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⁽¹⁾ Text with EEA relevance

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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.

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II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

Information on the date of entry into force of the Protocol setting out the fishing opportunities and financial contribution provided for in the Partnership Agreement in the fisheries sector between the European Union and the Republic of Mozambique

On 19 April 2012, the Republic of Mozambique notified the European Union of the completion of its conclusion procedures.

Likewise, on 13 June 2012 the European Union notified the Republic of Mozambique of the completion by the Council, on behalf of the European Union, of the procedures necessary for the entry into force of the above Protocol, signed at Brussels on 1 February 2012.

The Protocol accordingly entered into force on 13 June 2012 pursuant to Article 16 thereof.

COUNCIL DECISION

of 24 July 2012

on the position to be taken by the European Union within the Administrative Committee of the United Nations Economic Commission for Europe regarding the draft Regulation on Lane Departure Warning Systems and the draft Regulation on Advanced Emergency Braking Systems

(Text with EEA relevance)

(2012/469/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) In accordance with Council Decision 97/836/EC ⁽¹⁾ the Community acceded to the Agreement of the United Nations Economic Commission for Europe ('UNECE') concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted to and/or be used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions ('Revised 1958 Agreement').
- (2) The harmonised requirements of the draft UNECE Regulation on uniform provisions concerning the approval of motor vehicles with regard to the Lane Departure Warning System ⁽²⁾ and the draft UNECE Regulation on Advanced Emergency Braking Systems ⁽³⁾ ('UNECE draft Regulations') are intended to remove technical barriers to the trade in motor vehicles between the Contracting Parties to the Revised 1958 Agreement and to ensure that such vehicles offer a high level of safety and protection.
- (3) Regulation (EC) No 661/2009 of the European Parliament and of the Council of 13 July 2009 concerning type-approval requirements for the general safety of motor vehicles, their trailers and systems, components and separate technical units intended therefor ⁽⁴⁾, mandates the installation of lane departure warning systems and advanced emergency braking systems on certain motor vehicles of categories M₂, N₂, M₃ and N₃.

- (4) It is appropriate to establish the position to be adopted on the Union's behalf in the Administrative Committee of the Revised 1958 Agreement concerning the adoption of the UNECE draft Regulations,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the European Union within the Administrative Committee of the Revised 1958 Agreement shall be to vote in favour of the draft UNECE Regulation on uniform provisions concerning the approval of motor vehicles with regard to the Lane Departure Warning System, as contained in documents ECE/TRANS/WP.29/2011/78, ECE/TRANS/WP.29/2011/89 and ECE/TRANS/WP.29/2011/91.

Article 2

The position to be taken by the European Union within the Administrative Committee of the Revised 1958 Agreement shall be to vote in favour of the draft UNECE Regulation on Advanced Emergency Braking Systems, as contained in documents ECE/TRANS/WP.29/2011/92 and ECE/TRANS/WP.29/2011/93 together with their amendments.

Article 3

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

Done at Brussels, 24 July 2012.

For the Council
The President

A. D. MAVROYIANNIS

⁽¹⁾ OJ L 346, 17.12.1997, p. 78.

⁽²⁾ UNECE Documents ECE/TRANS/WP.29/2011/78, ECE/TRANS/WP.29/2011/89 and ECE/TRANS/WP.29/2011/91.

⁽³⁾ UNECE Documents ECE/TRANS/WP.29/2011/92, ECE/TRANS/WP.29/2011/92/Amend.1, ECE/TRANS/WP.29/2011/93 and ECE/TRANS/WP.29/2011/93/Amend.1.

⁽⁴⁾ OJ L 200, 31.7.2009, p. 1.

REGULATIONS

COMMISSION IMPLEMENTING REGULATION (EU) No 726/2012

of 6 August 2012

concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

- (4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

- (5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the twentieth 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, 6 August 2012.

For the Commission,
On behalf of the President,

Antonio TAJANI
Vice-President

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
An electronic apparatus (so-called 'remote elevator monitoring unit') in a housing with dimensions of approximately $28 \times 22 \times 9$ cm for incorporation into a lift shaft. The apparatus, which receives information from various external sensors, is used for monitoring the functioning of the lift operations and detecting any malfunctions, for example, in starting and stopping, door opening and closing, levelling, in the traction motor, brake, cabin lighting. The information received is checked and processed by the apparatus and transmitted via a modem to a maintenance centre. After presentation and incorporation of a modem, the apparatus can provide two-way voice communication between the lift cabin and the maintenance centre through a microphone and a loudspeaker installed in the cabin.	9031 90 85	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2(b) to Chapter 90 and by the wording of CN codes 9031, 9031 90 and 9031 90 85. As the apparatus does not incorporate a modem or other communication device, classification as an apparatus for communication in a wired network under heading 8517 is excluded. As the apparatus does not provide any sound or visual signals, classification as an electric sound or visual signalling apparatus under heading 8531 is excluded. The apparatus monitors and checks the functioning of the lift and processes the data received. The sensors, where the signals to be processed are generated, are not incorporated in the apparatus. The apparatus does not itself display those signals. For these reasons, the apparatus is considered a part of a checking instrument. Consequently, classification as an incomplete machine of heading 9031 is excluded. The apparatus is therefore to be classified under CN code 9031 90 85 as a part of checking instruments, appliances and machines, not specified or included elsewhere in Chapter 90.

