

Treasury Sanctions Individuals for Roles in Atrocities and Other Abuses

December 10, 2019

Global Magnitsky designations target serious human rights abuse worldwide on International Human Rights Day

Washington – Today, on International Human Rights Day, the U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC) has taken action against 18 individuals located in Burma, Pakistan, Libya, Slovakia, Democratic Republic of the Congo (DRC), and South Sudan for their roles in serious human rights abuse. Additionally, six entities have been designated for being owned or controlled by one of the aforementioned individuals. OFAC designated these individuals and entities pursuant to Executive Order (E.O.) 13818, which builds upon and implements the Global Magnitsky Human Rights Accountability Act and targets perpetrators of serious human rights abuse and corruption.

“The United States will not tolerate torture, kidnapping, sexual violence, murder, or brutality against innocent civilians,” said Secretary Steven T. Mnuchin. “America is the world leader in combatting human rights abuse and we will hold perpetrators and enablers accountable wherever they operate.”

“Treasury’s action focuses on those who have killed, or ordered the killing of innocents who stood up for human rights including journalists, opposition members, and lawyers,” said Deputy Secretary Justin G. Muzinich.

SERIOUS HUMAN RIGHTS ABUSE IN BURMA

Today’s action supports U.S. efforts to support Burma’s democratic transition, civilian-led economic reform, and civilian control of the military.

Elements of the Burmese military have committed serious human rights abuse against members of ethnic minority groups across Burma, including those in the northern Rakhine, Kachin and Shan States, among others. Such abuses and the continuing impunity must stop for Burma to transition to a more secure, stable, democratic, peaceful and prosperous nation. Burma’s military must address the climate of impunity and cease abuses and violations of

universally accepted human rights. The United States prioritizes the protection of fundamental freedoms and human rights as a key part of our vision for a free and open Indo-Pacific, recognizing them as integral to U.S. foreign policy and national security interests and in line with U.S. values. Such human rights abuse undermines the ability to realize the vision for a free and open Indo-Pacific that we share with ASEAN and other Indo-Pacific partners.

MIN AUNG HLAING

Min Aung Hlaing is designated for his role as the Commander-in-Chief of the Burmese military forces, an entity that has engaged in or whose members have engaged in serious human rights abuse under his command. Min Aung Hlaing's military forces were responsible for the brutal security operation that began in August 2017 in Rakhine State and ultimately caused more than 500,000 people to flee to Bangladesh. During this time, members of ethnic minority groups were killed or injured by gunshot, often while fleeing, or by soldiers using large-bladed weapons; others were burned to death in their own houses. There are credible claims of mass-scale rape and other forms of sexual violence committed by soldiers under Min Aung Hlaing's command.

SOE WIN

Soe Win is designated for his role as the Deputy Commander-in-Chief of the Burmese military forces, an entity that has engaged in or whose members have engaged in serious human rights abuse during his tenure. Soe Win has been heavily involved in directing major operations that occurred in 2017, including the decision to deploy combat divisions to Rakhine State and other regions where serious human rights abuses occurred. Burmese military units responsible for some of the most serious violence, including many instances of sexual violence, reported directly to Soe Win.

THAN OO

Than Oo is designated for being a leader of the 99th Light Infantry Division (LID), an entity that has engaged in or whose members have engaged in serious human rights abuse under his command. In 2017, the 99th LID deployed to Rakhine State and, while there, participated in serious human rights abuses alongside the 33rd LID and other security forces. In one operation in Tula Toli, hundreds of men, women, and children were reportedly forced to the nearby riverbank where the 99th LID opened fire, executing many of the men, and forced women and girls to nearby houses where they were sexually assaulted. A number of these women and children were later stabbed and beaten, with the houses set fire while they were inside. The

99th LID was designated pursuant to E.O. 13818 on August 17, 2018, for engaging in serious human rights abuse.

AUNG AUNG

Aung Aung is designated for being a leader of the 33rd LID, an entity that has engaged in or whose members have engaged in serious human rights abuse under his command. The 33rd LID participated in abuses in Rakhine State, including the August 27, 2017 operation in Chut Pyin village. This operation included extrajudicial killings, forced disappearances, and sexual violence, as well as firing on fleeing villagers. More than 100 people were reportedly killed in this one operation alone. The 33rd LID was designated pursuant to E.O. 13818 on August 17, 2018, for engaging in serious human rights abuse.

