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COM(2014) 73 final

2014/0037 (NLE)

Proposal for a

COUNCIL DECISION

extending the validity of Decision 2012/96/EU

EXPLANATORY MEMORANDUM

Council Decision 2012/470/EU of 7 August 2012 extended the validity of Council Decision 2012/96/EU until 20 August 2013 and suspended the application of appropriate measures set out in Decision 2002/148/EC, limiting cooperation with Zimbabwe. On 9 August 2013, by Decision 2013/428/EU, the Council decided to further extend the validity of Decision 2012/96/EU to 20 February 2014, while maintaining the suspension of the appropriate measures.

Given the EU's wish to continue incentivising full implementation of key provisions in the new constitution and the remaining recommendations by international and domestic observers on electoral reforms following the last elections, it is proposed that the Council extend the validity of Council Decision 2012/96/EU until 1 November 2014, by adopting the attached.

Proposal for a

COUNCIL DECISION

extending the validity of Decision 2012/96/EU

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 217 thereof,

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000¹ (hereinafter referred to as the ‘ACP-EU Partnership Agreement’), as revised in Ouagadougou, Burkina Faso on 22 June 2010², and in particular Article 96 thereof,

Having regard to the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the ACP-EC Partnership Agreement³, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) By Decision 2002/148/EC, consultations with the Republic of Zimbabwe under Article 96(2)(c) of the ACP-EU Partnership Agreement were concluded and appropriate measures were taken. These measures have since been amended and their period of application is reviewed annually.
- (2) To demonstrate the Union’s continued commitment to the political process as part of the Global Political Agreement, the Council decided on 7 August 2012 to extend the validity of Decision 2012/96/EU and to suspend application of the ‘appropriate measures’ limiting cooperation with Zimbabwe under Article 96 of the ACP-EU Partnership Agreement for a period of 12 months. On 9 August 2013, by Decision 2013/428/EU, the Council decided to further extend the validity of Decision 2012/96/EU to 20 February 2014, while maintaining the suspension of the appropriate measures.
- (3) In line with the Council’s agreement to continue incentivising full implementation of key provisions of the new constitution and the remaining recommendations for electoral reform made by international and domestic observers following the last election, the validity of Decision 2012/96/EU should be further extended, while maintaining the suspension of the appropriate measures.
- (4) The European Union can review this decision at any time,

¹ OJ L 317, 15.12.2000, p. 3.

² OJ L 287, 4.11.2010, p. 3.

³ OJ L 317, 15.12.2000, p. 376, as amended in OJ L 247, 9.9.2006, p. 48.

HAS ADOPTED THIS DECISION:

Article 1

The validity of Decision 2012/96/EU and of its appropriate measures is hereby extended. It shall expire on 1 November 2014. The application of the appropriate measures remains suspended.

The appropriate measures shall be kept under constant review and shall be applied again if the situation in Zimbabwe is to seriously deteriorate.

Article 2

This Decision shall enter into force on the date of its adoption. It shall be published in the *Official Journal of the European Union*.

Done at Brussels,

*For the Council
The President*