

Council Regulation (EC) No 314/2004 of 19 February 2004
concerning certain restrictive measures in respect of Zimbabwe

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Articles 60 and 301 thereof,

Having regard to Council Common Position 2004/161/CFSP of 19 February 2004 renewing restrictive measures against Zimbabwe⁽¹⁾,

Having regard to the proposal from the Commission,

Whereas:

- (1) By means of Common Position 2002/145/CFSP of 18 February 2002 concerning restrictive measures against Zimbabwe⁽²⁾, the Council expressed serious concern about the situation in Zimbabwe and in particular about serious violations of human rights by the Government of Zimbabwe, including violations of the freedoms of opinion, of association and of peaceful assembly. In view of this, it imposed certain restrictive measures, which are subject to annual review. Some of the restrictive measures imposed against Zimbabwe were implemented at Community level by Council Regulation (EC) No 310/2002⁽³⁾. The period of that Regulation's application was extended until 20 February 2004 by Council Regulation (EC) No 313/2003⁽⁴⁾.
- (2) The Council continues to consider that the Government of Zimbabwe is still engaging in serious violations of human rights. Therefore, for as long as the violations occur, the Council deems it necessary to maintain restrictive measures against the Government of Zimbabwe and those who bear prime responsibility for such violations.
- (3) Accordingly, Common Position 2004/161/CFSP provides for renewal of the restrictive measures provided for by Common Position 2002/145/CFSP.
- (4) The restrictive measures provided for by Common Position 2004/161/CFSP include, *inter alia*, a ban on technical assistance, financing and financial assistance related to military activities, a ban on the export of equipment which might be used for internal repression, and the freezing of funds, financial assets and economic resources of members of the Government of Zimbabwe and of any natural or legal persons, entities or bodies associated with them.
- (5) These measures fall within the scope of the Treaty and, therefore, in order to avoid any distortion of competition, Community legislation is necessary to implement them as far as the Community is concerned. For the purpose of this Regulation, the territory of

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Changes to legislation: There are currently no known outstanding effects for the Council Regulation (EC) No 314/2004, Introductory Text. (See end of Document for details)

the Community should be deemed to encompass the territories of the Member States to which the Treaty is applicable, under the conditions laid down in that Treaty.

- (6) It is desirable to align with recent practice the provisions concerning the ban on technical assistance, financing and financial assistance related to military activities, and those concerning the freezing of funds, financial assets and economic resources.
- (7) This Regulation amends and extends the restrictive measures contained in Regulation (EC) No 310/2002, which it should replace immediately on the latter's expiry,

HAS ADOPTED THIS REGULATION:

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- (1) OJ L 50, 20.2.2004, p. 66.
- (2) OJ L 50, 21.2.2002, p. 1. Common Position as last amended by Common Position 2003/115/CFSP (OJ L 46, 20.2.2003, p. 30).
- (3) OJ L 50, 21.2.2002, p. 4. Regulation as last amended by Commission Regulation (EC) No 743/2003 (OJ L 106, 29.4.2003, p. 18).
- (4) OJ L 46, 20.2.2003, p. 6.

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