

Liechtensteinisches Landesgesetzblatt

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ausgegeben am 17. September 2010

Verordnung

vom 14. September 2010

betreffend die Abänderung der Verordnung über Massnahmen gegenüber der Demokratischen Republik Kongo

Aufgrund von Art. 2 des Gesetzes vom 10. Dezember 2008 über die Durchsetzung internationaler Sanktionen (ISG), LGBL 2009 Nr. 41, unter Einbezug der aufgrund des Zollvertrages und der Fremdenpolizeilichen Vereinbarungen anwendbaren schweizerischen Rechtsvorschriften und in Ausführung der Resolutionen 1493 (2003) vom 28. Juli 2003, 1596 (2005) vom 18. April 2005, 1807 (2008) vom 31. März 2008 und 1857 (2008) vom 22. Dezember 2008 des Sicherheitsrates der Vereinten Nationen verordnet die Regierung:

I.

Abänderung bisherigen Rechts

Die Verordnung vom 21. Juni 2005 über Massnahmen gegenüber der Demokratischen Republik Kongo, LGBL 2005 Nr. 116, in der geltenden Fassung, wird wie folgt abgeändert:

Anhang Ziff. 2 bis 5a, 7, 8, 8a, 10, 12, 13a, 15 und 21

2. KAKWAVU BUKANDE Jérôme (alias Jérôme Kakwavu); Staatsangehörigkeit: Kongo; bekannt als: "Commandant Jérôme"; As of June 2010, has been arrested and is now being held in Kinshasa central prison. Judicial proceedings have been initiated against him and two other of the five senior FARDC officers. 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. 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 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.
3. KATANGA Germain; Staatsangehörigkeit: Kongo; Under house arrest in Kinshasa from March 2005 for FRPI involvement in human rights abuses. FRPI chief. Appointed General in the FARDC in December 2004. Involved in weapons transfers, 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 in Ituri from 2002 to 2003.
4. LUBANGA Thomas; Geburtsort: Ituri; Staatsangehörigkeit: Kongo; Arrested in Kinshasa in March 2005 for UPC/L involvement in human rights abuses violations. Transferred to the ICC by the Congolese authorities on 17 March 2006. As of December 2008 is being tried for war crimes. 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. 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.

5. MANDRO Khawa Panga (alias 1. Kawa Panga, 2. Kawa Panga Mandro, 3. Kawa Mandro, 4. Yves Andoul Karim, 5. Mandro Panga Kahwa, 6. Yves Khawa Panga Mandro); Geburtsdatum: 20. August 1973; Geburtsort: Bunia; Staatsangehörigkeit: Kongo; bekannt als: "Chief Kahwa", "Kawa"; 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. 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. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children in Ituri from 2001 to 2002.
- 5a. MBARUSHIMANA, Callixte; Geburtsdatum: 24. Juli 1963; Geburtsort: Ndusu/Ruhengeri Northern Province, Ruanda; Staatsangehörigkeit: Ruanda; derzeitiger Aufenthaltsort: Paris or Thaïs, Frankreich; Executive Secretary of the FDLR and Vice-President of the FDLR military high command. 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).
7. MUDACUMURA Sylvestre; Staatsangehörigkeit: Ruanda; bekannt als: "Radja", "Mupenzi Bernard", "General Major Mupenzi"; "General Mudacumura". As of November 2009, 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. 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 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.

8. MURWANASHYAKA Dr. Ignace (alias Ignace); Geburtsdatum und -ort: a) 14. Mai 1963, Butera (Ruanda), b) Ngoma, Butare (Ruanda); Staatsangehörigkeit: Ruanda, wohnhaft in Deutschland; As of November 2009, still recognized as the President of the FDLR-FOCA political branch and supreme commander of the FDLR armed forces. Arrested by German Federal Police on 17 November 2009 on suspicion of committing crimes against humanity and war crimes in the DRC, as well as on the basis of other charges related to the forming and membership of a foreign terrorist organization. President of the 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 trafficking of arms, in violation of the arms embargo. 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 (pg.24-25, 83). Traveled to Uganda in 2006 in violation of travel ban. 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. President of 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.
- 8a. MUSONI Straton (alias: IO Musoni); Geburtsdatum: 6. April 1961 (möglicherweise: 4. Juni 1961); Geburtsort: Mugambazi, Kigali, Ruanda; ruandischer Pass: abgelaufen am 10. September 2004, wohnhaft in Neuffen, Deutschland; As of November 2009, still recognized as the 1st Vice President of the FDLR-FOCA political branch and President of the FDLR military high command. Arrested by German Federal Police on 17 November 2009 on suspicion of committing crimes against humanity and war crimes in the

DRC, as well as on the basis of other charges related to the forming and membership of a foreign terrorist organization. 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).

10. NGUDJOLO Matthieu, Chui (alias Cui Ngudjolo); "Colonel" or "General"; 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. According to the Office of the SRSG on Children and Armed Conflict, he was responsible for recruitment and use of children under 15 years old in Ituri in 2006.
12. NKUNDA Laurent (alias 1. Nkunda Mihigo Laurent, 2. Laurent Nkunda Bwatare, 3. Laurent Nkundabatware, 4. Laurent Nkunda Mahoro Batware, 5. Laurent Nkunda Batware); Geburtsdatum und -ort: a) 6. Februar 1967, North Kivu/Rutshuru, b) 2. Februar 1967; Staatsangehörigkeit: Kongo; bekannt als: "Chairman", "General Nkunda", "Papa Six". Arrested on Rwandan soil in January 2009 and subsequently replaced as 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 2004 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. According to the Office of the SRSG 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. As of November 2009, despite arrest in Rwanda in January 2009 and removal as President of CNDP, retains some control over CNDP and its international network.

- 13a. NZEYIMANA, Stanislas (alias: 1. Deogratias Bigaruka Izabayo, 2. Bigaruka; Bigurura, 3. Izabayo Deo); Geburtsdatum: a) 1. Januar 1966; b) 1967; c) 28. August 1966; Geburtsort: Mugusa (Butare), Ruanda; Staatsangehörigkeit: Ruanda; As of November 2009, recognized as Major General Stanislas Nzeyimana, FDLR Deputy Commander; current location: Kalonge, Masisi, North Kivu, DRC or Kibua, DRC. Frequent travel to Kigoma. 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, in violation of 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).
15. TAGANDA Bosco (alias 1. Bosco Ntaganda, 2. Bosco Ntagenda, 3. General Taganda); Staatsangehörigkeit: Kongo; bekannt als: "Terminator", "Major"; As of November 2009, de facto military head of CNDP following arrest of General Laurent Nkunda in January 2009. Former chief of staff of the CNDP. Based in Bunagana and Rutshuru. Since appointment as the de facto military head of CNDP in January 2009, has been instructed to manage integration into FARDC and given the post of deputy operational commander for Kimia II although this is officially denied by FARDC. 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 SRSG 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.

As CNDP Chief of Staff, had direct and command responsibility for the massacre at Kiwanja (November 2008).

21. UGANDA COMMERCIAL IMPEX (UCI) LTD; Sitz: Kajoka Street, Kisemente, Kampala, Uganda; Tel.: +256 41 533 578/9; andere Adresse: PO Box 22709, Kampala, Uganda; Gold export company in Kampala (Directors Mr. J.V. LODHIA - known as "Chuni"- and his son Mr. Kunal 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).

II.

Inkrafttreten

Diese Verordnung tritt am Tage der Kundmachung in Kraft.

Fürstliche Regierung:
gez. *Dr. Klaus Tschütscher*
Fürstlicher Regierungschef