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II

(Non-legislative acts)

REGULATIONS

COMMISSION REGULATION (EU) No 135/2011

of 15 February 2011

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules for Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector ⁽²⁾, and in particular Article 138(1) thereof,

Whereas:

Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in Annex XV, Part A thereto,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 are fixed in the Annex hereto.

Article 2

This Regulation shall enter into force on 16 February 2011.

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

Done at Brussels, 15 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 350, 31.12.2007, p. 1.

ANNEX

Standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code ⁽¹⁾	Standard import value
0702 00 00	IL	107,9
	JO	87,5
	MA	58,3
	TN	102,0
	TR	107,7
	ZZ	92,7
0707 00 05	JO	101,4
	TR	171,4
	ZZ	136,4
0709 90 70	MA	45,7
	TR	100,1
	ZA	57,4
	ZZ	67,7
0709 90 80	EG	97,7
	ZZ	97,7
0805 10 20	AR	41,5
	EG	54,4
	IL	78,0
	MA	55,3
	TN	45,1
	TR	69,4
	ZA	41,5
	ZZ	55,0
0805 20 10	IL	167,5
	MA	87,7
	TR	79,6
	ZZ	111,6
0805 20 30, 0805 20 50, 0805 20 70, 0805 20 90	CN	66,4
	IL	108,3
	JM	95,3
	MA	111,4
	TR	63,6
	ZZ	89,0
0805 50 10	EG	62,1
	MA	46,4
	TR	53,2
	ZZ	53,9
0808 10 80	CA	91,1
	CL	54,0
	CM	52,0
	CN	61,3
	US	138,9
	ZZ	79,5
0808 20 50	AR	130,7
	CL	60,7
	CN	64,3
	US	132,4
	ZA	101,4
	ZZ	97,9

⁽¹⁾ Nomenclature of countries laid down by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EU) No 136/2011**of 15 February 2011****fixing the import duties in the cereals sector applicable from 16 February 2011**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1234/2007 of 22 October 2007 establishing a common organisation of agricultural markets and on specific provisions for certain agricultural products (Single CMO Regulation) ⁽¹⁾,

Having regard to Commission Regulation (EU) No 642/2010 of 20 July 2010 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of import duties in the cereals sector ⁽²⁾, and in particular Article 2(1) thereof,

Whereas:

- (1) Article 136(1) of Regulation (EC) No 1234/2007 states that the import duty on products falling within CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002, ex 1005 other than hybrid seed, and ex 1007 other than hybrids for sowing, is to be equal to the intervention price valid for such products on importation increased by 55 %, minus the cif import price applicable to the consignment in question. However, that duty may not exceed the rate of duty in the Common Customs Tariff.

- (2) Article 136(2) of Regulation (EC) No 1234/2007 lays down that, for the purposes of calculating the import duty referred to in paragraph 1 of that Article, representative cif import prices are to be established on a regular basis for the products in question.

- (3) Under Article 2(2) of Regulation (EU) No 642/2010, the price to be used for the calculation of the import duty on products of CN codes 1001 10 00, 1001 90 91, ex 1001 90 99 (high quality common wheat), 1002 00, 1005 10 90, 1005 90 00 and 1007 00 90 is the daily cif representative import price determined as specified in Article 5 of that Regulation.

- (4) Import duties should be fixed for the period from 16 February 2011 and should apply until new import duties are fixed and enter into force,

HAS ADOPTED THIS REGULATION:

Article 1

From 16 February 2011, the import duties in the cereals sector referred to in Article 136(1) of Regulation (EC) No 1234/2007 shall be those fixed in Annex I to this Regulation on the basis of the information contained in Annex II.

Article 2

This Regulation shall enter into force on 16 February 2011.

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

Done at Brussels, 15 February 2011.

*For the Commission,
On behalf of the President,
José Manuel SILVA RODRÍGUEZ
Director-General for Agriculture and
Rural Development*

⁽¹⁾ OJ L 299, 16.11.2007, p. 1.

⁽²⁾ OJ L 187, 21.7.2010, p. 5.

ANNEX I

Import duties on the products referred to in Article 136(1) of Regulation (EC) No 1234/2007 applicable from 16 February 2011

CN code	Description	Import duties ⁽¹⁾ (EUR/t)
1001 10 00	Durum wheat, high quality	0,00
	medium quality	0,00
	low quality	0,00
1001 90 91	Common wheat seed	0,00
ex 1001 90 99	High quality common wheat, other than for sowing	0,00
1002 00 00	Rye	0,00
1005 10 90	Maize seed other than hybrid	0,00
1005 90 00	Maize, other than seed ⁽²⁾	0,00
1007 00 90	Grain sorghum other than hybrids for sowing	0,00

⁽¹⁾ For goods arriving in the Union via the Atlantic Ocean or via the Suez Canal the importer may benefit, under Article 2(4) of Regulation (EU) No 642/2010, from a reduction in the duty of:

- 3 EUR/t, where the port of unloading is on the Mediterranean Sea, or on the Black Sea,
- 2 EUR/t, where the port of unloading is in Denmark, Estonia, Ireland, Latvia, Lithuania, Poland, Finland, Sweden, the United Kingdom or the Atlantic coast of the Iberian peninsula.

⁽²⁾ The importer may benefit from a flatrate reduction of EUR 24 per tonne where the conditions laid down in Article 3 of Regulation (EU) No 642/2010 are met.

ANNEX II

Factors for calculating the duties laid down in Annex I

1.2.2011-14.2.2011

1. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

(EUR/t)

	Common wheat ⁽¹⁾	Maize	Durum wheat, high quality	Durum wheat, medium quality ⁽²⁾	Durum wheat, low quality ⁽³⁾	Barley
Exchange	Minneapolis	Chicago	—	—	—	—
Quotation	284,92	197,07	—	—	—	—
Fob price USA	—	—	329,78	319,78	299,78	170,97
Gulf of Mexico premium	83,59	13,18	—	—	—	—
Great Lakes premium	—	—	—	—	—	—

⁽¹⁾ Premium of 14 EUR/t incorporated (Article 5(3) of Regulation (EU) No 642/2010).⁽²⁾ Discount of 10 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).⁽³⁾ Discount of 30 EUR/t (Article 5(3) of Regulation (EU) No 642/2010).

2. Averages over the reference period referred to in Article 2(2) of Regulation (EU) No 642/2010:

Freight costs: Gulf of Mexico–Rotterdam: 17,64 EUR/t

Freight costs: Great Lakes–Rotterdam: — EUR/t

DECISIONS

COUNCIL DECISION 2011/101/CFSP

of 15 February 2011

concerning restrictive measures against Zimbabwe

THE COUNCIL OF THE EUROPEAN UNION,

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

Whereas:

- (1) On 19 February 2004, the Council adopted Common Position 2004/161/CFSP renewing restrictive measures against Zimbabwe ⁽¹⁾.
- (2) Council Decision 2010/92/CFSP ⁽²⁾, adopted on 15 February 2010, extended the restrictive measures provided for in Common Position 2004/161/CFSP until 20 February 2011.
- (3) On the basis of a review of Common Position 2004/161/CFSP, the restrictive measures should be renewed until 20 February 2012.
- (4) However, there are no longer grounds for keeping certain persons on the list of persons and entities to which the restrictive measures provided for in Common Position 2004/161/CFSP apply.
- (5) The Union implementing measures are set out in Council Regulation (EC) No 314/2004 of 19 February 2004 concerning certain restrictive measures in respect of Zimbabwe ⁽³⁾,

HAS ADOPTED THIS DECISION:

Article 1

For the purposes of this Decision, the term 'technical assistance' shall mean any technical support related to repairs, development, manufacture, assembly, testing, maintenance or any other technical service, and may take forms such as instruction, advice, training, transmission of working knowledge or skills or consulting services; technical assistance includes verbal forms of assistance.

Article 2

1. The sale, supply, transfer or export of arms and related materiel of all types, including weapons and ammunition,

military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, to Zimbabwe:

- (a) by nationals of Member States,
- (b) from the territories of Member States, or
- (c) using flag vessels or aircraft of Member States,

shall be prohibited whether originating or not in the territories of Member States.