COMMISSION IMPLEMENTING REGULATION (EU) No 727/2012
of 6 August 2012
concerning the classification of certain goods in the Combined Nomenclature

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff⁽¹⁾, and in particular Article 9(1)(a) thereof,

Whereas:

- (1) In order to ensure uniform application of the Combined Nomenclature annexed to Regulation (EEC) No 2658/87, it is necessary to adopt measures concerning the classification of the goods referred to in the Annex to this Regulation.
- (2) Regulation (EEC) No 2658/87 has laid down the general rules for the interpretation of the Combined Nomenclature. Those rules apply also to any other nomenclature which is wholly or partly based on it or which adds any additional subdivision to it and which is established by specific provisions of the Union, with a view to the application of tariff and other measures relating to trade in goods.
- (3) Pursuant to those general rules, the goods described in column (1) of the table set out in the Annex should be classified under the CN code indicated in column (2), by virtue of the reasons set out in column (3) of that table.

(4) It is appropriate to provide that binding tariff information which has been issued by the customs authorities of Member States in respect of the classification of goods in the Combined Nomenclature but which is not in accordance with this Regulation can, for a period of three months, continue to be invoked by the holder, under Article 12(6) of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code⁽²⁾.

(5) The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,

HAS ADOPTED THIS REGULATION:

Article 1

The goods described in column (1) of the table set out in the Annex shall be classified within the Combined Nomenclature under the CN code indicated in column (2) of that table.

Article 2

Binding tariff information issued by the customs authorities of Member States, which is not in accordance with this Regulation, can continue to be invoked for a period of three months under Article 12(6) of Regulation (EEC) No 2913/92.

Article 3

This Regulation shall enter into force on the twentieth 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, 6 August 2012.

For the Commission,
On behalf of the President,
Antonio TAJANI
Vice-President

⁽¹⁾ OJ L 256, 7.9.1987, p. 1.

⁽²⁾ OJ L 302, 19.10.1992, p. 1.

ANNEX

Description of the goods	Classification (CN code)	Reasons
(1)	(2)	(3)
Cultures of micro-organisms presented in gelatine capsules, put up for retail sale. The content of each capsule consists of the following components (% by weight): — <i>L. rhamnosus</i> 3,36 — <i>L. acidophilus</i> 3,36 — <i>L. plantarum</i> 0,84 — <i>B. lactis</i> 0,84 — Maltodextrine 50,6 — Micro-crystalline cellulose 10 — Corn starch 30 — Magnesium stearate 1 According to the label the product is presented as a food supplement for human consumption.	2106 90 98	Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 1(a) to Chapter 30 and the wording of CN codes 2106, 2106 90 and 2106 90 98. The product is a food preparation presented in the form of capsules. The casing is a factor that, together with the content, determines the use and character of the product as a food supplement (see judgment of the Court of Justice of the European Union in joined cases C-410/08 to C-412/08 'Swiss Caps', [2009] ECR p. I-11991, paragraphs 29 and 32). The product is therefore to be classified under heading 2106 as a food preparation not elsewhere specified or included (see also Harmonised System Explanatory Notes to heading 2106, point (16)).

COMMISSION IMPLEMENTING REGULATION (EU) No 728/2012**of 7 August 2012****entering a name in the register of protected designations of origin and protected geographical indications (Ser koryciński swojski (PGI))**

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 510/2006 of 20 March 2006 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs ⁽¹⁾, and in particular the first subparagraph of Article 7(4) thereof,

Whereas:

- (1) Pursuant to the first subparagraph of Article 6(2) of Regulation (EC) No 510/2006, Poland's application to register the name 'Ser koryciński swojski' was published in the *Official Journal of the European Union* ⁽²⁾.

- (2) As no statement of objection under Article 7 of Regulation (EC) No 510/2006 has been received by the Commission, that name should therefore be entered in the register,

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 7 August 2012.

*For the Commission,
On behalf of the President,
Antonio TAJANI
Vice-President*

⁽¹⁾ OJ L 93, 31.3.2006, p. 12.

⁽²⁾ OJ C 345, 25.11.2011, p. 19.

ANNEX

Agricultural products intended for human consumption listed in Annex I to the Treaty:

Class 1.3. Cheeses

POLAND

Ser koryciński swojski (PGI)

COMMISSION IMPLEMENTING REGULATION (EU) No 729/2012

of 8 August 2012

entering a name in the register of traditional specialities guaranteed (Bratislavský rožok/Pressburger Kipfel/Pozsonyi kifli (TSG))

THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EC) No 509/2006 of 20 March 2006 on agricultural products and foodstuffs as traditional specialities guaranteed ⁽¹⁾, and in particular the third subparagraph of Article 9(5) thereof,

Whereas:

