



**COUNCIL OF
THE EUROPEAN UNION**

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PROPOSAL

from: Commission/High Representative
dated: 3 February 2014

No Cion doc.: JOIN(2014) 4 final

Subject: Joint Proposal for a Council Regulation amending Council Regulation (EC)
No 314/2004 concerning certain restrictive measures in respect of Zimbabwe

Delegations will find attached a proposal from the Commission and the High Representative of the EU for Foreign Affairs and Security Policy, submitted under a covering letter from Mr Jordi AYET PUIGARNAU to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: JOIN(2014) 4 final



EUROPEAN
COMMISSION

HIGH REPRESENTATIVE OF THE
EUROPEAN UNION FOR
FOREIGN AFFAIRS AND
SECURITY POLICY

Brussels, 3.2.2014
JOIN(2014) 4 final

2014/0031 (NLE)

Joint Proposal for a

COUNCIL REGULATION

**amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures
in respect of Zimbabwe**

EXPLANATORY MEMORANDUM

- (1) Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe¹ implements several restrictive measures provided for by Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures against Zimbabwe², including the freezing of funds and economic resources of certain natural or legal persons, entities and bodies.
- (2) The Council has decided to extend the suspension of the travel ban and asset freeze measures applying to the majority of the individuals and entities set out in Annex I to Decision 2011/101/CFSP, and to apply this suspension to eight more persons. The suspension will not be applied to the remaining two persons and one entity.
- (3) Some of those measures are implemented at the level of the Union and therefore further action by the Union is needed in order to implement these measures.
- (4) It is necessary to update Council Regulation (EU) No 314/2004 accordingly.

¹ OJ L 55, 24.2.2004, p.1.

² OJ L 42, 16.2.2011, p. 6–23

Joint Proposal for a

COUNCIL REGULATION

amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to the joint proposal of the High Representative of the Union for Foreign Affairs and Security Policy and of the European Commission,

Whereas:

- (1) Council Regulation (EC) No 314/2004³ implements several measures provided for by Council Decision 2011/101/CFSP⁴, including the freezing of funds and economic resources of certain natural or legal persons, entities and bodies.
- (2) The Council has decided to renew the suspension of the travel ban and asset freeze measures applying to the majority of the individuals and entities set out in Annex I to Decision 2011/101/CFSP, and to extend this suspension to eight more individuals.
- (3) Some of those measures fall within the scope of the Treaty on the Functioning of the European Union and regulatory action at the level of the Union is therefore necessary in order to implement them, in particular with a view to ensuring their uniform application by economic operators in all Member States.
- (4) Regulation (EC) No 314/2004 should therefore be amended accordingly, notably by introducing a new Annex IV which includes eight new individuals suspended from the prohibitions, in addition to the 81 persons and 8 entities suspended by Council Regulation (EU) No 298/2013.
- (5) In order to ensure that the measures provided for in this Regulation are effective, this Regulation must enter into force on the day of its publication,

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 314/2004 is amended as follows:

(1) In Article 6, the following paragraph 4 is added:

‘4. The application of the prohibitions in paragraphs 1 and 2 shall be suspended in so far as they concern persons and entities listed in Annex IV.’

³ Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe (OJ L 55, 24.2.2004, p.1).

⁴ Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures against Zimbabwe (OJ L 42, 16.2.2011, p. 6).

(2) The Annex to this Regulation is added as Annex IV.

Article 2

Regulation (EU) No 298/2013 is repealed.

Article 3

This Regulation shall enter into force on the day of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council
The President