SERIOUS HUMAN RIGHTS ABUSE IN PAKISTAN: RAO ANWAR KHAN

During his tenure as the Senior Superintendent of Police in District Malir, Pakistan, **Rao Anwar Khan (Anwar)** was reportedly responsible for staging numerous fake police encounters in which individuals were killed by police, and was involved in over 190 police encounters that resulted in the deaths of over 400 people, including the murder of Naeqebullah Mehsood. Anwar helped to lead a network of police and criminal thugs that were allegedly responsible for extortion, land grabbing, narcotics, and murder. Anwar is designated for being responsible for or complicit in, or having directly or indirectly engaged in, serious human rights abuse.

SERIOUS HUMAN RIGHTS ABUSE IN LIBYA: MAHMUD AL-WARFALLI

Mahmud al-Warfalli (al-Warfalli) serves as a commander of a militia known as the al-Saiqa Brigade. Al-Warfalli is designated for being a foreign person who is responsible for, is complicit in, or has directly or indirectly engaged in serious human rights abuse. Since 2016, al-Warfalli has carried out or ordered the killings of 43 unarmed detainees in eight separate incidents. Many of these killings were filmed and published on social media. On January 24, 2018, al-Warfalli was filmed carrying out a mass execution of ten unarmed detainees in Benghazi. After al-Warfalli shot each detainee in the head one by one, al-Warfalli fired freely at the group of ten executed detainees. On July 17, 2017, al-Warfalli ordered the methodical execution of 20 kneeling and unarmed detainees. In several of the incidents, al-Warfalli continued to shoot at detainees after they were executed.

SERIOUS HUMAN RIGHTS ABUSE IN SLOVAKIA: MARIAN KOCNER

Marian Kocner (Kocner) is designated for being responsible for or complicit in, or having directly or indirectly engaged in, serious human rights abuse. Kocner threatened Jan Kuciak, a

reporter who was investigating Kocner's corrupt dealings. According to reporting, Kuciak's investigative journalism focused on Kocner's ability, through a complicated series of financial transactions, to earn millions of Euros through fraudulent tax returns from Slovakia. Kuciak was also responsible for several exposés on Kocner's corrupt dealings, highlighting Kocner's connections to the police and prosecutors. Kocner also hired former Slovak Intelligence Service members to surveil Kuciak ahead of his eventual murder. Slovak authorities charged Kocner with hiring a hitman who murdered Kuciak and his fiancée, Martina Kusnirova.

In addition to the designation of Kocner, OFAC is designating six entities registered in Slovakia that are owned or controlled by Kocner: **Hotel Holding, S.R.O.; International Investment Development Holding A.S.; International Investment Hotels Holding A.S.; Sprava A Inkaso Pohlavok, S.R.O.; Sprava A Inkaso Zmeniek, S.R.O.;** and **Tranz-Tel, A.S.**

SERIOUS HUMAN RIGHTS ABUSE IN THE DRC ALLIED DEMOCRATIC FORCES (ADF)

For more than two decades, the ADF has engaged in serious human rights abuse, committing mass rape, torture, killings, and persistent civilian abductions. In 2014, OFAC and the United Nations designated the ADF, an armed group active in the DRC, for targeting children in situations of armed conflict, including through killing, rape, abduction, and forced displacement impacting the Great Lakes region. The ADF continues to perpetuate widespread violence and innumerable human rights abuse including the abduction, recruitment, and use of children during attacks and other violent operations. Additionally, the ADF's overnight raids and abduction of civilians has not abated.

Today, OFAC is designating Musa Baluku, a leader of the ADF, and targeting five key ADF members who have materially assisted the ADF through recruitment, logistics, administration, financing, intelligence, and operations coordination. The U.S. Government stands by the DRC government in its efforts to counter armed groups and to bring stability, peace, and prosperity to DRC by countering the ADF and other groups attempting to further destabilize the country. This action is intended to limit the financial dealings and access of key ADF leadership and aligns with the DRC government's broad objectives to tackle ongoing insecurity in eastern DRC.

- **Musa Baluku** is the leader of the ADF, an entity that has engaged in, or whose members have engaged in, serious human rights abuse related to his tenure.
- **Amigo Kibirige** has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the ADF, an entity that has engaged in, or whose members have engaged in, serious human rights abuse.

- **Muhammed Lumisa** has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the ADF, an entity that has engaged in, or whose members have engaged in, serious human rights abuse.
- **Elias Segujja** has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the ADF, an entity that has engaged in, or whose members have engaged in, serious human rights abuse.
- **Kayiira Muhammad** has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the ADF, an entity that has engaged in, or whose members have engaged in, serious human rights abuse.
- **Amisi Kasadha** has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of, the ADF, an entity that has engaged in, or whose members have engaged in, serious human rights abuse.