2. It shall be prohibited:

- (a) to grant, sell, supply or transfer technical assistance, brokering services and other services related to military activities and to the provision, manufacture, maintenance and use of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, as well as equipment which might be used for internal repression, directly or indirectly to any person, entity or body in, or for use in, Zimbabwe;
- (b) to provide financing or financial assistance related to military activities, including, in particular, grants, loans and export credit insurance, for any sale, supply, transfer or export of arms and related materiel, as well as equipment which might be used for internal repression, directly or indirectly to any person, entity or body in, or for use in, Zimbabwe.

Article 3

1. Article 2 shall not apply to:

- (a) the sale, supply, transfer or export of non-lethal military equipment or of equipment which might be used for internal repression, intended solely for humanitarian or protective use, or for institution-building programmes of the UN and the EU, or of materiel intended for EU and UN crisis management operations;

⁽¹⁾ OJ L 50, 20.2.2004, p. 66.

⁽²⁾ OJ L 41, 16.2.2010, p. 6.

⁽³⁾ OJ L 55, 24.2.2004, p. 1.

(b) the provision of financing and financial assistance related to such equipment;

(c) the provision of technical assistance related to such equipment, on condition that any export thereof has been approved in advance by the relevant competent authority.

2. Article 2 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Zimbabwe by UN personnel, personnel of the EU or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.

Article 4

1. Member States shall take the measures necessary to prevent the entry into, or transit through, their territories of members of the Government of Zimbabwe and of natural persons associated with them, as well as of other natural persons whose activities seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe. The individuals referred to in this paragraph are listed in the Annex.

2. Paragraph 1 shall not oblige a Member State to refuse its own nationals entry into its territory.

3. Paragraph 1 shall be without prejudice to the cases where a Member State is bound by an obligation under international law, namely:

- (a) as a host country of an international intergovernmental organisation;
- (b) as a host country of an international conference convened by, or under the auspices of, the United Nations;
- (c) under a multilateral agreement conferring privileges and immunities; or
- (d) pursuant to the 1929 Treaty of Conciliation (Lateran Pact) concluded by the Holy See (Vatican City State) and Italy.

The Council shall be duly informed in each of these cases.

4. Paragraph 3 shall apply also in cases where a Member State is a host country of the Organisation for Security and Cooperation in Europe (OSCE).

5. Member States may grant exemptions from the measures imposed in paragraph 1 where travel is justified on urgent and imperative humanitarian grounds, or in exceptional cases on grounds of attending intergovernmental meetings, including those promoted by the European Union, where a political

dialogue is conducted which directly, immediately and significantly promotes democracy, human rights and the rule of law in Zimbabwe.

6. Any Member State wishing to grant exemptions referred to in paragraph 5 shall notify the Council in writing. The exemption shall be deemed to be granted unless one or more of the members of the Council raise an objection in writing within 48 hours of receiving notification of the proposed exemption. Should one or more of the members of the Council raise an objection, the exemption shall not be granted, except where a Member State wishes to grant it on urgent and imperative humanitarian grounds. In the latter event, the Council, acting by a qualified majority, may decide to grant the proposed exemption.

7. In cases where, pursuant to paragraphs 3 to 6, a Member State authorises the entry into, or transit through, its territory of persons listed in the Annex, the authorisation shall be strictly limited to the purpose for which it is given and to the persons directly concerned thereby.

Article 5

1. All funds and economic resources belonging to individual members of the Government of Zimbabwe or to any natural or legal persons, entities or bodies associated with them, or belonging to any other natural or legal person whose activities seriously undermine democracy, respect for human rights and the rule of law in Zimbabwe, shall be frozen. The persons and entities referred to in this paragraph are listed in the Annex.

2. No funds or economic resources shall be made available directly or indirectly to, or for the benefit, of natural or legal persons, entities or bodies listed in the Annex.

3. Exemptions may be made for funds or economic resources which are:

- (a) necessary for basic expenses, including payments for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges;
- (b) intended exclusively for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services;
- (c) intended exclusively for payment of fees or service charges for routine holding or maintenance of frozen funds or economic resources; or
- (d) necessary for extraordinary expenses.

4. Paragraph 2 shall not apply to the addition to frozen accounts of:

- (a) interest or other earnings on those accounts; or

- (b) payments due under contracts, agreements or obligations that were concluded or arose prior to the date on which those accounts became subject to restrictive measures,

provided that any such interest, other earnings and payments continue to be subject to paragraph 1.

Article 6

1. The Council, acting upon a proposal by a Member State or the High Representative of the Union for Foreign Affairs and Security Policy, shall adopt modifications to the list contained in the Annex as required by political developments in Zimbabwe.

2. The Council shall communicate its decision, including the grounds for listing, to the person or entity concerned, either directly, if the address is known, or through the publication of a notice, providing such person or entity with an opportunity to present observations.

3. Where observations are submitted, or where substantial new evidence is presented, the Council shall review its decision and inform the person or entity concerned accordingly.

Article 7

1. The Annex shall include the grounds for listing the natural or legal persons and entities.

2. The Annex shall also contain, where available, the information necessary to identify the natural or legal persons or entities concerned. With regard to natural persons, such information may include names, including aliases, date and place of birth, nationality, passport and ID card numbers,

gender, address, and function or profession. With regard to legal persons or entities, such information may include names, place and date of registration, registration number and place of business.

Article 8

In order to maximise the impact of the above-mentioned measures, the Union shall encourage third States to adopt restrictive measures similar to those contained in this Decision.

Article 9

Common Position 2004/161/CFSP is hereby repealed.

Article 10

1. This Decision shall enter into force on the date of its adoption.

2. This Decision shall apply until 20 February 2012.

It 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.

Done at Brussels, 15 February 2011.

For the Council
The President
MATOLCSY Gy.

ANNEX

LIST OF PERSONS AND ENTITIES REFERRED TO IN ARTICLES 4 AND 5

I. Persons

	Name (and any aliases)	Identifying information	Grounds for designation
1.	Mugabe, Robert Gabriel	President, born 21.2.1924; Passport AD001095.	Head of Government and responsible for activities that seriously undermine democracy, respect for human rights and the rule of law.
2.	Abu Basutu, Titus MJ	Air Vice-Marshal, Matebeleland South.	Directly involved in the terror campaign waged before and during the elections.
3.	Barwe, Reuben	Journalist with Zimbabwe Broadcasting Corporation, born 19.3.1953; Passport BN311374.	Whipped up the government-orchestrated terror campaign before and during the 2008 elections.
4.	Bonyongwe, Happyton	Director-General Central Intelligence Organisation, born 6.11.1960; Passport: AD002214.	Ties to the Government and complicit in forming or directing repressive state policy.
5.	Bredenkamp, John Arnold	Businessman, born 11.08.1940; Passports: Netherlands (1285143, expired), Zimbabwe (Z01024064, Z153612), Surinam (367537C).	Businessman with strong ties to the Government of Zimbabwe. He has provided, including through his companies, financial and other support to the regime (see also items 1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 14, 18, 21, 22, 24, 25, 27, 28 in part II).
6.	Buka (a.k.a. Bhuka), Flora	President's office (Former Minister of State for Special Affairs responsible for Land and Resettlement Programmes, former Minister of State in the Vice-President's office and former Minister of State for the Land Reform in the President's Office), born 25.2.1968.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
7.	Bvudzijena, Wayne	Assistant Police Commissioner, Police Spokesman.	Member of the security forces and bearing wide responsibility for defending serious violations of human rights.
8.	Chapfika, David	Former Deputy Minister of Agriculture (former Deputy Minister of Finance), born 7.4.1957.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
9.	Charamba, George	Permanent Secretary, Department for Information and Publicity, born 4.4.1963; Passport AD002226.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
10.	Chidarikire, Faber Edmund	Provincial Governor for Mashonaland West, former Mayor of Chinhoyi, born 6.6.1946.	Ties to the Government.
11.	Chigudu, Tinaye	Former Provincial Governor: Manicaland.	Ties to the Government and bearing wide responsibility for serious violations of human rights.

