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Legislation

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Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

II

(Non-legislative acts)

REGULATIONS

COUNCIL REGULATION (EU) 2022/225

of 17 February 2022

amending Regulation (EC) No 314/2004 concerning restrictive measures in view of the situation in 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 Council Decision (CFSP) 2022/227 of 17 February 2022 amending Decision 2011/101/CFSP concerning restrictive measures in view of the situation in Zimbabwe ⁽¹⁾,

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

Whereas:

- (1) Council Regulation (EC) No 314/2004 ⁽²⁾ gives effect to several measures provided for in Council Decision 2011/101/CFSP ⁽³⁾, including the freezing of funds and economic resources of designated persons and entities in view of the situation in Zimbabwe.
- (2) On 17 February 2022, the Council adopted Decision (CSFP) 2022/227, amending Article 10 of Decision 2011/101/CFSP, removing three persons from the list of persons and entities subject to restrictive measures as set out in Annex I to Decision 2011/101/CFSP and deleting Annex II to Decision 2011/101/CFSP containing the list of persons for whom the restrictive measures are suspended.
- (3) On 17 February 2022, Commission Implementing Regulation (EU) 2022/226 ⁽⁴⁾ amended Annex III to Regulation (EC) No 314/2004 accordingly.
- (4) Regulatory action at the Union level is therefore necessary to give effect to Decision (CFSP) 2022/227, in particular with a view to ensuring uniform application by economic operators in all Member States.
- (5) Regulation (EC) No 314/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

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

- (1) in Article 6, paragraph 4 is deleted;

⁽¹⁾ See page 5 of this Official Journal.

⁽²⁾ Council Regulation (EC) No 314/2004 of 19 February 2004 concerning restrictive measures in view of the situation in Zimbabwe (OJ L 55, 24.2.2004, p. 1).

⁽³⁾ Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures in view of the situation in Zimbabwe (OJ L 42, 16.2.2011, p. 6).

⁽⁴⁾ See page 3 of this Official Journal.

(2) Annex IV is deleted.

Article 2

This Regulation shall enter into force on the day following that 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, 17 February 2022.

For the Council
The President
J.-Y. LE DRIAN

COMMISSION IMPLEMENTING REGULATION (EU) 2022/226**of 17 February 2022****amending Council Regulation (EC) No 314/2004 concerning restrictive measures in view of the situation in Zimbabwe**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 314/2004 of 19 February 2004 concerning restrictive measures in view of the situation in Zimbabwe ⁽¹⁾, and in particular Article 11(b) thereof,

Whereas:

- (1) Council Decision 2011/101/CFSP ⁽²⁾ identifies the persons and entities to whom restrictive measures apply as provided for in Articles 4 and 5 of that Decision.
- (2) Regulation (EC) No 314/2004 gives effect to that Decision to the extent that action at Union level is required. In particular, Annex III to Regulation (EC) No 314/2004 lists the persons and entities covered by the freezing of funds and economic resources under that Regulation.
- (3) On 17 February 2022, the Council adopted Decision (CFSP) 2022/227 ⁽³⁾ removing three persons from the list of persons and entities subject to restrictive measures.
- (4) Annex III to Regulation (EC) No 314/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

Article 1

Annex III to Regulation (EC) No 314/2004 is amended as set out in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 17 February 2022.

*For the Commission,
On behalf of The President,
Director-General
Directorate-General for Financial Stability, Financial
Services and Capital Markets Union*

⁽¹⁾ OJ L 55, 24.2.2004, p. 1.

⁽²⁾ Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures in view of the situation in Zimbabwe (OJ L 42, 16.2.2011, p. 6).

⁽³⁾ Council Decision (CFSP) 2022/227 of 17 February 2022 amending Decision 2011/101/CFSP concerning restrictive measures in view of the situation in Zimbabwe (see page 5 of this Official Journal).

