



2026/2374

27.10.2026

COUNCIL REGULATION (EU) 2026/2374

of 26 October 2026

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 2010/788/CFSP of 20 December 2010 concerning restrictive measures in view of the situation in the Democratic Republic of the Congo ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 1183/2005 ⁽²⁾ gives effect to several measures provided for by Decision 2010/788/CFSP, including the freezing of funds and economic resources of designated persons and entities.
- (2) On 20 December 2022, the United Nations Security Council (UNSC) adopted Resolution 2667 (2022), which removes the notification requirements set out in paragraph 5 of UNSC Resolution 1807 (2008) with respect to the arms embargo on non-governmental entities and individuals operating in the territory of the Democratic Republic of the Congo.
- (3) On 29 June 2026, the UNSC adopted Resolution 2825 (2026), which amends the criteria for the designation of persons and entities subject to the restrictive measures set out in paragraphs 9 and 11 of UNSC Resolution 1807 (2008).
- (4) Council Decision (CFSP) 2026/2372 ⁽³⁾ amends Decision 2010/788/CFSP accordingly.
- (5) A number of the amendments set out in Decision (CFSP) 2026/2372 fall within the scope of the Treaty on the Functioning of the European Union. Regulatory action at the level of the Union is therefore necessary to give effect to that Decision, in particular with a view to ensuring uniform application in all Member States.
- (6) For the implementation of this Regulation, and in order to ensure maximum legal certainty within the Union, the names and other relevant data concerning natural and legal persons, groups and entities whose funds and economic resources are to be frozen in accordance with this Regulation should be made public. Any processing of personal data should comply with Regulations (EU) 2016/679 ⁽⁴⁾ and (EU) 2018/1725 ⁽⁵⁾ of the European Parliament and of the Council.

⁽¹⁾ OJ L 336, 21.12.2010, p. 30, ELI: <http://data.europa.eu/eli/dec/2010/788/oj>.

⁽²⁾ 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, ELI: <http://data.europa.eu/eli/reg/2005/1183/oj>).

⁽³⁾ Council Decision (CFSP) 2026/2372 of 26 October 2026 amending Decision 2010/788/CFSP concerning restrictive measures in view of the situation in the Democratic Republic of the Congo (OJ L, 2026/2372, 26.10.2026, ELI: <http://data.europa.eu/eli/dec/2026/2372/oj>).

⁽⁴⁾ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1, ELI: <http://data.europa.eu/eli/reg/2016/679/oj>).

⁽⁵⁾ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

(7) Regulation (EC) No 1183/2005 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1183/2005 is amended as follows:

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

‘(k) “financing or financial assistance” means any action, irrespective of the particular means chosen, whereby the natural or legal person, entity or body concerned, conditionally or unconditionally, disburses or commits to disburse its own funds or economic resources, including but not limited to grants, loans, guarantees, suretyships, bonds, letters of credit, supplier credits, buyer credits, import or export advances and all types of insurance and reinsurance, including export credit insurance; payment as well as terms and conditions of payment of the agreed price for a good or a service, made in line with normal business practice, do not constitute financing or financial assistance.’;

(2) Article 1a is amended as follows:

(a) the following paragraph is inserted:

‘-1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, the goods and technology listed in the Common Military List of the European Union (*) (“Common Military List”), as well as firearms, their parts and essential components, and ammunition as defined in Regulation (EU) No 258/2012 of the European Parliament and of the Council (**), whether originating in the Union or not, to any non-governmental entity or person operating in the territory of the Democratic Republic of the Congo (“DRC”).

(*) Latest version published in OJ C, C/2026/1640, 13.3.2026, ELI: <http://data.europa.eu/eli/C/2026/1640/oj>.

(**) Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations’ Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition (OJ L 94, 30.3.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/258/oj>).’;

(b) paragraph 1 is replaced by the following:

‘1. It shall be prohibited to provide, directly or indirectly:

(a) technical assistance, brokering services or other services related to military activities or to the provision, manufacture, maintenance and use of the items referred to in paragraph -1 to any non-governmental entity or person operating in the territory of the DRC;

(b) financing or financial assistance related to military activities, for the sale, supply, transfer or export of the items referred to in paragraph -1, or for any provision of related technical assistance, brokering services or other services to any non-governmental entity or person operating in the territory of the DRC.’;

(c) paragraph 2 is deleted;

(3) Article 1b is replaced by the following:

‘Article 1b

1. By way of derogation from Article 1a, the competent authorities may authorise:

- (a) the sale, supply, transfer or export of items referred to in Article 1a, or the provision of related technical assistance, financing or financial assistance, brokering services or other services intended solely for the support of, or use by, the United Nations Organisation Stabilisation Mission in the DRC (“MONUSCO”) or the African Union Regional Task Force;
- (b) the sale, supply, transfer or export of protective clothing, including flak jackets and military helmets, temporarily exported to the DRC by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;
- (c) the sale, supply, transfer or export of non-lethal military equipment intended solely for humanitarian or protective use, or the provision of related technical assistance, financing or financial assistance, brokering services or other services;
- (d) other sales or supply of items referred to in Article 1a, or the provision of related technical assistance, financing or financial assistance, brokering services or other services, provided that the Sanctions Committee established pursuant to paragraph 8 of UN Security Council Resolution 1533 (2004) (the “Sanctions Committee”) has approved such sale or supply, or the provision of technical assistance, financing or financial assistance, brokering services or other services in advance.