	Name (and any aliases)	Identifying information	Grounds for designation
12.	Chigwedere, Aeneas Soko	Provincial Governor: Mashonaland East, former Minister, born 25.11.1939.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
13.	Chihota, Phineas	Deputy Minister for Industry and International Trade.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
14.	Chihuri, Augustine	Police Commissioner, born 10.3.1953.	Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
15.	Chimbudzi, Alice	ZANU (PF) Politburo Committee Member.	Member of the politburo with strong ties to the Government and its policy.
16.	Chimedza, Paul	President of the Medical Association of Zimbabwe, Doctor, born 29.6.1967.	Engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
17.	Chimutengwende, Chenhamo Chekezha	Former Minister of State for Public and Interactive Affairs (former Minister of Information, former Minister of Post and Telecommunications), born 28.8.1943.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
18.	Chinamasa, Monica	President of the Zimbabwe National Farmers' Union, married to Patrick Chinamasa, born 1950.	Supporter and beneficiary of the regime through close association with key member of the Government and involved in activities that undermine the rule of law.
19.	Chinamasa, Patrick Anthony	Minister of Justice, Legal and Parliamentary Affairs, born 25.1.1947.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
20.	Chindori-Chininga, Edward Takaruza	Former Minister of Mines and Mining Development, born 14.3.1955.	Former member of the Government with ongoing ties to the Government.
21.	Chinotimba, Joseph	Vice Chairman of the Zimbabwe National Liberation War Veterans Association, leader of ZANU-PF militia.	Engaged in activities that seriously undermine democracy, respect for human rights and the rule of law, including direct involvement in the terror campaign waged before and during the elections.
22.	Chipanga, Tongesai Shadreck	Former Deputy Minister of Home Affairs, born 10.10.1940.	Former member of the Government with ongoing ties to the Government.
23.	Chipwere, Augustine	Colonel, Bindura South.	Directly involved in the terror campaign waged before and during the elections.
24.	Chiremba, Mirirai	Director of Financial Intelligence at the Reserve Bank of Zimbabwe, born 14.05.1962.	Ties to the Government and complicit in forming or directing repressive state policy.
25.	Chitakunye, Eliphas	High Court Justice.	Has refused to allow investigation of abductions and torture at the hands of security agents.

	Name (and any aliases)	Identifying information	Grounds for designation
26.	Chiwenga, Constantine	Commander Zimbabwe Defence Forces, General (former Army Commander, Lieutenant General), born 25.8.1956.	Member of the security forces and complicit in forming or directing repressive state policy.
27.	Chiwenga, Jocelyn	Businesswoman, born 19.5.1955, married to General Chiwenga, Commander of the Defence Forces.	Engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
28.	Chiweshe, George	Chairman, Zimbabwe Electoral Commission (Supreme Court Judge and Chairman of the controversial delimitation committee), born 4.6.1953.	Ties to the Government and complicit in forming or directing repressive state policy.
29.	Chiwewe, Willard	Former Provincial Governor: Masvingo (former Senior Secretary responsible for Special Affairs in the President's Office), born 19.3.1949.	Former member of the Government with ongoing ties and bearing wide responsibility for serious violations of human rights.
30.	Chombo, Ignatius Morgan Chiminya	Minister of Local Government, Public Works and Urban Development, born 1.8.1952.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
31.	Deketeke, Pikirayi	Chair of Broadcasting Authority of Zimbabwe and Editor of the official pro-government newspaper 'The Herald'.	Ties to the Government and involved in activities that seriously undermine freedom of expression and the media.
32.	Dinha, Martin	Provincial Governor for Mashonaland Central.	Ties to the Government.
33.	Dube, Tshinga Judge	Head of Zimbabwe Defence Industries and ZANU-PF candidate in the parliamentary elections, Retired Colonel, born 3.7.1941.	Ties to the Government and complicit in forming or directing repressive state policy.
34.	Goche, Nicholas Tasunungurwa	Minister of Public Service, Labour and Social Welfare (former Minister of State for National Security in the President's Office), born 1.8.1946.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
35.	Gono, Gideon	Governor of the Reserve Bank of Zimbabwe (central bank), born 29.11.59.	Ties to the Government and complicit in forming or directing repressive state policy.
36.	Gumbo, Rugare Eleck Ngidi	Former Minister of Agriculture (Former Minister of Economic Development), born 8.3.1940.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
37.	Gurira, Cephas T.	Colonel, Mhondoro Mubaira.	Directly involved in the terror campaign waged before and during the elections.
38.	Gwekwerere, Stephen	Colonel, Chinhoyi.	Directly involved in the terror campaign waged before and during the elections.

	Name (and any aliases)	Identifying information	Grounds for designation
39.	Hungwe, Josaya (a.k.a. Josiah) Dunira	Former Provincial Governor: Masvingo, born 7.11.1935.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
40.	Huni, Munyaradzi	Journalist on the official pro-government newspaper 'The Herald', born 24.7.1973; Passport: BN160327.	Whipped up the terror campaign before and during the elections.
41.	Kachepa, Newton	Member of Parliament for Mudzi North.	Directly involved in the campaign of terror waged before and after the elections.
42.	Karakadzai, Mike Tichafa	Air Commodore, Harare Metropolitan Province.	Directly involved in the terror campaign waged before and during the elections.
43.	Karimanzira, David Ishemunyororo Godi	Provincial Governor: Harare and ZANU-PF Politburo Secretary for Finance, born 25.5.1947.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
44.	Kasukuwere, Saviour	Deputy Minister for Youth Development & Employment Creation and ZANU-PF Politburo Deputy-Secretary for Youth Affairs, born 23.10.1970.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
45.	Kazangarare, Jawet	ZANU-PF Councillor in Hurungwe North and war veteran.	Directly involved in the government-orchestrated terror campaign waged before and during the elections.
46.	Kazembe, Joyce Laetitia	Deputy Chairperson of the Zimbabwe Electoral Commission and Chair of ZEC's Media Monitoring Commission.	Shares responsibility for the fraudulent election process in 2008.
47.	Kereke, Munyaradzi	Chief Adviser to the Governor of the Reserve Bank of Zimbabwe, born 29.7.1972.	Ties to the Government and complicit in forming or directing repressive state policy.
48.	Khumalo, Sibangumuzi	Brigadier General, Matebeleland North.	Directly involved in the terror campaign waged before and during the elections.
49.	Kunonga, Nolbert (a.k.a. Nobert)	Self-appointed Anglican Bishop.	Vociferous supporter of the regime. His followers have been backed by the police in committing acts of violence.
50.	Kwainona, Martin	Assistant Commissioner, born 19.1.1953; Passport AD001073.	Directly involved in the campaign of terror waged before and after the elections.
51.	Kwenda, R.	Major, Zaka East.	Directly involved in the terror campaign waged before and during the elections.
52.	Langa, Andrew	Deputy Minister of Environment and Tourism (former Deputy Minister of Transport and Communications).	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

	Name (and any aliases)	Identifying information	Grounds for designation
53.	Mabunda, Musarashana	Assistant Police Commissioner.	Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
54.	Machaya, Jason (a.k.a. Jaison) Max Kokerai	Provincial Governor: Midlands. Former Deputy Minister of Mines and Mining Development, born 13.6.1952	Former member of the Government with ongoing ties.
55.	Made, Joseph Mtakwese	State Minister of Agricultural Engineering and Mechanisation (Former Minister of Agriculture and Rural Development), born 21.11.1954.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
56.	Madzongwe, Edna (a.k.a. Edina)	ZANU-PF President of Senate, born 11.7.1943.	Member of the politburo with strong ties to the Government and its policy.
57.	Mahofa, Shuvai Ben	Former Deputy Minister for Youth Development, Gender and Employment Creation, born 4.4.1941.	Former member of the Government with ongoing ties.
58.	Mahoso, Tafataona	Chair, Media Information Commission.	Ties to the Government and bearing wide responsibility for serious violations of the freedom of expression and media.
59.	Makwanya, Judith	Journalist with Zimbabwe Broadcasting Corporation, born 22.10.1963.	Whipped up the government-orchestrated terror campaign before and during the 2008 elections.
60.	Makwavarara, Sekesai	Former Mayor of Harare.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
61.	Maluleke, Titus	Provincial Governor: Masvingo (Former Deputy Minister of Education, Sports and Culture).	Former Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
62.	Mangwana, Paul Munyaradzi	Minister of State for Indigenisation and Empowerment, born 10.8.1961.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
63.	Manyonda, Kenneth Vhundukai	Former Deputy Minister of Industry and International Trade, born 10.8.1934.	Former member of the Government with ongoing ties.
64.	Marumahoko, Reuben	Deputy Minister for Foreign Affairs (former Deputy Minister for Home Affairs), born 4.4.1948.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
65.	Mashava, G.	Colonel, Chiredzi Central.	Directly involved in the terror campaign waged before and during the elections.
66.	Masuku, Angeline	Provincial Governor: Matabeleland South and ZANU-PF Politburo, Secretary for Disabled and Disadvantaged, born 14.10.1936.	Ties to the Government and bearing wide responsibility for serious violations of human rights.

