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

THE COUNCIL OF THE EUROPEAN UNION,

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.

Article 2

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)

<table>
<thead>
<tr>
<th>No.</th>
<th>Name and possible aliases</th>
<th>Identifying information (function/title, date and place of birth (d.o.b. and p.o.b.), passport (Pass.)/ID card number, etc.)</th>
</tr>
</thead>
</table>
| 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.: 17/10/73  
Pass.: R0023013 |
| 9.  | Lieutenant Col. Mamadou Bhoye 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 |
<p>| 14. | Alpha Yaya DIALLO | Member of the CNDD |</p>
<table>
<thead>
<tr>
<th></th>
<th>Name (and possible aliases)</th>
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</tr>
</thead>
</table>
| 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 TOURÈ | 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 TOURÈ | 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. Aidor (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) CONDÈ | 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 |
<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>31.</td>
<td>Mamady CONDÉ</td>
<td>Member of the CNDD (PR to the UN) d.o.b.: 28/11/52 Pass.: R0003212</td>
</tr>
<tr>
<td>32.</td>
<td>S-Lt. Cheikh Ahmed TOURÉ</td>
<td>Member of the CNDD</td>
</tr>
<tr>
<td>33.</td>
<td>Commandant Aboubacar Biro CONDÉ</td>
<td>Member of the CNDD d.o.b.: 15/10/1962 Pass.: 2443</td>
</tr>
<tr>
<td>34.</td>
<td>Bouna KEITA</td>
<td>Member of the CNDD</td>
</tr>
<tr>
<td>35.</td>
<td>Idrissa CHERIF</td>
<td>Presidential private office d.o.b.: 13/11/1967 Pass.: R0105758</td>
</tr>
<tr>
<td>36.</td>
<td>Mr. Mamoudou CONDÉ</td>
<td>State Secretary with responsibility for Strategic Issues and Sustainable Development d.o.b.: 09/12/1960 Pass.: R0020803</td>
</tr>
<tr>
<td>37.</td>
<td>Lieutenant Aboubacar Chérif (alias Toumba) DIAKITÉ</td>
<td>Presidential aide-de-camp</td>
</tr>
<tr>
<td>38.</td>
<td>Ibrahima Khalil DIAWARA</td>
<td>Special adviser to ‘Toumba’ Diakité d.o.b.: 01/01/1976 Pass.: R0000968</td>
</tr>
<tr>
<td>39.</td>
<td>S Lt Marcel KOIVOGUI</td>
<td>Deputy to Toumba Diakité</td>
</tr>
<tr>
<td>40.</td>
<td>Mr Papa Koly KOUROUMA</td>
<td>Minister for the Environment and Sustainable Development d.o.b.: 03/11/1962 Pass.: R11914</td>
</tr>
<tr>
<td>41.</td>
<td>Nouhou THIAM</td>
<td>CNDD spokesman</td>
</tr>
<tr>
<td>42.</td>
<td>Police Captain Théodore KOUROUMA</td>
<td>Attaché in the presidential private office d.o.b.: 13/05/1971 Pass.: Service R0001204</td>
</tr>
</tbody>
</table>