2. No authorisations shall be granted for activities that have already taken place.’;

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

‘(l) deliberately and gravely obstructing the implementation of MONUSCO’s mandate, including by denying access, restricting freedom of movement or interfering with patrols and monitoring activities.’;

(5) Article 6 is amended as follows:

(a) paragraph 1 is replaced by the following:

‘1. Natural and legal persons, groups and entities shall:

(a) supply immediately any information which would facilitate compliance with this Regulation, such as information on accounts and amounts frozen in accordance with Article 2(1), to the competent authority of the Member State where they are resident or located, and transmit such information, directly or through the Member State, to the Commission; and

(b) cooperate with the competent authority in any verification of the information referred to in point (a).’;

(b) the following paragraph is inserted:

‘1a. The obligation in paragraph 1 shall apply subject to rules regarding the confidentiality of information held by judicial authorities, and consistent with respect for the confidentiality of communications between lawyers and their clients guaranteed by Article 7 of the Charter of the Fundamental Rights of the European Union. For this purpose, such communications include those relating to legal advice provided by other certified professionals who are authorised under national law to represent their clients in judicial proceedings, insofar as such legal advice is provided in connection with pending or prospective judicial proceedings.’;

(c) paragraphs 2 and 3 are replaced by the following:

‘2. Any additional information received directly by the Commission shall be made available to the Member States.

3. The competent authorities of the Member States, including enforcement authorities, customs authorities within the meaning of Regulation (EU) 2026/2108 (*) of the European Parliament and of the Council, competent authorities within the meaning of Regulation (EU) No 575/2013 (**) of the European Parliament and of the Council and Directives 2014/65/EU (***) and (EU) 2015/849 (****) of the European Parliament and of the Council, as well as administrators of official registers wherein natural persons, legal persons, groups and entities as well as immovable or movable property are registered, shall process and exchange without delay information, including personal data and, if necessary, the information referred to in paragraph 1 of this Article, with other competent authorities of their Member State, of other Member States and the Commission, if such processing and exchange is necessary to carry out the tasks of the processing authority or the receiving authority under this Regulation, in particular when they detect instances of a breach or circumvention, or attempts at a breach or circumvention, of the prohibitions set out in this Regulation.

(*) Regulation (EU) 2026/2108 of the European Parliament and of the Council of 16 September 2026 establishing the Union Customs Code and the European Union Customs Authority, and repealing Regulation (EU) No 952/2013 (OJ L, 2026/2108, 19.9.2026, ELI: <http://data.europa.eu/eli/reg/2026/2108/oj>).

(**) Regulation (EU) No 575/2013 of the European Parliament and of the Council of 26 June 2013 on prudential requirements for credit institutions and amending Regulation (EU) No 648/2012 (OJ L 176, 27.6.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/575/oj>).

(***) Directive 2014/65/EU of the European Parliament and of the Council of 15 May 2014 on markets in financial instruments and amending Directive 2002/92/EC and Directive 2011/61/EU (OJ L 173, 12.6.2014, p. 349, ELI: <http://data.europa.eu/eli/dir/2014/65/oj>).

(****) Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73, ELI: <http://data.europa.eu/eli/dir/2015/849/oj>);

(6) Article 7b is replaced by the following:

‘Article 7b

It shall be prohibited to participate, knowingly or intentionally, in activities the object or effect of which is to circumvent the prohibitions set out in this Regulation, including by participating in such activities without deliberately seeking that object or effect but being aware that the participation may have that object or effect and accepting that possibility.’;

(7) Article 8 is replaced by the following:

‘Article 8

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and share any other relevant information at their disposal in connection with this Regulation, in particular information in respect of:

(a) funds frozen under Article 2(1);

(b) authorisations granted under the derogations set out in this Regulation;

(c) violation and enforcement problems and judgments handed down by national courts.

2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.’;

(8) the following articles are inserted:

‘Article 8a

1. Member States shall designate the competent authorities referred to in this Regulation and identify them on the websites listed in Annex II. Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex II.

2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment.

3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 8b

Any information provided to or received in accordance with this Regulation shall be used only for the purposes for which it was provided or received.’;

(9) the following article is inserted:

‘Article 9a

1. The Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy (the “High Representative”) may process personal data in order to carry out their tasks under this Regulation. These tasks include:

(a) as regards the Council, preparing and making amendments to Annexes I and Ia;

(b) as regards the High Representative, preparing amendments to Annexes I and Ia; and

(c) as regards the Commission:

(i) adding the contents of Annexes I and Ia to the electronic consolidated list of natural and legal persons, groups and entities subject to Union financial sanctions and to the interactive sanctions map, both of which are publicly available;

(ii) processing information on the impact of the measures of this Regulation, such as the value of frozen funds and information on authorisations granted by the competent authorities.

2. For the purposes of this Regulation, the Council, the Commission and the High Representative are designated as “controller” within the meaning of Article 3, point (8), of Regulation (EU) 2018/1725 in relation to the processing activities necessary to accomplish the tasks referred to in paragraph 1.;

(10) Article 10 is replaced by the following:

‘Article 10

1. Member States shall lay down the rules on penalties, including as appropriate criminal penalties, applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall also provide for appropriate measures of confiscation of the proceeds of such infringements.

2. Member States shall notify the Commission of the rules referred to in paragraph 1 without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment.’;

(11) Article 11 is replaced by the following:

‘Article 11

This Regulation shall apply:

(a) within the territory of the Union;

(b) on board any aircraft or vessel under the jurisdiction of a Member State;

(c) to any natural person inside or outside the territory of the Union who is a national of a Member State;

(d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;

(e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.’.

Article 2

This Regulation shall enter into force on the day following that 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 Luxembourg, 26 October 2026.

For the Council

The President

M. HEYDON
