

COUNCIL COMMON POSITION 2009/788/CFSP
of 27 October 2009
concerning restrictive measures against the Republic of Guinea

THE COUNCIL OF THE EUROPEAN UNION,

Article 2

Having regard to the Treaty on European Union, and in particular Article 15 thereof,

Whereas:

- (1) On 29 September 2009, the European Union (EU) strongly condemned the violent crackdown by security forces on political demonstrators in Conakry on 28 September and called for the release of the arrested demonstrators and members of the opposition. The EU urged the authorities in the Republic of Guinea to immediately conduct a thorough investigation of the incidents.
- (2) On 6 October 2009, the EU, appalled by the reported human rights abuses following the crackdown and strongly concerned about developments in the Republic of Guinea, urged the National Council for Democracy and Development (NCDD), political parties and all relevant actors in the Republic of Guinea to take immediate action to restore the rule of law and put the country back on the path towards constitutional rule and democracy.
- (3) In view of the seriousness of the current situation in the Republic of Guinea, the Council considers it necessary to adopt measures targeting the members of the NCDD and individuals associated with them, responsible for the violent repression or the political stalemate in the country and to impose an arms embargo against the Republic of Guinea,

HAS ADOPTED THIS COMMON POSITION:

Article 1

The sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, to the Republic of Guinea by nationals of Member States or from the territories of Member States or using their flag vessels or aircraft, shall be prohibited whether originating or not in their territories.

1. Article 1 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian or protective use, or for institution building programmes of the United Nations (UN), the EU and the Community, or for EU and UN crisis management operations;
- (b) the sale, supply, transfer or export of non-combat vehicles which have been manufactured or fitted with materials to provide ballistic protection, intended solely for protective use of personnel of the EU and its Member States in the Republic of Guinea,

on condition that such exports have been approved in advance by the competent authority.

2. Article 1 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to the Republic of Guinea by UN personnel, personnel of the EU, the Community or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

Article 3

1. Member States shall take the necessary measures to prevent the entry into, or transit through, their territories of the members of the NCDD and individuals associated with them, responsible for the violent repression of 28 September 2009 or the political stalemate in the country, as listed in the Annex.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation of international law, namely:

- (a) as a host country of an international intergovernmental organisation;
- (b) as a host country to an international conference convened by, or under the auspices of, the UN; or

- (c) under a multilateral agreement conferring privileges and immunities; or
- (d) under the 1929 Treaty of Conciliation (Lateran pact) concluded by the Holy See (State of the Vatican City) and Italy.

4. Paragraph 3 shall be considered as applying also in cases where a Member State is host country of the Organisation for Security and Cooperation in Europe (OSCE).

5. The Council shall be duly informed in all cases where a Member State grants an exemption pursuant to paragraphs 3 or 4.

6. Member States may grant exemptions from the measures imposed under paragraph 1 where travel is justified on the grounds of urgent humanitarian need, or on grounds of attending intergovernmental meetings, including those promoted by the EU, or hosted by a Member State holding the Chairmanship in office of the OSCE, where a political dialogue is conducted that directly promotes democracy, human rights and the rule of law in the Republic of Guinea.

7. A Member State wishing to grant exemptions referred to in paragraph 6 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the Council members raises an objection in writing within two working days of receiving notification of the proposed exemption. Should one or more of the Council members raise an objection, the Council, acting by a qualified majority, may decide to grant the proposed exemption.

8. In cases where pursuant to paragraphs 3, 4, 6 and 7, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be limited to the purpose for which it is given and to the persons concerned thereby.

Article 4

The Council, acting upon a proposal by a Member State or the Commission, shall adopt modifications to the lists contained in the Annex as required by political developments in the Republic of Guinea.

Article 5

In order to maximise the impact of the abovementioned measures, the EU shall encourage third States to adopt restrictive measures similar to those contained in this Common Position.

Article 6

This Common Position shall apply for a period of 12 months. It shall be kept under constant review. It shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.

Article 7

This Common Position shall take effect on the date of its adoption.

Article 8

This Common Position shall be published in the *Official Journal of the European Union*.

Done at Luxembourg, 27 October 2009.

