

# FINANCIAL REPORTING AUTHORITY

(CAYFIN)



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**Financial Sanctions Notice**

**20/10/2020**

## Democratic Republic of the Congo

### Introduction

1. Council Regulation (EC) 1183/2005 (“the Regulation”) imposing financial sanctions against the Democratic Republic of the Congo has been amended.
2. Identifying information for the individuals and entities listed in the Annex to this Notice has been amended.

### Notice summary (Full details are provided in the Annex to this Notice)

3. The following entries have been amended and are still subject to an asset freeze:
  - Ntabo Ntaberi SHEKA (Group ID: 12438)
  - Bosco TAGANDA (Group ID: 8736)
  - ADF (ALLIED DEMOCRATIC FORCES) (Group ID: 13189)
  - MACHANGA LTD (Group ID: 9067)
  - UGANDA COMMERCIAL IMPLEX (UCI) LTD (Group ID: 9066)

## **What you must do**

4. You must:
  - i. check whether you maintain any accounts or hold any funds or economic resources for the persons set out in the Annex to this Notice;
  - ii. freeze such accounts, and other funds or economic resources;
  - iii. refrain from dealing with the funds or assets or making them available (directly or indirectly) to such persons unless licensed by the Governor;
  - iv. report any findings to the FRA at [financialsanctions@gov.ky](mailto:financialsanctions@gov.ky), together with any additional information that would facilitate compliance with the Regulation;
  - v. provide any information concerning the frozen assets of designated persons to the FRA at [financialsanctions@gov.ky](mailto:financialsanctions@gov.ky) by completing and submitting a Compliance Reporting Form (CRF). Information reported to FRA may be passed on to other regulatory authorities or law enforcement.
5. Where a relevant institution has already reported details of accounts, other funds or economic resources held frozen for designated persons, they are not required to report these details again.
6. Failure to comply with financial sanctions legislation or to seek to circumvent its provisions is a criminal offence.

## **Legislative details**

7. On 19 October 2020 Council Implementing Regulation (EU) 2020/1507 (“the Amending Regulation”) was published in the Official Journal of the European Union (O.J. L 345, 19.10.2020, p.1) by the Council of the European Union. 8. The Amending Regulation amended Annex I to the Regulation with effect from 13 February 2020.
8. The Amending Regulation amended Annex I to the Regulation with effect from 20 October 2020.
9. The Amending Regulation reflects the decisions made on 19 August 2020 by the United Nations Security Council (UNSC) Committee established pursuant to Resolution 1533 (2004) to amend the identifying information of 5 existing entries.

## **Further Information**

10. A copy of the Amending Regulation can be obtained from the website of the Official Journal of the European Union:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R1507&from=EN>

11. Copies of recent Notices, certain EU Regulations, UNSC Resolutions and UK legislation can be obtained from the Democratic Republic of the Congo financial sanctions page on the GOV.UK website:

<https://www.gov.uk/government/collections/financial-sanctions-regime-specificconsolidated-lists-and-releases>

12. Further details on the UN measures in respect of the Democratic Republic of the Congo can be found on the relevant UN Sanctions Committee webpage:

<http://www.un.org/sc/committees>.

13. Please note there are also import and export restrictions on the Democratic Republic of the Congo. Further guidance on export and trade sanctions is available from the GOV.UK website:

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

14. It should be noted that the Annex to this Notice and the Consolidated List may include certain background information provided by the UN Sanctions Committee that is not included in Annex I to the Regulation.

15. For more information please see OFSI's guide to financial sanctions:

<https://www.gov.uk/government/publications/financial-sanctions-faqs>

## **Enquiries**

16. Enquiries regarding this Financial Sanctions Notice should be addressed to:

The Sanctions Coordinator  
Financial Reporting Authority  
P.O. BOX 1054  
Grand Cayman KY1-1102  
Cayman Islands  
[financialsanctions@gov.ky](mailto:financialsanctions@gov.ky)

## ANNEX TO NOTICE

### FINANCIAL SANCTIONS: DEMOCRATIC REPUBLIC OF THE CONGO

### COUNCIL IMPLEMENTING REGULATION (EU) 2020/1507

### AMENDING ANNEX I TO COUNCIL REGULATION (EC) 1183/2005

#### AMENDMENTS

Deleted information appears in strikethrough. Additional information appears in italics and is underlined.

