



Ivory Coast

Council Regulation (EU) No 330/2011

Her Majesty's Treasury issue this Notice in respect of the restrictive measures directed by the United Nations and the European Union against certain persons and entities in view of the situation in the Ivory Coast.

Introduction

1. Council Regulation (EC) No 560/2005 of 12 April 2005 ("the 2005 Regulation") implements United Nations Security Council Resolution 1572 (2004) in the European Union, which introduced financial sanctions against persons designated by the UN Sanctions Committee as constituting a threat to the peace and national reconciliation process in the Ivory Coast.
2. Council Regulation (EU) No 25/2011 of 14 January 2011 ("Regulation 25/2011") amended the 2005 Regulation (references to which in the remainder of this Notice are references to the 2005 Regulation as amended by Regulation 25/2011) and, amongst other matters, introduced an asset freeze, on persons identified by the Council of the European Union as obstructing the process of peace and national reconciliation, and in particular who are jeopardising the proper outcome of the electoral process in the Ivory Coast.
3. UN Security Council Resolution 1975 (2011) of 30 March 2011 imposes targeted sanctions against additional individuals who meet the criteria in Resolution 1572 (2004) and subsequent Resolutions, including those individuals who obstruct peace and reconciliation in the Ivory Coast, obstruct the work of the United Nations Operation in Côte d'Ivoire and other international actors in the Ivory Coast and commit serious violations of human rights and international humanitarian law.

Council Regulation (EU) 330/2011

4. Council Regulation (EU) No 330/2011 ("Regulation 330/2011") of 6 April 2011 was published in the Official Journal of the European Union (O.J. L93, 7.4.2011, P.10) on 7 April 2011 and comes into force with immediate effect.

5. Regulation 330/2011, amongst other matters, amends the 2005 Regulation:

- to reflect the additions to the list of those subject to asset freezes made by Resolution 1975 (2011);
- by adding further persons to the list of those required by the EU to be subject to asset freezes;
- by providing further grounds on which competent authorities may license derogations from the asset freezing prohibitions; and
- so as to include additional restrictive measures relating to bonds, securities and loans.

6. A copy of Regulation 330/2011 can be found at:

http://www.hm-treasury.gov.uk/d/fin_sanc_ivorycoast_reg330_070411.pdf

Additional asset freeze targets

7. Annex I to the 2005 Regulation lists the natural or legal persons, entities or bodies who have been identified by the UN as persons who are subject to asset freezes.

8. Annex IA to the 2005 Regulation lists the natural or legal persons, entities or bodies who have been identified by the Council of the European Union as being persons who are subject to asset freezes.

Resolution 1975 (2011)

9. The imposition of further targeted sanctions by the UN Security Council in Resolution 1975 (2011) adds five individuals to the list of designated persons in Annex I.

10. Four of those individuals were already listed in Annex IA by the EU, so those individuals have been removed from that Annex and included instead in Annex I. The identifiers of the four individuals have been amended to reflect those in Resolution 1975 (2011).

Additional EU targets

11. Regulation 330/2011 adds to Annex IA twenty seven individuals designated by the Council of the European Union.

12. For convenience, the names of the designated persons added to Annexes I and IA, and the details of those individuals whose details have been amended are set out in the Annex to this Notice.

13. The UK's Consolidated List of individuals and entities subject to financial sanctions in effect in the UK which is maintained on the Treasury website has been updated to reflect the additions and amendments.

Reporting requirements

14. Relevant institutions and other persons are requested to check whether they maintain any accounts or otherwise hold any funds or economic resources for the persons added to Annexes I and IA and, if so, they must freeze such accounts or other funds and, unless licensed by the Treasury, refrain from making funds and/or economic resources available, directly or indirectly, to or for the benefit of such persons.

15. Relevant institutions must report their findings to the Treasury, together with any additional information that would facilitate compliance with the 2005 Regulation.

16. Where a relevant institution has already reported details of accounts, other funds or economic resources held frozen for any of the persons added to Annexes I and IA, they are not required to report these details again.