For the Council
The President
C. BILDT

ANNEX

List of persons referred to in Article 3(1)

	Name (and possible aliases)	Identifying information (function/title, date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)
1.	Captain Moussa Dadis CAMARA	President of the CNDD d.o.b.: 01/01/64 or 29/12/68 Pass.: R0001318
2.	General Mamadouba Toto CAMARA	Minister for Security and Civil Protection and member of the CNDD
3.	General Sékouba KONATÉ	Minister for Defence and member of the CNDD d.o.b.: 01/01/1964 Pass: R0003405
4.	Colonel Mathurin BANGOURA	Minister for Telecommunications and New Information Technologies and member of the CNDD d.o.b.: 15/11/1962 Pass.: R0003491
5.	Lieutenant Colonel Aboubacar Sidiki (alias Idi Amin) CAMARA	Minister and Permanent Secretary of the CNDD, discharged from the army on 26/01/09
6.	Commandant Oumar BALDÉ	Member of the CNDD d.o.b.: 26/12/1964 Pass.: R0003076
7.	Commandant Mamadi MARA	Member of the CNDD
8.	Commandant Almamy CAMARA	Member of the CNDD d.o.b.: 17/10/75 Pass.: R0023013
9.	Lieutenant Col. Mamadou Bhoie DIALLO	Member of the CNDD d.o.b.: 01/01/1956 Pass.: Service R0001855
10.	Captain Koulako BÉAVOGUI	Member of the CNDD
11.	Lieutenant Colonel Kandia MARA	Member of the CNDD Pass.: R0178636
12.	Colonel Sékou MARA	Deputy Director of National Police, member of the CNDD
13.	Morciré CAMARA	Member of the CNDD d.o.b.: 01/01/1949 Pass.: R0003216
14.	Alpha Yaya DIALLO	Member of the CNDD

	Name (and possible aliases)	Identifying information (function/title, date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)
15.	Commandant Mamadou Korka DIALLO	Minister for Trade, Industry and SMEs and member of the CNDD d.o.b.: 19/02/1962
16.	Commandant Kelitigui FARO	Minister and Secretary-General to the Presidency of the Republic and member of the CNDD d.o.b.: 03/08/1972 Pass.: R0003410
17.	Colonel Fodeba TOURÉ	Minister for Youth and member of the CNDD, discharged from the army on 07/05/09, d.o.b.: 07/06/1961 Pass.: R0003417/R0002132
18.	Commandant Cheick Tidiane CAMARA	Member of the CNDD
19.	Colonel Sékou (alias Sékouba) SAKO	Member of the CNDD
20.	Lieutenant Jean-Claude PIVI (alias COPLAN)	Minister with responsibility for presidential security and member of the CNDD
21.	Lieutenant Saa Alphonse TOURÉ	Member of the CNDD
22.	Commandant Moussa KEITA	Minister and Permanent Secretary of the CNDD with responsibility for relations with Republican Institutions and member of the CNDD
23.	Lt. Col. Aïdor (alias Aëdor) BAH	Member of the CNDD
24.	Commandant Bamou LAMA	Member of the CNDD
25.	Mr Mohamed Lamine KABA	Member of the CNDD
26.	Captain Daman (alias Dama) CONDÉ	Member of the CNDD
27.	Commandant Aboubacar Amadou DOUMBOUYA	Member of the CNDD
28.	Captain Moussa Tiégboro CAMARA	Minister attached to the Presidency with responsibility for special anti-drug services and organised crime and member of the CNDD d.o.b.: 01/01/1968 Pass.: 7190
29.	Captain Issa CAMARA	Governor of Mamou and member of the CNDD
30.	Colonel Dr. Abdoulaye Chérif DIABY	Minister for Health and Sanitation and member of the CNDD d.o.b.: 26/02/1957 Pass.: 13683

	Name (and possible aliases)	Identifying information (function/title, date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)
31.	Mamady CONDÉ	Member of the CNDD (PR to the UN) d.o.b.: 28/11/52 Pass.: R0003212
32.	S-Lt.Cheikh Ahmed TOURÉ	Member of the CNDD
33.	Commandant Aboubacar Biro CONDÉ	Member of the CNDD d.o.b.:15/10/1962 Pass.: 2443
34.	Bouna KEITA	Member of the CNDD
35.	Idrissa CHERIF	Presidential private office d.o.b.:13/11/1967 Pass.: R0105758
36.	Mr. Mamoudou CONDÉ	State Secretary with responsibility for Strategic Issues and Sustainable Development d.o.b.: 09/12/1960 Pass.: R0020803
37.	Lieutenant Aboubacar Chérif (alias Toumba) DIAKITÉ	Presidential aide-de-camp
38.	Ibrahima Khalil DIAWARA	Special adviser to 'Toumba' Diakité d.o.b.: 01/01/1976 Pass.: R0000968
39.	S Lt Marcel KOIVOGUI	Deputy to Toumba Diakité
40.	Mr Papa Koly KOUROUMA	Minister for the Environment and Sustainable Development d.o.b.: 03/11/1962 Pass.: R11914
41.	Nouhou THIAM	CNDD spokesman
42.	Police Captain Théodore KOUROUMA	Attaché in the presidential private office d.o.b.:13/05/1971 Pass.: Service R0001204