Treasury Targets Corruption Linked to Dan Gertler in the Democratic Republic of Congo

December 6, 2021

Treasury’s Designation Action the First in a Week of Actions Leading to the Summit for Democracy

WASHINGTON — Today, the U.S. Department of the Treasury’s Office of Foreign Assets Control (OFAC) sanctioned one individual, Alain Mukonda (Mukonda), for providing support to sanctioned billionaire Dan Gertler, as well as 12 entities linked to Mukonda or companies associated with him in the Democratic Republic of the Congo and Gibraltar. Mukonda and the 12 entities are designated 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 around the world.

Corruption allows bad actors to abuse their authority and extract unfair gains at the expense of others. Treasury’s strategy to combat corruption and combat these illicit activities will make the U.S. economy — and the global economy — stronger, fairer, and safer from corrupt actors and national security threats. Treasury is uniquely equipped with tools to root out corruption at home and abroad by targeting the financial systems and flows that allow bad actors to profit from corruption.

“Treasury is committed to supporting the Democratic Republic of the Congo’s anti-corruption efforts by going after those that abuse the political system for economic gain and unfairly profit from the Congolese state,” said Deputy Secretary of the Treasury Wally Adeyemo.

“Treasury recognizes that corruption fuels instability and conflict, and undercuts efforts to achieve the economic growth and the rule of law necessary to overcome fragility. We stand with the Congolese people in their efforts to combat this scourge.”

Today’s actions demonstrate the U.S. government’s ongoing effort to coordinate with civil society partners to impose significant consequences on those engaged in corruption in the DRC and globally.

PARTNERS IN THE FIGHT AGAINST CORRUPTION

Since the inception of the Global Magnitsky sanctions program, Treasury has worked hand in hand with civil society and foreign partners to develop and pursue investigations targeting perpetrators of corruption. Civil society organizations around the world are often eyewitnesses to corruption and human rights abuses and can shine a light on activities that corrupt actors and authoritarian regimes try to keep hidden. In determining whether to impose sanctions, Treasury considers credible information obtained by Non-Governmental Organizations (NGO) that monitor violations of human rights. Treasury highly values the information shared by NGOs all over the globe to expose corruption and human rights abuse, which can be used to support and develop cases like Treasury’s action today.

As highlighted by Treasury’s recent sanctions review, sanctions are most effective when coordinated where possible with allies and partners who can magnify the economic and political impact. Treasury sanctions comport with efforts by local partners to combat corruption, from law enforcement investigations into corrupt actors to legal reforms to strengthen key areas like enhanced transparency on beneficial owners and improved public procurement processes. Today’s action would not have been possible without the support and cooperation of DRC officials, who have demonstrated a clear commitment at the highest levels to root out corruption.

**A FINANCIAL LIFELINE FOR GERTLER**

Government officials in the DRC have prioritized promoting investment opportunities and increasing access to global finance due to the growth potential in a number of commercial sectors that have the potential to lift millions out of poverty. However, corruption, opaque business practices, and a patchwork legal framework have constrained economic growth and deterred private investment. Promoting accountability for corrupt actors is an important step in deterring future corruption.

Dan Gertler was included in the Annex to E.O. 13818 for his involvement in corruption in the DRC. On December 21, 2017, OFAC announced the designation of 19 companies and one associate, Pieter Albert Deboutte, for their ties to him. As previously noted in the December 2017 actions, Gertler amassed his fortune through hundreds of millions of dollars’ worth of opaque and corrupt mining and oil deals in the DRC. Gertler has used his close friendship with former DRC President Joseph Kabila to act as a middleman for mining asset sales in the DRC, requiring some multinational companies to go through Gertler to do business with the Congolese state. As a result of Gertler’s actions, between 2010 and 2012 alone, the DRC
reportedly lost more than $1.36 billion in revenues from the underpricing of mining assets that were sold to offshore companies linked to Gertler. In June 2018, OFAC took further action to target Gertler’s vast commercial network, designating 14 companies owned or controlled by him.

OFAC is designating Mukonda today for providing support to Gertler. Following Gertler’s identification in the Annex in 2017, Mukonda opened bank accounts and made payments into proxy bank accounts for Gertler and those linked to Deboutte. He made 16 cash deposits totaling between 11 and 13.5 million dollars into accounts of companies he incorporated that eventually belong to Gertler’s family. He also re-domiciled several of Gertler’s companies from Gibraltar and the British Virgin Islands to the DRC. With today’s action, the number of sanctioned entities and individuals in Gertler’s network, including the identification of Gertler in the Annex to E.O. 13818, totals 46. Treasury is committed to ensuring that Gertler is not able to corruptly profit from continued access and influence in the DRC and globally.

Mukonda is designated pursuant to E.O. 13818 for having materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services to or in support of Gertler, a person whose property and interests in property are blocked pursuant to E.O. 13818.

Additionally, OFAC is designating 11 entities based in the DRC, as well as one entity in Gibraltar, pursuant to E.O. 13818:

- Kintaleg Limited, based in Gibraltar and owned or controlled by Mukonda.
- Ventora Global Services, based in the DRC and owned or controlled by Mukonda.
- Ventora Mining S.A.S.U., based in the DRC and owned or controlled by Mukonda.
- Ashdale Settlement Gerco SAS, based in the DRC and owned or controlled by Mukonda.
- Opera, based in the DRC and owned or controlled by Ashdale Settlement Gerco SAS.
- Palatina SARLU, based in the DRC and owned or controlled by Ashdale Settlement Gerco SAS.
- Gemini S.A.S.U., based in the DRC and owned or controlled by Opera.
- Kaltona Limited SASU, based in the DRC and owned or controlled by Gemini S.A.S.U.
- Multree Limited SASU, based in the DRC and owned or controlled by Gemini S.A.S.U.
- Woodford Enterprises Limited SASU, based in the DRC and owned or controlled by Gemini S.A.S.U.
- Rosehill DRC SASU, based in the DRC and owned or controlled by Woodford Enterprises Limited SASU.

- Woodhaven DRC SASU, based in the DRC and owned or controlled by Rosehill DRC SASU.

These designations are the first in a series leading up to International Anti-Corruption Day and International Human Rights Day that demonstrate the whole-of-government approach to combating corruption through the Treasury's unique position and powerful tools.

**SANCTIONS IMPLICATIONS**

As a result of today's action, all property and interests in property of the persons above that are in the United States or in the possession or control of U.S. persons are blocked and must be reported to OFAC. In addition, any entities that are owned, directly or indirectly, 50 percent or more by one or more blocked persons are also blocked. Unless authorized by a general or specific license issued by OFAC, or otherwise exempt, 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 are prohibited. The prohibitions include the making of any contribution or provision of funds, goods, or services by, to, or for the benefit of any blocked person or the receipt of any contribution or provision of funds, goods, or services from any such person.

**GLOBAL MAGNITSKY**

Building upon the Global Magnitsky Human Rights Accountability Act, E.O. 13818 was issued on December 20, 2017, in recognition that the prevalence of human rights abuse and corruption that have their source, in whole or in substantial part, outside the United States, had reached such scope and gravity as to threaten 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.

Click here to view more information on today's designations.

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