	Name (and any aliases)	Identifying information	Grounds for designation
67.	Matanyaire, Munyaradzi	Chief Executive Officer of Zimbabwe Inter-Africa News Agency.	Ties to the Government and involved in activities that seriously undermine freedom of expression and the media.
68.	Mathema, Cain Ginyiltshe Ndabazekhaya	Provincial Governor: Bulawayo.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
69.	Mathuthu, Thokozile	Provincial Governor: Matabeleland North and ZANU-PF Politburo, Deputy Secretary for Transport and Social Welfare.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
70.	Matiza, Joel Biggie	Deputy Minister for Rural Housing and Social Amenities, born 17.8.1960.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
71.	Matonga, Brighton	Deputy Minister for Information and Publicity, born 1969.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
72.	Mavhaire, Dzikamai	ZANU-PF Politburo Committee Member.	Member of the politburo with strong ties to the Government and its policy.
73.	Mbiriri, Partson	Permanent Secretary, Ministry of Local Government, Public Works and Urban Development.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
74.	Mhandu, Cairo (a.k.a. Kairo)	Major ZNA.	Directly involved in the campaign of terror waged before and after the elections
75.	Mhonda, Fidellis	Colonel, Rushinga.	Directly involved in the terror campaign waged before and during the elections.
76.	Midzi, Amos Bernard (Mugenva)	Former Minister of Mines and Mining Development (former Minister of Energy and Power Development), born 4.7.1952.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
77.	Mnangagwa, Emmerson Dambudzo	Minister of Rural Housing and Social Amenities (former Speaker of Parliament), born 15.9.1946.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
78.	Mohadi, Kembo Campbell Dugishi	Minister of Home Affairs (former Deputy Minister of Local Government, Public Works and National Housing), born 15.11.1949.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
79.	Mombeshora, Millicent Sibongile	Head of Strategic Planning and Special Projects, Reserve Bank of Zimbabwe, born 8.7.1965; Passport BN177069.	Ties to the Government and complicit in forming or directing repressive state policy.
80.	Moyo, Gilbert	'War veteran', leader of ZANU-PF militia.	Directly involved in the terror campaign waged before and during the elections in Mashonaland West (Chegututu).

	Name (and any aliases)	Identifying information	Grounds for designation
81.	Moyo, Jonathan	Former Minister of State for Information and Publicity in the President's Office, born 12.1.1957.	Former member of the Government engaged in activities that seriously undermined fundamental freedoms.
82.	Moyo, July Gabarari	Former Minister of Energy and Power Development (former Minister of Public Service, Labour and Social Welfare), born 7.5.1950.	Former member of the Government with ongoing ties.
83.	Moyo, Sibusio Bussie	Brigadier General ZNA.	Directly involved in the campaign of terror waged before and after the elections
84.	Moyo, Simon Khaya	Ambassador to South Africa and ZANU-PF Politburo Deputy Secretary for Legal Affairs, born 1945.	Member of the politburo with ongoing ties to the Government and its policy.
85.	Mpabanga, S.	Lieutenant-Colonel, Mwenezi East	Directly involved in the terror campaign waged before and during the elections.
86.	Mpofu, Obert Moses	Minister for Industry and International Trade (former Provincial Governor: Matabeleland North) (ZANU-PF Politburo Deputy Secretary for National Security), born 12.10.1951.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
87.	Msipa, Cephas George	Former Provincial Governor: Midlands, born 7.7.1931.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
88.	Muchechedere, Happison	Acting Chief Executive of Zimbabwe Broadcasting Corporation.	Ties to the Government and involved in activities that seriously undermine freedom of expression and the media.
89.	Muchena, Henry	Air Vice-Marshal, Midlands.	Directly involved in the terror campaign waged before and during the elections.
90.	Muchena, Olivia Nyembesi (a.k.a. Nyembezi)	Minister of State for Science and Technology in the President's Office (former Minister of State in Vice-President Msika's Office), born 18.8.1946.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
91.	Muchinguri, Oppah Chamu Zvipange	ZANU-PF Politburo Secretary for Gender and Culture (Former Minister for Women's Affairs, Gender and Community Development), born 14.12.1958.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
92.	Muchono, C.	Lieutenant-Colonel, Mwenezi West.	Directly involved in the terror campaign waged before and during the elections.
93.	Mudede, Tobaiwa (a.k.a. Tonneth)	Registrar General, born 22.12.1942.	Ties to the Government and complicit in forming or directing state policy.
94.	Mudenge, Isack Stanislaus Gorerazvo	Minister of Higher Tertiary Education (former Minister of Foreign Affairs), born 17.12.1941.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

	Name (and any aliases)	Identifying information	Grounds for designation
95.	Mudonhi, Columbus	Assistant Inspector ZRP.	Directly involved in the campaign of terror waged before and after the elections.
96.	Mudzvova, Paul	Sergeant.	Directly involved in the campaign of terror waged before and after the elections.
97.	Mugabe, Grace	Born 23.7.1965; Passport AD001159.	Spouse of the Head of Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
98.	Mugabe, Leo	Director of Zimbabwe Defence Industries, born 28.8.1962 (a.k.a. 28.2.1957).	Businessman with strong ties to the Government of Zimbabwe, and nephew of Robert Mugabe.
99.	Mugariri, Bothwell	Former Senior Assistant Police Commissioner.	Former member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
100.	Mujuru, Joyce Teurai Ropa	Vice President (former Minister of Water Resources and Infrastructural Development), born 15.4.1955.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
101.	Mujuru, Solomon T.R.	ZANU-PF Politburo Senior Committee Member, born 1.5.1949.	Member of the politburo with strong ties to the Government and its policy.
102.	Mukosi, Musoro Wegomo	Producer with Zimbabwe Broadcasting Corporation.	Whipped up the government-orchestrated terror campaign before and during the 2008 elections.
103.	Mumba, Isaac	Superintendent.	Directly involved in the campaign of terror waged before and after the elections.
104.	Mumbengegwi, Samuel Creighton	Former Minister of Finance; former Minister of State for Indigenisation and Empowerment, born 23.10.1942.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
105.	Mumbengegwi, Simbarashe Simbanenduku	Minister of Foreign Affairs, born 20.7.1945; Passport: AD001086.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
106.	Murerwa, Herbert Muchemwa	Former Minister of Finance, born 31.7.1941.	Former member of the Government with ongoing ties.
107.	Musariri, Munyaradzi	Assistant Police Commissioner.	Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
108.	Mushohwe, Christopher Chindoti	Provincial Governor; Manicaland. (Former Minister of Transport and Communications, former Deputy Minister of Transport and Communications), born 6.2.1954.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

	Name (and any aliases)	Identifying information	Grounds for designation
109.	Mutasa, Didymus Noel Edwin	Minister of State for National Security, Land Reform and Resettlement in the Office of the President, ZANU-PF, Secretary for Administration, born 27.7.1935.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
110.	Mutasa, Gertrude	Colonel in the Zimbabwe Defence Force, married to Didymus Mutasa (item 109).	Involved in farm invasions where death threats were made.
111.	Mutasa, Justin Mutsawehuni	Chair of Zimbabwe Broadcasting Holdings and Chief Executive of Zimbabwe Newspapers, born 6.4.1954, Passport BN498951.	Ties to the Government and involved in activities that seriously undermine freedom of expression and the media.
112.	Mutezo, Munacho	Former Minister for Water Resources and Infrastructural Development.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
113.	Mutinhiri, Ambros (a.k.a. Ambrose)	Minister of Youth Development, Gender and Employment Creation, Retired Brigadier.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
114.	Mutiwekuziva, Kenneth Kaparadza	Former Deputy Minister of Small and Medium Enterprises, Development and Employment Creation, born 27.5.1948.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
115.	Mutsvunguma, S.	Colonel, Headlands.	Directly involved in the terror campaign waged before and during the elections.
116.	Muzenda, Tsitsi V.	ZANU-PF Politburo Senior Committee Member, born 28.10.1922.	Member of the politburo with strong ties to the Government and its policy.
117.	Muzonzini, Elisha	Brigadier (former Director-General Central Intelligence Organisation), born 24.6.1957.	Former member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
118.	Mzembi, Walter	Deputy Minister for Water Resources and Infrastructural Development, born 16.3.1964.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
119.	Mzilikazi, Morgan S.	Colonel (MID), Buhera Central.	Directly involved in the terror campaign waged before and during the elections.
120.	Ncube, Abedinico	Deputy Minister of Public Service, Labour and Social Welfare (former Deputy Minister of Foreign Affairs), born 13.10.1954.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
121.	Ndlovu, Sikhanyiso	Former Minister of Information and Publicity (Former Deputy Minister of Higher and Tertiary Education), born 20.9.1949.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.