#### Individuals

##### 1. SHEKA, Ntabo Ntaberi

**DOB:** 04/04/1976. **POB:** Walikale, Walikale Territory, Democratic Republic of the Congo **Nationality:** ~~Congolese~~ Democratic Republic of the Congo **Address:** Goma, North Kivu, Democratic Republic of the Congo (in prison) **Position:** Commander-in-Chief, Nduma Defence of Congo, Mayi Mayi Sheka group **Other Information:** UN Ref: CDi.029. Surrendered to MONUSCO on 26 July 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 November 2018. **Listed on:** 09/01/2012 **Last Updated:** ~~09/01/2012~~ 20/10/2020 **Group ID:** 12438.

##### 2. TAGANDA, Bosco

**DOB:** (1) ~~--/--/1973~~. (2) ~~--/--/1974~~. **POB:** Bigogwe, Rwanda a.k.a: (1) NTAGANDA, Bosco (2) NTAGENDA, Bosco (3) TAGANDA, General **Nationality:** ~~Congolese~~ Democratic Republic of the Congo **Address:** The Hague, Netherlands (as of June 2016). **Position:** ~~UPC/L military commander~~ **Other Information:** UN Ref: CDi.030. He moved to Nyamitaba, Masisi territory, North Kivu, when he was a child. Nominated FARDC Brigadier-General by Presidential Decree on 11 December 2004, following Ituri peace agreements. Formerly Chief of Staff in CNDP and became CNDP military commander since the arrest of Laurent Nkunda in January 2009. Since January 2009, de facto Deputy Commander of consecutive anti-FDLR operations in North and South Kivu. Entered Rwanda on March 2013, and voluntarily He surrendered to ICC officials in Kigali on March 22, ~~and was~~ Transferred to the ICC in The Hague, Netherlands. On 9 June 2014, ICC confirmed 13 charges of war crimes and five charges of crimes against humanity against him. The trial started in September 2015. On 8 July 2019, the ICC found him guilty of 18 counts of war crimes and crimes against humanity, committed in Ituri in 2002-2003. On 7 November 2019, he was sentenced to a total of 30 years imprisonment. He has appealed both his conviction and sentence. Also referred to as Lydia (when he was part of APR), Terminator, Tango Romeo (call sign), Romeo (call sign) and Major. **Listed on:** 02/11/2005 **Last Updated:** ~~08/02/2017~~ 20/10/2020 **Group ID:** 8736.

## Entities

### 1. **ADF (ALLIED DEMOCRATIC FORCES)**

a.k.a: (1) ADF/NALU ~~(2) Allied Democratic Forces~~ (3) Forces Democratiques Alliees-Armee Nationale de Liberation de l'Ouganda (4) NALU **Address:** North Kivu Province, Democratic Republic of the Congo. **Other Information:** UN Ref: CDe.001. ~~Created in 1995.~~ ADF founder and leader, Jamil Mukulu, was arrested in Dar es Salaam, Tanzania, in April 2015. He was extradited to Kampala, Uganda, in July 2015. As of June 2016, he Mukulu is reportedly being held in a police detention cell awaiting his trial. Seka Baluku succeeded Jamil Mukulu as the overall leader of the ADF. The ADF, under Seka Baluku's leadership, continued to commit the repeated targeting, killing, 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 February 2019, and Mantumbi, Beni territory, on 5 December 2019 and 30 January 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. **Listed on:** 09/12/2014 **Last Updated:** ~~08/02/2017~~ 20/10/2020 **Group ID:** 13189.

### 2. **MACHANGA LTD**

**Address:** Plot 55A, Upper Kololo Terrace, Kampala, Uganda. **Other Information:** UN Ref: CDe.007. Gold export company. Directors are Mr Rajendra Kumar Vaya and Mr Hirendra M Vaya. The owners of Machanga have remained involved in purchasing gold from eastern DRC. Machanga Ltd last filed an annual return in 2004 and was listed as 'status inactive' according to the authorities of the Republic of Uganda. **Listed on:** 30/03/2007 **Last Updated:** ~~09/03/2017~~ 20/10/2020 **Group ID:** 9067.

### 3. **UGANDA COMMERCIAL IMPEX (UCI) LTD**

**Address:** (1) Plot 22, Kanjokya Street, Kamwokya, Kampala, Uganda. (2) PO Box 22709, Kampala, Uganda. **Other Information:** UN Ref: CDe.009. Gold export company. Directors are J V Lodhia, known as Chuni, and his sons Kunal J. Lodhia and Jitendra J. Lodhia. Directors are Mr Jamnadas V Lodhia, known as 'Chuni', and his sons Mr Kunal J Lodhia and Jitendra J Lodhia. The directors of UCI have remained involved in purchasing gold from eastern DRC. 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. **Telephone:** +256 41 533 578/9. **Listed on:** 30/03/2007 **Last Updated:** ~~24/04/2015~~ 20/10/2020 **Group ID:** 9066.

Financial Reporting Authority

Portfolio of Legal Affairs

20/10/2020