



Council of the
European Union

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COARM 198
CONUN 201
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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EC) No 1183/2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo

COUNCIL REGULATION (EU) 2023/...

of ...

**amending Regulation (EC) No 1183/2005 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 the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2023/... of ... July 2023 amending Decision 2010/788/CFSP concerning restrictive measures in view of the situation in the Democratic Republic of the Congo¹⁺,

Having regard to the joint proposal of the High Representative of the Union for Foreign Affairs and Security Policy and the European Commission,

¹ OJ L ...

⁺ OJ: please insert the reference number and the date of adoption for the Decision set out in ST 12055/23, and complete the corresponding footnote.

Whereas:

- (1) Council Regulation (EC) No 1183/2005¹ gives effect to Council Decision 2010/788/CFSP² and provides for certain measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo (DRC), including freezing their assets.
- (2) In view of the gravity of the situation in the DRC, Decision (CFSP) 2023/...⁺ amends the criteria of Union autonomous listings to allow for the application of targeted restrictive measures against natural or legal persons, entities or bodies that provide support to any natural or legal person, entity or body responsible for sustaining the armed conflict, instability or insecurity in the DRC.
- (3) Regulatory action at the Union level is therefore necessary to give effect to Decision (CFSP) 2023/...⁺ in particular with a view to ensure uniform application by economic operators in all Member States.
- (4) Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

¹ Council Regulation (EC) No 1183/2005 of 18 July 2005 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L 193, 23.7.2005, p. 1).

² 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).

⁺ OJ: please insert the reference number for the Decision set out in ST 12055/23.

Article 1

In Article 2b(1) of Regulation (EC) No 1183/2005, point (d) is replaced by the following:

- ‘(d) providing support to natural or legal persons, entities or bodies responsible for sustaining the armed conflict, instability or insecurity in the DRC.’.

Article 2

This Regulation shall enter into force on the date of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ...,

For the Council

The President
