

OFAC

Office of Foreign Assets Control

THE DEMOCRATIC REPUBLIC OF THE CONGO:

WHAT YOU NEED TO KNOW ABOUT SANCTIONS AGAINST PERSONS CONTRIBUTING TO THE CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

This document is explanatory only and does not have the force of law. Executive Order 13413 and the implementing regulations pertaining to the Democratic Republic of the Congo (31 C.F.R. part 547) contain the legally binding provisions governing the sanctions. This document does not supplement or modify the Executive Order or the regulations.



Updated February 11, 2011

AN OVERVIEW OF SANCTIONS AGAINST PERSONS CONTRIBUTING TO THE CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

I. INTRODUCTION

On October 27, 2006, the President signed Executive Order 13413 ([the “E.O.”](#)) declaring a national emergency to deal with the unusual and extraordinary threat to the foreign policy of the United States posed by the situation in or in relation to the Democratic Republic of the Congo (“DRC”), which has been marked by widespread violence and atrocities that continue to threaten regional stability and which has been the subject of numerous United Nations Security Council resolutions. In issuing this E.O., the President invoked the authority of the International Emergency Economic Powers Act (“IEEPA”), the National Emergencies Act, section 5 of the United Nations Participation Act, as amended, and section 301 of title 3, United States Code.

Effective May 28, 2009, the Department of the Treasury’s Office of Foreign Assets Control (“OFAC”) issued regulations to implement the E.O. (74 *Fed. Reg.* 25,439, May 28, 2009). The Democratic Republic of the Congo Sanctions Regulations can be found at [31 C.F.R. part 547](#) (the “Regulations”).