SERIOUS HUMAN RIGHTS ABUSE IN SOUTH SUDAN

The South Sudanese Government has repeatedly used extrajudicial killings as a means to silence dissent, limit freedom of speech and the press, and enforce the political status quo. Its refusal to create political space for dissenting voices — be they from opposition parties, civil society, or media — is a major factor in the country’s inability to implement its peace deal and form a national unity government. The Treasury Department is taking action against five individuals responsible for the abduction and likely murder of two human rights activists in 2017.

Aggrey Idri, a member of the Sudan People’s Liberation Movement – In Opposition (SPLM-IO), and Dong Samuel Luak, a South Sudanese human rights lawyer, disappeared from Nairobi, Kenya, on January 23 and 24, 2017, respectively, according to a UN Panel of Experts report and multiple press articles. Although the Government of South Sudan has denied knowledge of their whereabouts, multiple sources have stated that Dong and Aggrey were extraterritorially kidnapped in Kenya by members of the South Sudanese security services and brought back to Juba, South Sudan, where they were held for a short period of time in the South Sudanese National Security Service’s headquarters, known as the “Blue House.” According to reports, after that short period of internment, Dong and Aggrey were moved to a different detention center within South Sudan, where they were reportedly killed upon the orders of, and by, members of the South Sudanese government.

Despite two years elapsing since the death of Dong and Aggrey, the Government of South Sudan has shown no indications of holding the five individuals or any others to account, and has not

taken any corrective measures since the publication in April of the UN Panel of Experts report. Additionally, South Sudanese leadership on both sides of the political spectrum continue to undermine the stability and security of the country at the expense of the lives, dignity, and prosperity of the Sudanese people. The United States will continue to work bilaterally and with the international community to hold all those responsible for human rights abuse and corruption accountable as well as to take action against all those impeding South Sudan's peace process.

- **Abud Stephen Thiongkol (Thiongkol)** is a foreign person that is or has been the leader of an entity that has engaged in, or whose members have engaged in, serious human rights abuse. Thiongkol has been identified as the commander of the detention facilities where Aggrey and Dong were held prior to their killings.
- **Malual Dhal Muorwel (Muorwel)** is a foreign person that is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse. In addition to Muorwel's participation in the killings of Dong and Aggrey he has been identified as being the commander of forces who detained and assaulted three international monitors in December of 2018.
- **Michael Kuajien (Kuajien)** is a foreign person that is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse. Kuajien is one of two people publicly identified as being present in Kenya during, and in having a hand in, the kidnapping of Dong and Aggrey.
- **John Top Lam (Lam)** is a foreign person that is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse. Lam is one of two people publicly identified as being present in Kenya during, and in having a hand in, the kidnapping of Dong and Aggrey. Further, Lam is reported to have called member of Dong's family in order to provide information on Dong's whereabouts in return for a substantial cash payment.
- **Angelo Kuot Garang (Garang)** is a foreign person that is responsible for or complicit in, or has directly or indirectly engaged in, serious human rights abuse. Garang has been identified as being involved in the killing of Dong and Aggrey, as well as of other individuals

SANCTIONS IMPLICATIONS

As a result of today's action, all property and interests in property of the individuals named above, and of any entities that are owned, directly or indirectly, 50 percent or more by them, individually, or with other designated persons, that are in the United States or in the possession

or control of U.S. persons, are blocked and must be reported to OFAC. Unless authorized by a general or specific license issued by OFAC or otherwise exempt, OFAC's regulations generally prohibit all transactions by U.S. persons or within (or transiting) the United States that involve any property or interests in property of designated or otherwise blocked persons.

GLOBAL MAGNITSKY

Building upon the Global Magnitsky Human Rights Accountability Act, on December 20, 2017, the President signed E.O. 13818, in which the President found that the prevalence of human rights abuse and corruption which have their source, in whole or in substantial part, outside the United States, had reached such scope and gravity that it threatens the stability of international political and economic systems. Human rights abuse and corruption undermine the values that form an essential foundation of stable, secure, and functioning societies; have devastating impacts on individuals; weaken democratic institutions; degrade the rule of law; perpetuate violent conflicts; facilitate the activities of dangerous persons; and undermine economic markets. The United States seeks to impose tangible and significant consequences on those who commit serious human rights abuse or engage in corruption, as well as to protect the financial system of the United States from abuse by these same persons.

[For more information on the individuals and entities designated today.](#)

####