	Name (and any aliases)	Identifying information	Grounds for designation
122.	Nguni, Sylvester	Minister of Economic Development (Former Deputy Minister for Agriculture), born 4.8.1955.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
123.	Nhema, Francis	Minister of Environment and Tourism, born 7.4.1959.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
124.	Nkala, Herbert		Chair of Zimbabwe Newspapers, which prints State propaganda and Chair of First Banking Corporation.
125.	Nkomo, John Landa	Former Speaker of House of Assembly (former Minister of Special Affairs in the President's Office), ZANU-PF national chairman, born 22.8.1934.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
126.	Nyambuya, Michael Reuben	Former Minister for Energy and Power Development (former Lieutenant General, Provincial Governor: Manicaland), born 23.7.1955.	Former member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
127.	Nyanhongo, Magadzire Hubert	Deputy Minister of Transport and Communications.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
128.	Nyawani, Misheck	Retired Superintendent.	Directly involved in the campaign of terror waged before and after the elections.
129.	Nyikayaramba, Douglas	Brigadier General, Mashonaland East.	Directly involved in the terror campaign waged before and during the elections.
130.	Nyoni, Sithembiso Gile Glad	Minister of Small and Medium Enterprises Development and Employment Creation, born 20.9.1949.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
131.	Parirenyatwa, David Pagwese	Minister of Health and Child Welfare (former Deputy Minister), born 2.8.1950.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
132.	Patel, Bharat	Former Acting Attorney General, Justice, Hon.	Engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
133.	Rangwani, Dani	Police Detective Inspector.	Member of the security forces and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
134.	Rautenbach, Muller Conrad (a.k.a. Billy)	Businessman, born. 23.9.1959, 54 Edinburgh Road, Vainona, Harare, Zimbabwe; Passport: BN491589.	Businessman with strong ties to the Government of Zimbabwe, including through support to senior regime officials during Zimbabwe's intervention in DRC (see also item 23 in part II).
135.	Rugeje, Engelbert Abel	Major-General, Masvingo Province.	Directly involved in the terror campaign waged before and during the elections.

	Name (and any aliases)	Identifying information	Grounds for designation
136.	Rungani, Victor TC	Colonel, Chikomba.	Directly involved in the terror campaign waged before and during the elections.
137.	Ruwodo, Richard	Brigadier General, promoted on 12 August 2008 to the rank of Major General (retired); former Acting PUS for Ministry of Defence, born 14.3.1954.	Directly involved in the campaign of terror waged before and after the elections.
138.	Sakabuya, Morris	Deputy Minister for Local Government, Public Works and Urban Development.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
139.	Sakupwanya, Stanley	ZANU-PF Politburo Deputy Secretary for Health and Child Welfare.	Member of the politburo with strong ties to the Government and its policy.
140.	Samkange, Nelson Tapera Crispen	Former Provincial Governor: Mashonaland West.	Ties to the Government and bearing wide responsibility for serious violations of human rights.
141.	Sandi, E.	ZANU-PF Politburo Deputy Secretary for Women's Affairs.	Member of the politburo with strong ties to the Government and its policy.
142.	Savanhu, Tendai	ZANU-PF Deputy Secretary for Transport and Social Welfare, born 21.3.1968.	Member of the politburo with strong ties to the Government and its policy.
143.	Sekeramayi, Sydney (a.k.a. Sidney) Tigere	Minister of Defence, born 30.3.1944.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
144.	Sekeremayi, Lovemore	Chief Elections Officer.	Ties to the Government and complicit in forming or directing oppressive state policy.
145.	Shamu, Webster Kotiwani	Minister of State for Policy Implementation (former Minister of State for Policy Implementation in the President's Office), born 6.6.1945.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
146.	Shamuyarira, Nathan Marwirakuwa	ZANU-PF Politburo Secretary for Information and Publicity, born 29.9.1928.	Member of the politburo with strong ties to the Government and its policy.
147.	Shiri, Perence (a.k.a. Bigboy) Samson Chikerema	Air Marshal (Air Force), born 1.11.1955.	Member of the security forces and complicit in forming or directing oppressive state policy.
148.	Shumba, Isaiah Masvayamwando	Deputy Minister of Education, Sports and Culture, born 3.1.1949.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
149.	Shungu, Etherton	Brigadier General, Mashonaland Central.	Directly involved in the terror campaign waged before and during the elections.
150.	Sibanda, Chris	Colonel, Bulawayo Province.	Directly involved in the terror campaign waged before and during the elections.

	Name (and any aliases)	Identifying information	Grounds for designation
151.	Sibanda, Jabulani	Former Chair, National War Veterans Association, born 31.12.1970.	Ties to the Government and complicit in forming or directing oppressive state policy.
152.	Sibanda, Misheck Julius Mpande	Cabinet Secretary (successor to Charles Utete), born 3.5.1949.	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
153.	Sibanda, Phillip Valerio (a.k.a. Valentine)	Commander Zimbabwe National Army, Lieutenant General, born 25.8.1956.	Member of the security forces and complicit in forming or directing oppressive state policy.
154.	Sigauke, David	Brigadier General, Mash West Province.	Directly involved in the terror campaign waged before and during the elections.
155.	Sikosana, Absolom	ZANU-PF Politburo Secretary for Youth Affairs.	Member of the politburo with strong ties to the Government and its policy.
156.	Tarumbwa, Nathaniel Charles	Brigadier General, Manicaland and Mutare South.	Directly involved in the terror campaign waged before and during the elections.
157.	Tomana, Johannes	Attorney General.	Engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
158.	Tonderai Matibiri, Innocent	Deputy Police Commissioner.	Member of the security forces and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
159.	Utete, Charles	Chairman of the Presidential Land Review Committee (former Cabinet Secretary), born 30.10.1938.	Ties to the Government and complicit in forming or directing oppressive state policy.
160.	Veterai, Edmore	Senior Assistant Police Commissioner, Officer Commanding Harare.	Member of the security forces and bearing wide responsibility for serious violations of the freedom of peaceful assembly.
161.	Zhuwao, Patrick	Deputy Minister for Science and Technology (NB Mugabe's nephew).	Member of the Government and engaged in activities that seriously undermine democracy, respect for human rights and the rule of law.
162.	Zimondi, Paradzai	Prisons Director, born 4.3.1947.	Member of the security forces and complicit in forming or directing oppressive state policy.
163.	Zvayi, Caesar	Journalist on the official pro-government newspaper 'The Herald'.	Whipped up the terror campaign before and during the elections.

II. Entities

	Name	Identifying information	Grounds for designation
1.	Alpha International (PVT) Ltd	Park Road, Camberley, Surrey GU15 2SP, UK.	Owned by John Arnold Bredenkamp.

