accused of collaborating with Congolese Government forces. In the course of the attacks, children were raped and were abducted, subjected to forced 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.
TAGANDA	Bosco	Bosco Ntaganda Bosco Ntagenda General Taganda «Lydia» when he was part of APR Terminator Call sign «Tango Romeo» or «Tango» Major	1973 or 1974 Bigogwe, Rwanda	Congolese Born in Rwanda, he moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. As of June 2011, he resides in Goma and owns large farms in Ngungu area, Masisi territory, North Kivu. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP military commander	UPC/L military commander, exercising influence over policies and maintaining command and control over the activities of UPC/L, one of the armed groups and militias referred to in paragraph 20 of Res. 1493 (2003), involved in the trafficking of arms, in violation of the arms embargo. He was appointed General in the FARDC in December 2004 but refused to accept the promotion, therefore remaining outside of the FARDC. According to the Office of the

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				<p>since the arrest of Laurent Nkunda in January 2009.</p> <p>Since January 2009, <i>de facto</i> Deputy Commander of consecutive anti-FDLR operations «Umoja Wetu», «Kimia II» and «Amani Leo» in North and South Kivu.</p>	<p>SRSRG 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.</p> <p>As CNDP Chief of Staff, had direct and command responsibility for the massacre at Kiwanja (November 2008).</p>
ZIMURINDA	Innocent	Zimulinda	<p>September 1, 1972</p> <p>Or 1975</p> <p>Ngungu, Masisi Territory, North Kivu Province, DRC</p>	<p>Congolese</p> <p>Colonel in the FARDC</p> <p>Integrated in the FARDC in 2009 as a Lieutenant Colonel, brigade commander in FARDC Kimia II Ops, based in Ngungu area.</p> <p>In July 2009, Zimurinda was promoted to full Colonel and became FARDC Sector commander in Ngungu and subsequently in Kitchanga in FARDC Kimia II and Amani Leo Operations.</p> <p>Whereas Zimurinda did not appear in the 31 December 2010 DRC Presidential ordinance nominating high FARDC officers, Zimurinda <i>de facto</i></p>	<p>According to multiple sources, Lt Col Innocent Zimurinda, in his capacity as one of the commanders of the FARDC 231<sup>st</sup> Brigade, gave orders that resulted in the massacre of over 100 Rwandan refugees, mostly women and children, during an April 2009 military operation in the Shalio area.</p> <p>The UNSC DRC Sanctions Committee's Group of Experts reported that Lt Col Innocent Zimurinda was witnessed first hand refusing to release three children from his command in Kalehe, on August 29, 2009.</p> <p>According to multiple</p>

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				<p>maintained his command position of FARDC 22<sup>nd</sup> sector in Kitchanga and wears the newly issued FARDC rank and uniform.</p> <p>He remains loyal to Bosco Ntaganda.</p> <p>In December 2010, recruitment activities carried out by elements under the command of Zimurinda were denounced in open source reports.</p>	<p>sources, Lt Col Innocent Zimurinda, prior to the CNDP's integration into FARDC, participated in a November 2008 CNDP operation that resulted in the massacre of 89 civilians, including women and children, in the region of Kivwanja.</p> <p>In March 2010, 51 human rights groups working in eastern DRC alleged that Zimurinda was responsible for multiple human rights abuses involving the murder of numerous civilians, including women and children, between February 2007 and August 2007. Zimurinda was accused in the same complaint of responsibility for the rape of a large number of women and girls.</p> <p>According to a May 21, 2010, statement by the Special Representative of the Secretary General for Children and Armed Conflict, Innocent Zimurinda has been involved in the arbitrary execution of child soldiers, including during operation Kimia II.</p>

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					According to the same statement, he denied access by the UN Mission in the DRC (MONUC) to screen troops for minors. According to the UNSC DRC Sanctions Committee's Group of Experts, Lt Col Zimurinda holds direct and command responsibility for child recruitment and for maintaining children within troops under his command.

## B. Imprese e organizzazioni

NOME	INDIRIZZO	INFORMAZIONI PER L'IDENTIFICAZIONE	GIUSTIFICAZIONE
BUTEMBO AIRLINES (BAL)	Butembo, DRC	Privately-owned airline, operates out of Butembo Since 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 by the Security Council Committee established pursuant to resolution 1533 (2004)) 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).