- (1) Pursuant to Article 8(2) of Regulation (EC) No 509/2006, Slovakia's application to register the name 'Bratislavský rožok'/Pressburger Kipfel'/Pozsonyi kifli', received on 4 February 2008, was published in the *Official Journal of the European Union* ⁽²⁾.
- (2) Austria, Germany and Hungary submitted objections to the registration under Article 9(1) of Regulation (EC) No 509/2006. The objections were deemed admissible under point (a) of the first subparagraph of Article 9(3) of that Regulation.
- (3) By letters dated 11 November 2010, the Commission invited the Member States concerned to engage in appropriate consultations.
- (4) An agreement, notified to the Commission on 16 May 2011, was concluded between the Member States concerned within six months, containing amendments to the initial specification, specifically the removal of the request in the registration application to register the name with the reservation referred to in Article 13(2) of Regulation (EC) No 509/2006.
- (5) The removal concerns the use of the product name and can therefore not be regarded as minor within the meaning of point (c) of Article 11(3) of Commission Regulation (EC) No 1216/2007 ⁽³⁾.
- (6) Pursuant to the second subparagraph of Article 9(5) of Regulation (EC) No 509/2006, the Commission should once again perform the examination referred to in Article 8(1) of that Regulation.
- (7) The application to register the name 'Bratislavský rožok'/Pressburger Kipfel'/Pozsonyi kifli', amended following the agreement mentioned above, was therefore republished in the *Official Journal of the European Union* ⁽⁴⁾.
- (8) As no statement of objection under Article 9 of Regulation (EC) No 509/2006 has been received by the Commission, that name should therefore be entered in the register.

HAS ADOPTED THIS REGULATION:

Article 1

The name contained in the Annex to this Regulation is hereby entered in the register.

Article 2

This Regulation shall enter into force on the twentieth 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, 8 August 2012.

For the Commission

The President

José Manuel BARROSO

⁽¹⁾ OJ L 93, 31.3.2006, p. 1.
⁽²⁾ OJ C 320, 24.12.2009, p. 41.

⁽³⁾ OJ L 275, 19.10.2007, p. 3.
⁽⁴⁾ OJ C 286, 30.9.2011, p. 24.

ANNEX

Foodstuffs referred to in Annex I to Regulation (EC) No 509/2006:

Class 2.3. Confectionery, bread, pastry, cakes, biscuits and other baker's wares

SLOVAKIA

Bratislavský rožok/Pressburger Kipfel/Pozsonyi kifli (TSG)

COMMISSION IMPLEMENTING REGULATION (EU) No 730/2012**of 9 August 2012****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 Implementing Regulation (EU) No 543/2011 of 7 June 2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors ⁽²⁾, and in particular Article 136(1) thereof,

Whereas:

- (1) Implementing Regulation (EU) No 543/2011 lays down, pursuant to the outcome of the Uruguay Round multi-lateral 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 XVI, Part A thereto.

- (2) The standard import value is calculated each working day, in accordance with Article 136(1) of Implementing Regulation (EU) No 543/2011, taking into account variable daily data. Therefore this Regulation should enter into force on the day of its publication in the *Official Journal of the European Union*,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 136 of Implementing Regulation (EU) No 543/2011 are fixed in the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 9 August 2012.

*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 157, 15.6.2011, 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	TR	55,3
	ZZ	55,3
0707 00 05	TR	100,7
	ZZ	100,7
0709 93 10	TR	105,8
	ZZ	105,8
0805 50 10	AR	104,0
	TR	92,0
	UY	86,3
	ZA	104,6
	ZZ	96,7
0806 10 10	CL	226,1
	EG	201,9
	IL	138,6
	MA	168,7
	MX	186,3
	TN	203,8
	TR	138,6
	ZZ	180,6
0808 10 80	AR	187,5
	BR	84,7
	CL	142,5
	NZ	116,2
	US	151,6
	ZA	102,2
	ZZ	130,8
0808 30 90	AR	129,0
	CL	164,1
	CN	91,7
	NZ	165,5
	TR	193,2
	ZA	111,3
	ZZ	142,5
0809 29 00	CA	801,5
	TR	341,8
	ZZ	571,7
0809 30	TR	169,7
	ZZ	169,7
0809 40 05	BA	66,3
	MK	70,3
	ZZ	68,3

⁽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'.

DECISIONS

COUNCIL DECISION

of 7 August 2012

extending the validity of Decision 2012/96/EU and suspending the application of the appropriate measures set out in Decision 2002/148/EC

(2012/470/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000 ⁽¹⁾ and as last revised in Ouagadougou, Burkina Faso, on 23 June 2010 ⁽²⁾, hereinafter referred to as 'the Cotonou Agreement', and in particular Article 96 thereof,

Having regard to the Internal Agreement between the representatives of the governments of the Member States, meeting within the Council, on measures to be taken and procedures to be followed for the implementation of the Cotonou Agreement ⁽³⁾, and in particular Article 3 thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) By Decision 2002/148/EC ⁽⁴⁾, consultations with the Republic of Zimbabwe under Article 96(2)(c) of the Cotonou Agreement were concluded and appropriate measures, as specified in the Annex to that Decision, were taken. These measures have since been adapted and their period of application extended each year.
- (2) By Decision 2012/96/EU ