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2013/0261 (NLE)

Proposal for a

COUNCIL DECISION

extending the validity of Decision 2012/96/EU

EXPLANATORY MEMORANDUM

By Council Decision 2012/470/EU of 7 August 2012, the validity of Council Decision 2012/96/EU was extended until 20 August 2013 and the application of appropriate measures set out in Decision 2002/148/EC was suspended. Given uncertainty as to the exact timing of when elections in line with the Global Political Agreement will be held in Zimbabwe, and with a view to review appropriate measures immediately after the said elections, it is proposed to the Council to extend for a period of six months the validity of Council Decision 2012/96/EU by adopting the attached proposal.

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,

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-EC 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 Cotonou Agreement were concluded and appropriate measures taken. These measures have since been adapted and their period of application reviewed each year.
- (2) To demonstrate the Union's continued commitment to the political process under the Global Political Agreement, the Council on 7 August 2012 decided to extend the validity of Decision 2012/96/EU, and to suspend the application of the appropriate measures limiting cooperation with Zimbabwe under Article 96 of the Cotonou Agreement for a period of 12 months.
- (3) In line with the Council's agreement to review appropriate measures immediately after the holding of elections in Zimbabwe in accordance with the Global Political Agreement, Decision 2012/96/EU should be extended, while maintaining the suspension of the appropriate measures.
- (4) The European Union can decide to review this decision at any time,

HAS ADOPTED THIS DECISION:

Article 1

The validity of Decision 2012/96/EU and of its appropriate measures is hereby extended until 20 February 2014. However, the application of the appropriate measures remains suspended.

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.

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

Such measures shall in any event be reviewed six months after the entry into force of this Decision.

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