

# DECISIONS

## COUNCIL DECISION (CFSP) 2022/2241

of 14 November 2022

### amending Decision 2010/788/CFSP concerning restrictive measures in view of the situation in 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 from 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 <sup>(1)</sup> concerning restrictive measures in view of the situation in the Democratic Republic of the Congo ('DRC').
- (2) On 30 June 2022, the United Nations Security Council adopted Resolution ('UNSCR') 2641 (2022), which amends the criteria for the designation of persons and entities to be subject to the restrictive measures set out in paragraphs 9 and 11 of UNSCR 1807 (2008), as well as the scope of the obligation to notify the Sanctions Committee established pursuant to UNSCR 1533 (2004) of shipments of arms and related materiel for the DRC, or any provision of technical assistance, financing, brokering services and other services related to military activities in the DRC.
- (3) Further Union action is needed in order to implement certain measures.
- (4) Decision 2010/788/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

#### *Article 1*

Decision 2010/788/CFSP is amended as follows:

(1) Article 2 is amended as follows:

(a) in paragraph 1, point (c) is replaced by the following:

'(c) the supply, sale or transfer of non-lethal military equipment intended solely for humanitarian or protective use, or the provision of technical assistance and training, related to such non-lethal equipment;'

(b) paragraph 3 is replaced by the following:

'3. Except for the activities referred to in points (a), (b), and (c) of paragraph 1, Member States shall give the Sanctions Committee established pursuant to UNSCR 1533 (2004) (the 'Sanctions Committee') advance notification of any provision of technical assistance, financing, brokering services and other services related to military activities in the DRC, or any shipment of the following arms and related materiel for the DRC:

- (a) all types of weapons with a calibre up to 14,5 mm and associated ammunition;
- (b) mortars with a calibre up to 82mm and associated ammunition;
- (c) grenade and rocket launchers with a calibre up to 107 mm and associated ammunition;
- (d) man-portable air-defense systems (MANPADS);
- (e) anti-tank guided missile systems.

<sup>(1)</sup> Council Decision 2010/788/CFSP of 20 December 2010 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L 336, 21.12.2010, p. 30).

Such notification shall contain all relevant information, including, where appropriate, the end-user, the proposed date of delivery and the itinerary of shipments.’;

(2) in Article 3(1), the following point is added:

‘(k) being involved in the production, manufacture or use in the DRC of improvised explosive devices, or in the commission, planning, ordering, aiding of, abetting or otherwise assisting attacks in the DRC with improvised explosive devices.’.

*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, 14 November 2022.

*For the Council*  
*The President*  
J. BORRELL FONTELLES

---