



To: All Licensees and Registrants

Date: 19 February 2020

Re: International Obligations (Economic and Ancillary Measures) Act, Chapter 16 ("IOEAMA")

Pursuant to section 3A of the International Obligations (Economic and Ancillary Measures) Act, Chapter 16 ("IOEAMA"), licensees and registrants of the Securities Commission of The Bahamas ("the Commission") are hereby informed that on 6 February 2020, the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo has added the following individual to the List of Individuals and Entities subject to the measures reaffirmed by paragraph 2 of resolution 2360 (2017):

1. Seka Baluku.

Licensees and registrants are urged to take all appropriate actions to ensure full compliance with the IOEAMA s. 3A, Part IV, "Implementation of United Nations Security Resolutions", of the Anti-Terrorism Act, and section 8 of the Anti-Terrorism Regulations.

Licensees and registrants must confirm compliance within 30 days of the date of this notice and on a quarterly basis thereafter by submitting the confirmation of compliance and declarations to the Commission and on a quarterly basis thereafter using Form 1A and 1B attached. Licensees and registrants are also required to submit confirmation of compliance and declarations to the Commission where there are no findings or 'hits'.

Licensees and registrants are further required to file an annual declaration, certifying that their operations are in full compliance with the aforementioned legislative provisions, signed by at least two (2) Directors of their Board of Directors or in the alternative, one (1) Director and the compliance officer registered with the Commission. The Commission further advises that the filing deadline relative to the annual declaration is 31 January 2020. **(See: Form 2, attached.)**

Please be advised that failure to submit the required reports may result in disciplinary action, including a minimum fine of \$200.00 per day per Order.

All confirmations of compliance and declarations should be addressed to:

The Executive Director
Securities Commission of The Bahamas
Poinciana House, North Building, 2nd Floor
31A East Bay Street
P. O. Box N-8347
Nassau, The Bahamas
Email: SUDfilings@scb.gov.bs

Licensees and registrants are further urged to regularly consult the following UNSC website addresses, to ensure continued compliance, and accurate record keeping relating to United Nations Security Council Resolutions:

1. UNSC: <https://www.un.org/securitycouncil/>
2. UNSC Sanctions list materials: <https://www.un.org/securitycouncil/sanctions/1718/materials>
3. Consolidated UNSC Sanctions List: <https://www.un.org/securitycouncil/content/un-sc-consolidated-list>

A copy of this notice, as well as the abovementioned listing, can be found on the Commission's website.

Any inquiries concerning this notice may be directed to the Commission at:

Poinciana House, North Building, 2nd Floor

31A East Bay Street

P. O. Box N-8347

Nassau, Bahamas

Email: info@scb.gov.bs

Telephone: 1-(242) 397-4100 (Nassau)

1-(242)-225-8171 (Family Island toll free)

1-(360)-450-0981 (International)

United Nations Nations Unies

HEADQUARTERS • SIEGE NEW YORK, NY 10017

TEL: 1 (212) 963 1234 • FAX: 1 (212) 963 4879

REFERENCE: SCA/1/20 (07)

The Chair of the Security Council Committee established pursuant to resolution [1533 \(2004\)](#) concerning the Democratic Republic of the Congo presents his compliments to the Permanent Representatives of Member States and to the Permanent Observers of non-Member States to the United Nations and has the honour to refer to the List of Individuals and Entities subject to the measures reaffirmed by paragraph 2 of resolution [2360 \(2017\)](#).

The Chair wishes to note that on 6 February 2020, the Committee added the following individual to the above-mentioned List:

1. SEKA BALUKU

CDi.036 Name: 1: SEKA 2: BALUKU 3: na 4: na
Name (original script): na **Title:** na **Designation:** Overall leader of the Allied Democratic Forces (ADF) (CDe.001). **DOB:** approximately 1977 **POB:** na **Good Quality a.k.a.:** na **Low Quality a.k.a.:** a) Mzee Kajaju b) Musa c) Lumu d) Lumonde, **Nationality:** Uganda **Passport no.:** na **National Identification No.:** na
Address: Last known location is Kajaju camp of Medina II, Beni territory, North Kivu, Democratic Republic of the Congo (last known location) **Listed on:** 6 February 2020. **Other information:** Longtime member of the ADF (CDe.001), Baluku used to be the second in command to ADF founder Jamil Mukulu (CDi.015) until he took over after FARDC military operation Sukola I in 2014.

Draft narrative summary

CDi.36 SEKA BALUKU

Date on which the narrative summary became available on the Committee's website: 6 February 2020

Reason for listing:

Seka Baluku was listed on 6 February 2020 pursuant to paragraph 7 of resolution [2293 \(2016\)](#) for engaging in or providing support for acts that undermine the peace, stability and security of the DRC.

Additional information:

Overall leader of the ADF (CDe.001). As highlighted in several reports from the Group of Experts on the DRC ([S/2015/19](#), [S/2015/797](#), [S/2016/1102](#), [S/2017/672](#),

[S/2018/531](#), [S/2019/469](#), [S/2019/974](#)), Seka Baluku has committed, planned and/or directed the repeated targeting, killing and maiming, rape and other sexual violence, abduction of civilians, including children, as well as attacks on health facilities, in particular in Mamove, Beni territory, on 12 and 24 February 2019, as well as the continuous recruitment and use of children during attacks and for forced labour in Beni territory in the DRC since at least 2015.

6 February 2020

[REGISTRANT/LICENSEE LETTERHEAD]

NOTICE

**RE: [Name of (i) International Obligations (Economic and Ancillary Measures) Order Citation/
(ii) Notice of the listing to the United Nations Sanctions List]**

This notice is to confirm that **[Name of Registrant/Licensee]** has conducted a review of its databases and records (including transaction records) for any findings related to **[Cite Order/and/or Individual/entity added to United Nations Sanctions List]**, and hereby confirms that there were no positive results.

Compliance Officer

[REGISTRANT/LICENSEE LETTERHEAD]

NOTICE

RE: [Name of: (i) International Obligations (Economic and Ancillary Measures) Order Citation/ (ii) Notice of the listing to the United Nations Sanctions List]

This is to confirm that [Name of Registrant/Licensee] has conducted a review of its databases and records (including transaction records) for any findings related to ***[Cite Order and/or Individual/entity added to United Nations Sanctions List]***, and hereby advise of the following positive results, which have been reported to the Attorney General and Financial Intelligence Unit:

Name of Individual/Entity	Account/Transaction Details

Compliance Officer

[REGISTRANT/LICENSEE LETTERHEAD]

DECLARATION

We, **[Name of Director]** and, **[Name of additional Director/Compliance Officer]** hereby declare that the operations of [Name of Registrant/Licensee] are in full compliance with the following Orders:

1. ***[List of International Obligations (Economic and Ancillary Measures) Orders relevant to this Declaration].***

DIRECTOR

DIRECTOR/COMPLIANCE OFFICER