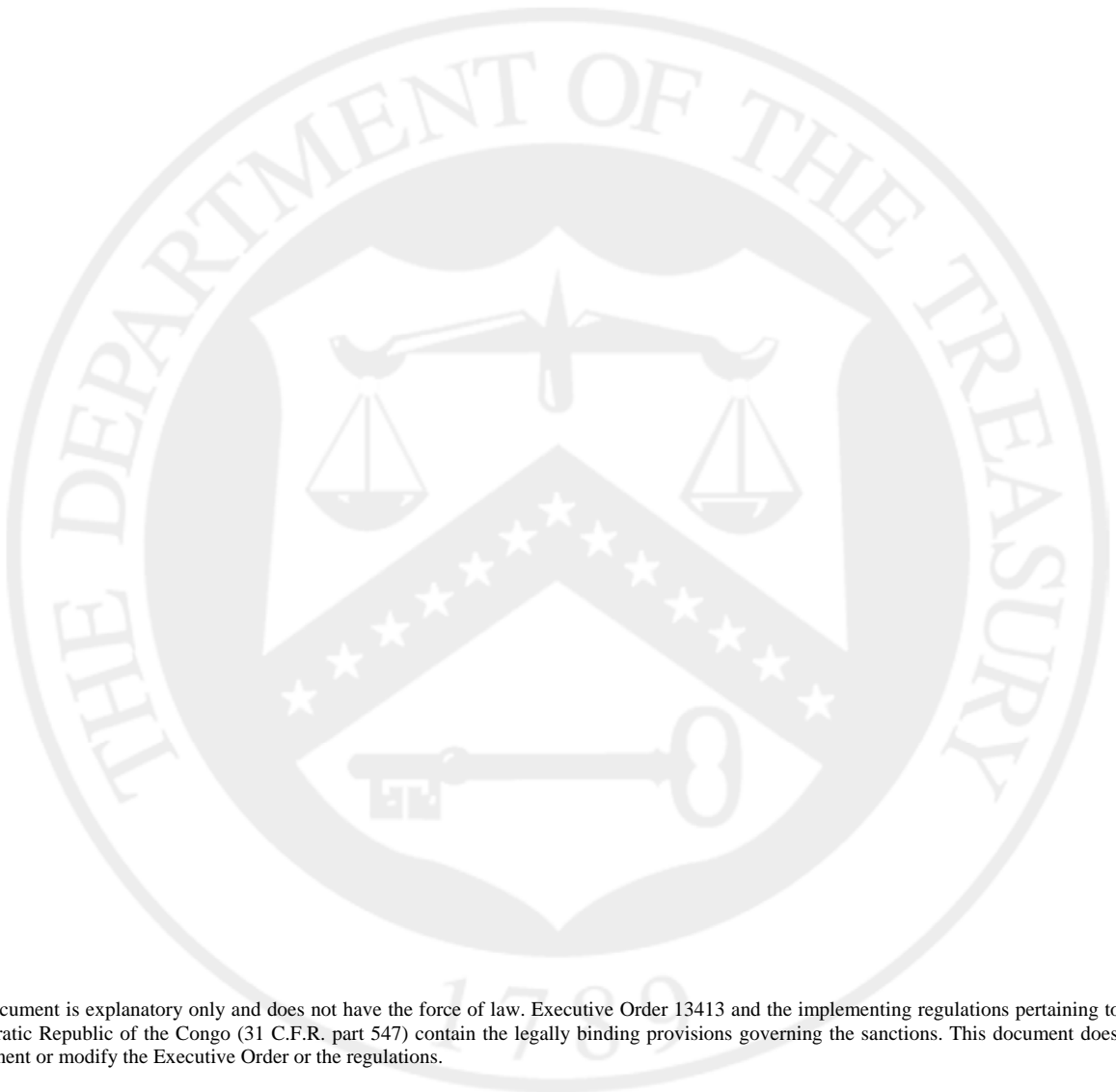
II. PROHIBITED TRANSACTIONS

The E.O. blocks the property and property interests of specific individuals listed in its Annex and of specific individuals and entities determined by OFAC: 1) to be a political or military leader of a foreign armed group operating in the DRC that impedes the disarmament, repatriation, or resettlement of combatants, or of a Congolese armed group that impedes the disarmament, demobilization, or reintegration of combatants; 2) to be a political or military leader recruiting or using children in armed conflict in the DRC in violation of applicable international law; 3) to have committed serious violations of international law involving the targeting of children in situations of armed conflict in the DRC, including killing and maiming, sexual violence, abduction, and forced displacement; 4) to have supplied arms or related materiel in violation of the United Nations arms embargo on the DRC; 5) or to have provided material support for any of these activities. The E.O. therefore imposes targeted sanctions only; it does not impose any broad-based sanctions against the people or the country of the DRC.

The names of persons who are listed in the Annex to E.O. 13413 or designated by OFAC pursuant to the E.O. are published on OFAC’s Specially Designated Nationals and Blocked Persons List (“SDN List”), published in the *Federal Register*, and incorporated into Appendix A to 31 C.F.R. chapter V. The SDN List is accessible via [OFAC’s Web site](#). With certain exceptions, U.S. persons are prohibited from transferring, paying, exporting, withdrawing, or otherwise dealing in the property and interests in property of an entity or individual listed on the SDN List. Entities that a person on the SDN List owns (defined as a direct or indirect ownership interest of 50% or more) are also blocked, regardless of whether that entity is separately named on the SDN List.

III. PENALTIES

Criminal fines for willful violations of the E.O. or the Regulations range, upon conviction, up to \$1,000,000; individuals may also face imprisonment up to 20 years. In addition, civil penalties of up to the greater of \$250,000 or twice the amount of the underlying transaction may be imposed administratively for violations of the E.O. or the Regulations.



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The Treasury Department's Office of Foreign Assets Control also administers sanctions programs involving the Balkans, Belarus, Burma (Myanmar), Cote d'Ivoire, Cuba, Rough Diamond Trading (Kimberley Process), Iran, Iraq, Lebanon, Liberia, North Korea, Somalia, Sudan, Syria, Zimbabwe, as well as highly enriched uranium, persons who commit, threaten to commit, or support terrorism, international narcotics traffickers, Foreign Terrorist Organizations, Terrorism List Governments, and weapons of mass destruction and missile proliferators and their supporters. For additional information about these programs or about sanctions involving the Democratic Republic of the Congo, please contact the:

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