NOME	INDIRIZZO	INFORMAZIONI PER L'IDENTIFICAZIONE	GIUSTIFICAZIONE
Congomet Trading House (formerly listed as Congocom)	Butembo, North Kivu	No longer exists as a gold trading house in Butembo, North Kivu.	Congomet trading House was owned by Kisoni Kambale (deceased on 5 July 2007 and subsequently de-listed on 24 April 2008 by the Security Council Committee established pursuant to resolution 1533 (2004)). Kambale acquired almost all the gold production in the Mongbwalu district, which was controlled by the FNI. The FNI derived substantial income from taxes imposed on this production. This constitutes «provision of assistance» to illegal armed groups in breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).
COMPAGNIE AERIENNE DES GRANDS LACS (CAGL)	CAGL, Avenue Président Mobutu, Goma, DRC (CAGL also has an office in Gisenyi, Rwanda)		CAGL is a company owned by Douglas Mpamo (CAGL was used to transport arms and ammunition in violation of the arms embargo of resolutions 1493 (2003) and 1596 (2005).
GREAT LAKES BUSINESS COMPANY (GLBC)	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	GLBC is a company owned by Douglas Mpamo. GLBC was 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 (Directors: Mr. Rajendra Kumar Vaya and Mr. Hirendra M. Vaya).  In 2010, assets belonging to Machanga, held in the account of	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

NOME	INDIRIZZO	INFORMAZIONI PER L'IDENTIFICAZIONE	GIUSTIFICAZIONE
		<p>Emirates Gold, were frozen by bank of Nova Scotia Mocatta (UK).</p> <p>The previous owner of Machanga, Rajendra Kumar, and his brother Vipul Kumar, have remained involved in purchasing gold from eastern DRC.</p>	<p>breach of the arms embargo of resolutions 1493 (2003) and 1596 (2005).</p>
TOUS POUR LA PAIX ET LE DEVELOPPEMENT (TPD)	Goma, North Kivu	<p>Goma, with provincial committees in South Kivu, Kasai Occidental, Kasai Oriental and Maniema.</p> <p>Officially suspended all activities since 2008.</p> <p>In practice, as of June 2011 TPD offices are open and involved in cases related to returns of IDPs, community reconciliation initiatives, land conflict settlements, etc.</p> <p>The TPD President is Eugene Serufuli and Vice-President is Saverina Karomba. Important members include North Kivu provincial deputies Robert Seninga and Bertin Kirivita.</p>	<p>Implicated in violation of the arms embargo, by providing assistance to RCD-G, particularly in supplying trucks to transport arms and troops, and also by transporting weapons for distribution to parts of the population in Masisi and Rutshuru, North Kivu, in early 2005.</p>
UGANDA COMMERCIAL IMPEX (UCI) LTD	<p>Kajoka Street, Kisemete, Kampala, Uganda; Tel.: +256 41 533 578/9</p> <p>Alternative address: PO Box 22709, Kampala, Uganda</p>	<p>Gold export company (Former Directors Mr. J.V. LODHIA – known as «Chuni» – and his son Mr. Kunal LODHIA)</p> <p>In January 2011, Ugandan authorities notified the Committee that following an exemption on its financial holdings, Emirates Gold repaid UCI's debt to Crane Bank in Kampala, leading to final closure of its accounts.</p> <p>The previous owner of UCI, J.V.</p>	<p>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).</p>

NOME	INDIRIZZO	INFORMAZIONI PER L'IDENTIFICAZIONE	GIUSTIFICAZIONE
		Lodhia and his son Kumal Lodhia have remained involved in purchasing gold from eastern DRC.	

*Abbreviazioni:*

CAGL	Compagnie aérienne des Grands Lacs
DRC	Democratic Republic of the Congo
FAPC	Forces armées du peuple congolais
FARDC	Forces armées de la République démocratique du Congo
FDLR	Forces démocratiques de libération du Rwanda
FEC	Fédération des entreprises du Congo
FNI	Front des nationalistes et intégrationnistes
FOCA	Forces combattantes abacunguzi
FRPI	Front de résistance patriotique du Congo
GLBC	Great Lakes Business Company
MR	military region
NGO	Non-governmental organization
OP	Operative Paragraph
PUSIC	Parti pour l'unité et la sauvegarde de l'intégrité du Congo
RCD-G	Rassemblement congolais pour la démocratie-Goma
RCD-ML	Rassemblement congolais pour la démocratie-Mouvement de libération
RPF	Rwandan Patriotic Front
SRSR	Special Representative of the Secretary-General
TPD	Tous pour la paix et le développements
UCD	Union des Congolais pour la démocratie
UCI	Uganda Commercial Impex
UNSC	United Nations Security Council
UPC/L	Union des patriotes congolais/faction Lubanga