ANNEX

Annex III, section I, to Council Regulation (EC) No 314/2004 is amended as follows:

The following entries are deleted:

'(2) Mugabe, Grace	Born 23.7.1965 Passport AD001159 ID 63-646650Q70	Former Secretary of the ZANU-PF (Zimbabwe African National Union – Patriotic Front) Women's league, involved in activities that seriously undermine democracy, respect for human rights and the rule of law. Took over the Iron Mask Estate in 2002; alleged to illicitly derive large profits from diamond mining.
(5) CHIWENGA, Constantine	Vice-President Former Commander of the Zimbabwe Defence Forces, retired General, born 25.8.1956 Passport AD000263 ID 63-327568M80	Vice-President and former Commander of the Zimbabwe Defence Forces. Member of Joint Operations Command and complicit in forming or directing repressive state policy. Used army for farm takeovers. During the 2008 elections, he was a prime architect of the violence associated with the process of the Presidential run-off.
(7) SIBANDA, Phillip Valerio (a.k.a. Valentine)	Commander of the Zimbabwe Defence Forces Former Commander of the Zimbabwe National Army, General, born 25.8.1956 or 24.12.1954 ID 63-357671H26	Commander of the Zimbabwe Defence Forces and former Commander of the Zimbabwe National Army. Senior army figure with ties to the Government and complicit in forming or directing oppressive state policy.'

DECISIONS

COUNCIL DECISION (CFSP) 2022/227

of 17 February 2022

amending Decision 2011/101/CFSP concerning restrictive measures in view of the situation in Zimbabwe

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 29 thereof,

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

Whereas:

- (1) On 15 February 2011, the Council adopted Decision 2011/101/CFSP ⁽¹⁾, concerning restrictive measures in view of the situation in Zimbabwe.
- (2) On the basis of a review of Decision 2011/101/CFSP, the restrictive measures should be renewed until 20 February 2023. The Council should keep them under constant review in the light of political and security developments in Zimbabwe.
- (3) Three persons should be deleted from the list of persons and entities subject to restrictive measures as set out in Annex I to Decision 2011/101/CFSP, and Annex II to Decision 2011/101/CFSP should be deleted.
- (4) Decision 2011/101/CFSP should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/101/CFSP is amended as follows:

- (1) Article 10 is replaced by the following:

'Article 10

1. This Decision shall enter into force on the date of its adoption.
 2. This Decision shall apply until 20 February 2023.
 3. This Decision shall be kept under constant review and shall be renewed, or amended as appropriate, if the Council deems that its objectives have not been met.;
- (2) Annex I is amended as set out in the Annex to this Decision;
 - (3) Annex II is deleted.

⁽¹⁾ Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures in view of the situation in Zimbabwe (OJ L 42, 16.2.2011, p. 6.).

Article 2

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

Done at Brussels, 17 February 2022.

For the Council

The President

J.-Y. LE DRIAN

ANNEX

In Annex I to Decision 2011/101/CFSP, part 'I. Persons', the entries for the following persons are deleted:

2.	MUGABE, Grace	Born 23.7.1965 Passport AD001159 ID 63-646650Q70	Former Secretary of the ZANU-PF (Zimbabwe African National Union – Patriotic Front) Women's league, involved in activities that seriously undermine democracy, respect for human rights and the rule of law. Took over the Iron Mask Estate in 2002; alleged to illicitly derive large profits from diamond mining.
5.	CHIWENGA, Constantine	Vice-President Former Commander of the Zimbabwe Defence Forces, retired General, born 25.8.1956 Passport AD000263 ID 63-327568M80	Vice-President and former Commander of the Zimbabwe Defence Forces. Member of Joint Operational Command and complicit in forming or directing repressive state policy. Used army for farm takeovers. During 2008 elections was a prime architect of the violence associated with the process of the Presidential run-off.
7.	SIBANDA, Phillip Valerio (a.k.a. Valentine)	Commander of the Zimbabwe Defence Forces Former Commander of the Zimbabwe National Army, General, born 25.8.1956 or 24.12.1954 ID 63-357671H26	Commander of the Zimbabwe Defence Forces and former Commander of the Zimbabwe National Army. Senior army figure with ties to the Government and complicit in forming or directing oppressive state policy.'

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