	Name	Identifying information	Grounds for designation
2.	Breco (Asia Pacific) Ltd	Isle of Man Company Registration M78647 - 1st Floor, Falcon Cliff, Palace Road, Douglas IM2 4LB, Isle of Man.	Owned by John Arnold Bredenkamp.
3.	Breco (Eastern Europe) Ltd	Isle of Man Company Registration FC0021189 - Falcon Cliff, Palace Road, Douglas IM99 1ZW, Isle of Man; Hurst, Reading Berkshire RG10 0SQ, UK.	Owned by John Arnold Bredenkamp.
4.	Breco (South Africa) Ltd	Isle of Man Company Registration Q1962 - Cumbrae House, Market Street, Douglas IM1 2PQ, Isle of Man; 9 Columbus Centre, Pelican Drive, Road Town, Tortola, British Virgin Islands.	Owned by John Arnold Bredenkamp.
5.	Breco (UK) Ltd	UK Company Registration 2969104 - London Road, Sunningdale, Ascot, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
6.	Breco Group	Thetford Farm, PO Box HP86, Mount Pleasant, Harare, Zimbabwe; Sandford Lane, Hurst, Reading, Berks RG10 0SQ, UK; London Road, Sunningdale, Ascot, Berks, SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
7.	Breco International	25 Broad Street, St. Helier JE2 3RR, Jersey.	Owned by John Arnold Bredenkamp.
8.	Breco Nominees Ltd	UK Company Registration 2799499 - London Road, Sunningdale, Ascot, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
9.	Breco Services Ltd	UK Company Registration 2824946 - London Road, Sunningdale, Ascot, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
10.	Cold Comfort Farm Trust Co-operative	7 Cowie Road, Tynwald, Harare, Zimbabwe.	Owned by Didymus Mutasa, Grace Mugabe also involved.
11.	Comoil (PVT) Ltd	Block D, Emerald Hill Office, Emerald Park, Harare, Zimbabwe. 2nd Floor, Travel Plaza, 29 Mazoe Street, Box CY22344, Causeway, Harare, Zimbabwe.	Owned by Saviour Kasukuwere.
12.	Corybantes Ltd	London Road, Sunningdale, Ascot, Berkshire SL5 0DJ, UK; Titlarks Hill Road, Sunningdale, Ascot, Berkshire, SL5 0JB, UK	Owned by John Arnold Bredenkamp.
13.	Divine Homes (PVT) Ltd	6 Hillside Shopping Centre, Harare, Zimbabwe; 31 Kensington Highlands, Harare, Zimbabwe; 12 Meredith Drive, Eastlea, Harare, Zimbabwe.	Chaired by David Chapfika.

	Name	Identifying information	Grounds for designation
14.	Echo Delta Holdings	Thetford Farm, PO Box HP86, Mount Pleasant, Harare, Zimbabwe; Sandford Lane, Hurst, Reading, Berks RG10 0SQ, UK; London Road, Sunningdale, Ascot, Berks, SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
15.	Famba Safaris	4 Wayhill Lane, Umwisdale, Harare, Zimbabwe; PO Box CH273, Chisipite, Harare, Zimbabwe.	Major shareholder is Webster Shamu.
16.	Jongwe Printing and Publishing Company (PVT) Ltd (a.k.a. Jongwe Printing and Publishing Co., a.k.a. Jongwe Printing and Publishing Company)	14 Austin Road, Coventry Road, Workington, PO Box 5988, Harare, Zimbabwe.	ZANU-PF's publishing arm.
17.	M & S Syndicate (PVT) Ltd	First Floor, Victory House, 88 Robert Mugabe Road, Harare, Zimbabwe; PO Box 1275, Harare, Zimbabwe.	ZANU-PF's investment company.
18.	Masters International Ltd	UK Company Registration 2927685 - London Road, Sunningdale, Ascot, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
19.	Ndlovu Motorways	Sam Nujoma Street, Livingston Avenue, Harare, Zimbabwe.	Controlled by Sikhanyiso Ndlovu.
20.	OSLEG Ltd (a.k.a Operation Sovereign Legitimacy)	Lonhoro House, Union Avenue, Harare, Zimbabwe.	Controlled by Zimbabwe army.
21.	Piedmont (UK) Ltd	London Road, Sunningdale, Ascot, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
22.	Raceview Enterprises	Zimbabwe.	Owned by John Arnold Bredenkamp.
23.	Ridgepoint Overseas Developments Ltd (a.k.a. Ridgepoint Overseas Developments Ltd)	C/o: Mossack Fonseca & Co. BVI Ltd, Akara Building, 24 DeCastro St, Road Town, Tortola, Virgin Islands, British; P.O. Box 3136, Road Town, Tortola, Virgin Islands.	Owned by Billy Rautenbach.
24.	Scottlee Holdings (PVT) Ltd	124 Josiah Chinamano Avenue, PO Box CY3371, Causeway, Harare, Zimbabwe; London Road, Sunningdale, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
25.	Scottlee Resorts Ltd	124 Josiah Chinamano Avenue, PO Box CY3371, Causeway, Harare, Zimbabwe; London Road, Sunningdale, Berkshire SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
26.	Swift Investments (PVT) Ltd	730 Cowie Road, Tynwald, Harare, Zimbabwe; PO Box 3928, Harare, Zimbabwe.	Controlled by Zanu-PF, directors include Vitalis Zvinavashe.

	Name	Identifying information	Grounds for designation
27.	Timpani Export Ltd	Isle of Man Company Registration 3547414 - Falcon Cliff, Palace Road, Douglas IM99 1ZW, Isle of Man; King Street, Newton Abbot, Devon TQ12 2LG, UK; Mapstone Hill, Lustleigh, Newton Abbot, Devon TQ13 9SE, UK.	Owned by John Arnold Bredenkamp.
28.	Tremalt Ltd	Thetford Farm, PO Box HP86, Mount Pleasant, Harare, Zimbabwe; Hurst Grove, Hurst, Reading, Berks RG10 0SQ, UK; London Road, Sunningdale, Ascot, Berks, SL5 0DJ, UK.	Owned by John Arnold Bredenkamp.
29.	Zidco Holdings (a.k.a. Zidco Holdings (PVT) Ltd)	PO Box 1275, Harare, Zimbabwe.	ZANU-PF's financial holding company.
30.	Zimbabwe Defence Industries	10th floor, Trustee House, 55 Samora Machel Avenue, PO Box 6597, Harare, Zimbabwe.	Wholly owned by the Government of Zimbabwe. Directors include Leo Mugabe and Solomon Mujuru.
31.	Zimbabwe Mining Development Corporation	90 Mutare Road, PO Box 2628, Harare, Zimbabwe.	Wholly owned by the Government of Zimbabwe.

COMMISSION DECISION

of 15 February 2011

on the clearance of the accounts of a paying agency in Italy concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2007 financial year

*(notified under document C(2011) 753)***(Only the Italian text is authentic)**

(2011/102/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Articles 30 and 32(8) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) Commission Decisions 2008/396/EC ⁽²⁾, 2009/87/EC ⁽³⁾ and 2010/62/EU ⁽⁴⁾ cleared, for the 2007 financial year, the accounts of all the paying agencies except for the Italian paying agency 'ARBEA'.

(2) Following the transmission of new information and after additional checks, the Commission can now take a decision on the integrality, accuracy and veracity of the accounts submitted by the Italian paying agency 'ARBEA'.

(3) The first subparagraph of Article 10(2) of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD ⁽⁵⁾ lays down that the amounts that are recoverable from, or payable

to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph of Article 10(1) of the said Regulation, shall be determined by deducting the monthly payments in respect of the financial year in question, i.e. 2007, from expenditure recognised for that year in accordance with paragraph 1. The Commission shall deduct that amount from or add it to the monthly payment relating to the expenditure effected in the second month following that in which the accounts clearance decision is taken.

(4) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned and 50 % by the EU budget if the recovery of those irregularities has not taken place within 4 years of the primary administrative or judicial finding, or within 8 years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Regulation (EC) No 885/2006. Annex III to the said Regulation provides the model table that had to be provided in 2008 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than 4 or 8 years respectively. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

(5) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within 4 years of the primary administrative or judicial finding or within 8 years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the EU budget. In the summary report

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 139, 29.5.2008, p. 33.

⁽³⁾ OJ L 33, 3.2.2009, p. 38.

⁽⁴⁾ OJ L 35, 6.2.2010, p. 11.

⁽⁵⁾ OJ L 171, 23.6.2006, p. 90.

referred to in Article 32(3) of Regulation (EC) No 1290/2005 the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently to be borne by the EU budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.

- (6) In clearing the accounts of the paying agencies concerned, the Commission must take account of the amounts already withheld from the Member States concerned on the basis of Decisions 2008/396/EC, 2009/87/EC and 2010/62/EU.

- (7) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from EU financing expenditure not effected in accordance with EU rules,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the Italian paying agency 'ARBEA' concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF), in respect of the 2007 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State concerned pursuant to this Decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in the Annex.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 15 February 2011.