Restrictions on dealing with bonds and securities, and providing loans

17. Regulation 330/2011 inserts Article 9a and Article 9b into the 2005 Regulation.

18. Under Article 9a, it is prohibited:

(a) to purchase, broker or assist in the issue of bonds or securities issued or guaranteed after the date of entry into force of this Regulation by the illegitimate government of Mr Laurent Gbagbo, as well as by persons or entities acting on its behalf or under its authority, or by entities owned or controlled by it. By way of exception to the foregoing, financial institutions shall be authorised to purchase such bonds or securities of corresponding value to bonds and securities already held by them and which are due to mature;

(b) to provide loans, in any form, to the illegitimate government of Mr Laurent Gbagbo, as well as to persons or entities acting on its behalf or under its authority, or to entities that it owns or controls.

19. Under Article 9b, the prohibitions set out in Article 2(2) and in Article 9a shall not give rise to any liability of any kind on the part of the natural and legal persons, entities and bodies who made funds or economic resources available if they did not know, and had no reasonable cause to suspect, that their actions would infringe the prohibitions in question.

Derogations

20. Regulation 330/2011 inserts Article 3a and Article 3b into the 2005 Regulation.
21. Under Article 3a, the Treasury is able to authorise, with regards to the designated persons in Annex IA, the release of or making available of certain frozen funds or economic resources which are necessary for humanitarian purposes (subject to advance notification having been given to other EU Member States and the Commission).
22. Under Article 3b, provided that a payment by a designated person in Annex IA is due under contract or agreement that was concluded by, or an obligation arose for the designated person concerned, before the date on which that person, entity or body was designated, the Treasury is able to authorise the release of or making available of certain funds or economic resources, if they have determined that the funds or economic resources concerned shall be used for a payment by a designated person in Annex IA and the payment is not in breach of Article 2(2) (that is, the payment is not made, directly or indirectly, to or for the benefit of a designated person). A licence can only be granted under Article 3b if a notification has been given to other EU Member States and the Commission at least two weeks prior to the authorisation being granted.

Other information

23. Copies of relevant Notices, EU Regulations, UNSC Resolutions and UK legislation can be obtained from the Ivory Coast regime page on the financial sanctions pages of the Treasury website: http://www.hm-treasury.gov.uk/fin_sanctions_ivorycoast.htm.
24. Further information on all UK and EU financial sanctions regimes and the UK's Consolidated List of targets of financial sanctions can be obtained from the Financial Sanctions pages of the Treasury website: http://www.hm-treasury.gov.uk/fin_sanctions_index.htm.

Enquiries

25. Non-media enquiries, reports and licence applications should be addressed to:

Asset Freezing Unit, HM Treasury, 1 Horse Guards Road, London SW1A 2HQ
E-mail: AFU@hmtreasury.gsi.gov.uk, Telephone: 020 7270 5454.

26. Media enquiries should be addressed to the Treasury Press Office on 020 7270 5238.

HM Treasury
07/04/2011

ANNEX TO NOTICE

FINANCIAL SANCTIONS: IVORY COAST

COUNCIL REGULATION (EU) NO 330/2011
AMENDING ANNEX I AND ANNEX IA TO COUNCIL REGULATION (EC) NO 560/2005

DOB format is dd/mm/yyyy.

ANNEX I

ADDITIONS

Individuals

1. **DJEDJE, Alcide**

DOB: 20/10/1956

POB: Abidjan, Ivory Coast

Other Information: Close advisor to Mr Gbagbo.

Previously in Annex IA

Added information appears in italics and is underlined. Deleted information appears in strikethrough.