For the Commission

Dacian CIOLOȘ

Member of the Commission

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS

FINANCIAL YEAR 2007

AMOUNT TO BE RECOVERED FROM OR PAID TO THE MEMBER STATE

MS		2007 — Expenditure/Assigned Revenue for the Paying Agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾	Amount recovered from (–) or paid to (+) the Member State under Decision 2008/396/EC	Amount recovered from (–) or paid to (+) the Member State under Decision 2009/87/EC	Amount recovered from (–) or paid to (+) the Member State under Decision 2010/62/EU	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined										
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations										
		a	b	c = a + b	d	e	f = c + d + e	g	h = f – g	i	i'	i''	j = h – i – i' – i''
IT	EUR	4 626 504 872,47	0,00	4 626 504 872,47	– 27 293 119,73	– 114 581 208,51	4 484 630 544,23	4 607 194 902,42	– 122 564 358,19	– 122 564 358,19	0,00	0,00	0,00

MS		Expenditure ⁽³⁾	Assigned revenue ⁽³⁾	Sugar Fund		Article 32 (= e)	Total (= h)
				Expenditure ⁽⁴⁾	Assigned revenue ⁽⁴⁾		
		05 07 01 06	6701	05 02 16 02	6803	6702	
		k	l	m	n	o	p = k + l + m + n + o
IT	EUR	0,00	0,00	0,00	0,00	0,00	0,00

⁽¹⁾ The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non-respect of payment deadlines established in August, September and October 2007.

⁽²⁾ For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (col.a) or, the total of the monthly declarations for the expenditure disjoined (col.b).

Applicable exchange rate: Article 7(2) of the Regulation (EC) No 883/2006.

⁽³⁾ If the Assigned revenue part would be in advantage of Member State, it has to be declared under 05 07 01 06.

⁽⁴⁾ If the Assigned revenue part of the Sugar Fund, would be in the advantage of the Member State, it has to be declared under 05 02 16 02.

NB: Nomenclature 2011: 05 07 01 06, 05 02 16 02, 6701, 6702, 6803

COMMISSION DECISION**of 15 February 2011****on the clearance of the accounts of certain paying agencies in Italy concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) for the 2008 financial year***(notified under document C(2011) 754)***(Only the Italian text is authentic)**

(2011/103/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Articles 30 and 33 thereof,

After consulting the Fund Committee,

Whereas:

- (1) Commission Decisions 2009/373/EC ⁽²⁾, 2010/59/EU ⁽³⁾ and 2010/721/EU ⁽⁴⁾ cleared, for the 2008 financial year, the accounts of all the paying agencies except for the German paying agency 'Bayern', the Greek paying agency 'OPEKEPE' and the Italian paying agency 'ARBEA'.
- (2) Following the transmission of new information and after additional checks, the Commission can now take a decision concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD) on the integrality, accuracy and veracity of the accounts submitted by the Italian paying agency 'ARBEA'.
- (3) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions

taken subsequently by the Commission excluding from EU financing expenditure not effected in accordance with EU rules,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the Italian paying agency 'ARBEA' concerning expenditure financed by the European Agricultural Fund for Rural Development (EAFRD), in respect of the 2008 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State under each rural development programme pursuant to this Decision, including those resulting from the application of Article 33(8) of Regulation (EC) No 1290/2005, are set out in the Annex.

Article 2

This Decision is addressed to the Italian Republic.

Done at Brussels, 15 February 2011.

For the Commission

Dacian CIOLOȘ

Member of the Commission

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 116, 9.5.2009, p. 21.

⁽³⁾ OJ L 34, 5.2.2010, p. 26.

⁽⁴⁾ OJ L 312, 27.11.2010, p. 23.

ANNEX

**CLEARANCE OF DISJOINED EXPENDITURE BY RURAL DEVELOPMENT PROGRAMME AND MEASURE FOR
FINANCIAL YEAR 2008**

Amount to be recovered from or paid to the Member State per programme

(EUR)

CCI	Expenditure 2008	Corrections	Total	Non-reusable amounts	Accepted amount cleared for FY 2008	Interim payments reimbursed to the Member State for the financial year	Amount to be recovered from (–) of paid to (+) the Member State in the next declaration
IT: 2007IT06RPO0017	i	ii	iii = i + ii	iv	v = iii – iv	vi	vii = v – vi
113	13 960,24	0,00	13 960,24	0,00	13 960,24	13 960,24	0,00
211	120 914,76	0,00	120 914,76	0,00	120 914,76	120 914,76	0,00
214	16 824 475,27	0,00	16 824 475,27	0,00	16 824 475,27	16 944 398,00	– 119 922,73
221	1 194 719,75	0,00	1 194 719,75	0,00	1 194 719,75	1 194 719,72	0,03
Total	18 154 070,02	0,00	18 154 070,02	0,00	18 154 070,02	18 273 992,72	– 119 922,70

COMMISSION DECISION

of 15 February 2011

on the clearance of the accounts of a paying agency in Italy concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2008 financial year

*(notified under document C(2011) 757)***(Only the Italian text is authentic)**

(2011/104/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Article 30 and Article 32(8) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) Commission Decisions 2009/367/EC ⁽²⁾ and 2010/56/EU ⁽³⁾ cleared, for the 2008 financial year, the accounts of all the paying agencies except for the Italian paying agency 'ARBEA' and the Greek paying agency 'OPEKEPE'.

(2) Following the transmission of new information and after additional checks, the Commission can now take a decision on the integrality, accuracy and veracity of the accounts submitted by the Italian paying agency 'ARBEA'.

(3) The first subparagraph of Article 10(2) of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD ⁽⁴⁾ lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph of Article 10(1) of the said Regulation, shall be determined by deducting the monthly payments in respect of the financial year in question, i.e. 2008, from expenditure recognised for that year in accordance with paragraph 1. The Commission shall deduct that amount from, or add it to, the monthly payment relating to the expenditure effected in the second month following that in which the accounts clearance decision is taken.

(4) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned and 50 % by the EU budget if the recovery of those irregularities has not taken place within 4 years of the primary administrative or judicial finding, or within 8 years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Regulation (EC) No 885/2006. Annex III to the said Regulation provides the model table that had to be provided in 2009 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than 4 or 8 years respectively. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

(5) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within 4 years of the primary administrative or judicial finding or within 8 years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the EU budget. In the summary report referred to in Article 32(3) of Regulation (EC) No 1290/2005 the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently to be borne by the EU budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.

(6) In clearing the accounts of the paying agencies concerned, the Commission must take account of the amounts already withheld from the Member States concerned on the basis of Decisions 2009/367/EC and 2010/56/EU.

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 111, 5.5.2009, p. 44.

⁽³⁾ OJ L 32, 4.2.2010, p. 6.

⁽⁴⁾ OJ L 171, 23.6.2006, p. 90.

- (7) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from EU financing expenditure not effected in accordance with EU rules,

The amounts which are recoverable from, or payable to, each Member State concerned pursuant to this Decision, including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in Annex.

Article 2

This Decision is addressed to the Italian Republic.

HAS ADOPTED THIS DECISION:

Done at Brussels, 15 February 2011.

Article 1

The accounts of the Italian paying agency 'ARBEA' concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF), in respect of the 2008 financial year, are hereby cleared.

For the Commission

Dacian CIOLOȘ

Member of the Commission

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS
FINANCIAL YEAR 2008
Amount to be recovered from or paid to the Member State

MS		2008 — Expenditure/Assigned Revenue for the Paying Agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation 1290/2005	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾	Amount recovered from (–) or paid to (+) the Member State under Decision 2009/367/EC	Amount recovered from (–) or paid to (+) the Member State under Decision 2010/56/EU	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined									
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations									
		a	b	c = a + b	d	e	f = c + d + e	g	h = f – g	i	i'	j = h – i – i'
IT	EUR	4 270 684 692,35	0,00	4 270 684 692,35	– 1 887 157,65	– 4 363 298,08	4 264 434 236,62	4 264 132 179,52	302 057,10	256 775,28	0,00	45 281,82

MS		Expenditure ⁽³⁾	Assigned revenue ⁽³⁾	Sugar Fund		Article 32 (= e)	Total (= h)
				Expenditure ⁽⁴⁾	Assigned revenue ⁽⁴⁾		
		05 07 01 06	6701	05 02 16 02	6803	6702	
		k	l	m	n	o	p = k + l + m + n + o
IT	EUR	45 281,82	0,00	0,00	0,00	0,00	45 281,82

⁽¹⁾ The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non respect of payment deadlines established in August, September and October 2008.