2. **GBAGBO, Laurent**

DOB: 31/05/1945

POB: Gagnoa, Ivory Coast

Position: ~~Supposedly President of the Republic~~ President of the Ivory Coast

3. **GBAGBO, Simone**

DOB: 20/06/1949

POB: Moossou, Grand-Bassam, Ivory Coast

Position: ~~President~~ Chairperson of the Parliamentary Group of the Ivorian Popular Front (FPI)
~~group in the National Assembly~~

4. **N'GUESSAN, Pascal, Affi**

DOB: 01/01/1953

POB: ~~Bouadikro~~ Bouadriko, Ivory Coast

Passport Details: PD-AE 09DD00013

Position: ~~President~~ Chairman of the Ivorian Popular Front (FPI)

5. **TAGRO, Desire**

DOB: 27/01/1959

POB: Issia, Ivory Coast

Passport Details: PD-AE 065FH08

Position: Secretary-General in the so-called 'presidency of Mr Gbagbo ~~of Mr Laurent Gbagbo's supposed 'Presidency~~

ANNEX IA

ADDITIONS

Individuals

1. **AMETCHI, Jean-Claude, N'Da**
Position: Managing Director of Versus Bank, Director of the illegally nationalised SGBCI (Societe Generale de Banques en Cote d'Ivoire)
2. **APPIAH, Wenceslas**
Position: Managing Director of BFA (bank for the financing of agriculture)
3. **AZIZ, Moustapha**
Position: Advisor to the Cote d'Ivoire Representative to UNESCO
4. **BALAWOUROU, Deby, Dally**
Position: Journalist. President of the Conseil National de la Presse (national press council)
5. **BLAISE, Blon, Siki**
Position: Self-styled High Authority for the Development of the West
6. **BOHUI, Sokouri**
Position: Member of the National Assembly, managing editor of Notre Voie daily newspaper and FPI Secretary-General
7. **BRIGITTE, Hanny, Tchele**
Other Information: Documentary film producer. Wife of Mr Etibouo.
8. **DOFERE, Kone**
Position: Collector-General of taxes
9. **FELLAH, Zakaria**
Position: Special Advisor to Mr Laurent Gbagbo
10. **GORE, Charles, Kader**
Other Information: Businessman.
11. **HOULAYE, Hubert**
Position: Chairman of the board of directors of the Banque Nationale d'Investissements (national investment bank)
12. **KEITA, Ali**
Position: Chief editor of Le Temps daily newspaper
13. **KOSSA, Anatole**
Position: Vice-President of CGFCC (coffee and cocoa sector management committee). Adviser to former president Gbagbo in farm sector since 1 Jan 2010
14. **KOUADIO, Alexandre**
Position: Provisional director of ARCC (coffee and cocoa regulatory authority)
15. **MATHIEU, Kadio, Morokro**
Position: Chairman of PETROIVOIRE

- 16. MOISE, Kore**
Title: Pastor
Position: Spiritual Advisor to Mr Laurent Gbagbo
- 17. N'GBECHI, Ghislain**
Position: Official at the Permanent Mission of Cote d'Ivoire in New York
- 18. N'GUESSAN, Celestin**
Position: Provisional director of FDPCC (coffee and cocoa producers business development and promotion fund)
- 19. NORBERT, Togba**
Position: Inspector-General of the Treasury
- 20. SOUMAHORO, Mamadou, Ben**
Position: Member of the National Assembly
- 21. SYLVANUS, Kla, Koue**
Position: De facto Director-General of the Cote d'Ivoire Telecommunications Agency and Chairman of San-Pedro General Council
- 22. YAO, Gnamien**
Other Information: Former Minister.
- 23. YAPOBI, Claudine, Lea**
a.k.a: YEHIRY, Claudine, Lea
Position: Provisional director of the FRC (regulation and supervision fund) and the BCC (coffee and cocoa exchange)
- 24. YAYA, Maitre, Sanogo**
Other Information: Barrister practising in Cote d'Ivoire.
- 25. ZADY, Jacques**
Position: Producer for Radiodiffusion Television Ivoirienne (RTI)
- 26. ZAHUI, Marcellin**
Position: Managing Director of the illegally nationalised CNCE (Caisse National de Credit et d'Epargne) and Director of BICICI (Banque Internationale pour le Commerce et l'Industrie de la Cote d'Ivoire)
- 27. ZIE, Diali**
Position: Director of the main agency of the BCEAO (Central Bank of West African States)