⁽²⁾ For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (column a) or, the total of the monthly declarations for the expenditure disjoined (column b).

Applicable exchange rate: Article 7(2) of the Commission Regulation (EC) No 883/2006.

⁽³⁾ If the Assigned revenue part would be in advantage of Member State, it has to be declared under 05 07 01 06.

⁽⁴⁾ If the Assigned revenue part of the Sugar Fund, would be in the advantage of the Member State, it has to be declared under 05 02 16 02.

NB: Nomenclature 2011: 05 07 01 06, 05 02 16 02, 6701, 6702, 6803.

COMMISSION DECISION

of 15 February 2011

on the clearance of the accounts of certain paying agencies in Italy and Romania concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF) for the 2009 financial year

*(notified under document C(2011) 770)***(Only the Italian and Romanian texts are authentic)**

(2011/105/EU)

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 1290/2005 of 21 June 2005 on the financing of the common agricultural policy ⁽¹⁾, and in particular Articles 30 and 32(8) thereof,

After consulting the Committee on the Agricultural Funds,

Whereas:

(1) Commission Decisions 2010/258/EU ⁽²⁾ and 2010/730/EU ⁽³⁾ cleared, for the 2009 financial year, the accounts of all the paying agencies except for the Italian paying agencies 'AGEA' and 'ARBEA', and the Romanian paying agency 'PIAA'.

(2) Following the transmission of new information and after additional checks, the Commission can now take a decision on the integrality, accuracy and veracity of the accounts submitted by the Italian paying agencies 'AGEA' and 'ARBEA', and the Romanian paying agency 'PIAA'.

(3) The first subparagraph of Article 10(2) of Commission Regulation (EC) No 885/2006 of 21 June 2006 laying down detailed rules for the application of Council Regulation (EC) No 1290/2005 as regards the accreditation of paying agencies and other bodies and the clearance of the accounts of the EAGF and of the EAFRD ⁽⁴⁾ lays down that the amounts that are recoverable from, or payable to, each Member State, in accordance with the accounts clearance decision referred to in the first subparagraph of Article 10(1) of the said Regulation, shall be determined by deducting the monthly payments in respect of the financial year in question, i.e. 2009, from expenditure recognised for that year in accordance with paragraph 1. The Commission shall deduct that amount from or add it to the monthly payment relating to the expenditure effected in the second month following that in which the accounts clearance decision is taken.

(4) Pursuant to Article 32(5) of Regulation (EC) No 1290/2005, 50 % of the financial consequences of non-recovery of irregularities shall be borne by the Member State concerned and 50 % by the EU budget if the recovery of those irregularities has not taken place within 4 years of the primary administrative or judicial finding, or within 8 years if the recovery is taken to the national courts. Article 32(3) of the said Regulation obliges Member States to submit to the Commission, together with the annual accounts, a summary report on the recovery procedures undertaken in response to irregularities. Detailed rules on the application of the Member States' reporting obligation of the amounts to be recovered are laid down in Regulation (EC) No 885/2006. Annex III to the said Regulation provides the model table that had to be provided in 2010 by the Member States. On the basis of the tables completed by the Member States, the Commission should decide on the financial consequences of non-recovery of irregularities older than 4 or 8 years respectively. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of Regulation (EC) No 1290/2005.

(5) Pursuant to Article 32(6) of Regulation (EC) No 1290/2005, Member States may decide not to pursue recovery. Such a decision may only be taken if the costs already and likely to be incurred total more than the amount to be recovered or if the recovery proves impossible owing to the insolvency, recorded and recognised under national law, of the debtor or the persons legally responsible for the irregularity. If that decision has been taken within 4 years of the primary administrative or judicial finding or within 8 years if the recovery is taken to the national courts, 100 % of the financial consequences of the non-recovery should be borne by the EU budget. In the summary report referred to in Article 32(3) of Regulation (EC) No 1290/2005 the amounts for which the Member State decided not to pursue recovery and the grounds for the decision are shown. These amounts are not charged to the Member States concerned and are consequently to be borne by the EU budget. This decision is without prejudice to future conformity decisions pursuant to Article 32(8) of the said Regulation.

(6) In clearing the accounts of the paying agencies concerned, the Commission must take account of the amounts already withheld from the Member States concerned on the basis of Decisions 2010/258/EU and 2010/730/EU.

⁽¹⁾ OJ L 209, 11.8.2005, p. 1.

⁽²⁾ OJ L 112, 5.5.2010, p. 17.

⁽³⁾ OJ L 315, 1.12.2010, p. 35.

⁽⁴⁾ OJ L 171, 23.6.2006, p. 90.

- (7) In accordance with Article 30(2) of Regulation (EC) No 1290/2005, this Decision does not prejudice decisions taken subsequently by the Commission excluding from EU financing expenditure not effected in accordance with EU rules,

HAS ADOPTED THIS DECISION:

Article 1

The accounts of the Italian paying agencies 'AGEA' and 'ARBEA', and the Romanian paying agency 'PIAA' concerning expenditure financed by the European Agricultural Guarantee Fund (EAGF), in respect of the 2009 financial year, are hereby cleared.

The amounts which are recoverable from, or payable to, each Member State concerned pursuant to this Decision,

including those resulting from the application of Article 32(5) of Regulation (EC) No 1290/2005, are set out in the Annex.

Article 2

This Decision is addressed to the Italian Republic and Romania.

Done at Brussels, 15 February 2011.

For the Commission

Dacian CIOLOŞ

Member of the Commission

CLEARANCE OF THE PAYING AGENCIES' ACCOUNTS
FINANCIAL YEAR 2009
Amount to be recovered from or paid to the Member State

MS		2009 — Expenditure/Assigned Revenue for the Paying Agencies for which the accounts are		Total a + b	Reductions and suspensions for the whole financial year ⁽¹⁾	Reductions according to Article 32 of Regulation (EC) No 1290/2005	Total including reductions and suspensions	Payments made to the Member State for the financial year	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾	Amount recovered from (–) or paid to (+) the Member State under Decision 2010/258/EU	Amount recovered from (–) or paid to (+) the Member State under Decision 2010/730/EU	Amount to be recovered from (–) or paid to (+) the Member State ⁽²⁾
		cleared	disjoined									
		= expenditure/assigned revenue declared in the annual declaration	= total of the expenditure/assigned revenue in the monthly declarations									
		a	b	c = a + b	d	e	f = c + d + e	g	h = f – g	i	i'	j = h – l – i'
IT	EUR	4 734 018 409,62	0,00	4 734 018 409,62	– 8 483 198,39	– 14 355 208,39	4 711 180 002,84	4 728 063 868,22	– 16 883 865,38	– 2 395 176,69	0,00	– 14 488 688,69
RO	EUR	580 639 557,26	0,00	580 639 557,26	– 9 399 922,54	0,00	571 239 634,72	575 930 420,08	– 4 690 785,36	0,00	0,00	– 4 690 785,36

MS		Expenditure ⁽³⁾	Assigned revenue ⁽³⁾	Sugar Fund		Article 32 (= e)	Total (= h)
				Expenditure ⁽⁴⁾	Assigned revenue ⁽⁴⁾		
		05 07 01 06	6701	05 02 16 02	6803	6702	p = k + l + m + n + o
		k	l	m	n	o	
IT	EUR	204 519,71	– 2 768 132,08	0,00	0,00	– 11 925 076,32	– 14 488 688,69
RO	EUR	– 4 690 785,36	0,00	0,00	0,00	0,00	– 4 690 785,36

⁽¹⁾ The reductions and suspensions are those taken into account in the payment system, to which are added in particular the corrections for the non respect of payment deadlines established in August, September and October 2009.

⁽²⁾ For the calculation of the amount to be recovered from or paid to the Member State the amount taken into account is, the total of the annual declaration for the expenditure cleared (col.a) or, the total of the monthly declarations for the expenditure disjoined (col.b).

Applicable exchange rate: Article 7(2) of the Commission Regulation (EC) No 883/2006.

⁽³⁾ If the Assigned revenue part would be in advantage of Member State, it has to be declared under 05 07 01 06.

⁽⁴⁾ If the Assigned revenue part of the Sugar Fund would be in the advantage of the Member State, it has to be declared under 05 02 16 02.

NB: Nomenclature 2011: 05 07 01 06, 05 02 16 02, 6701, 6702, 6803

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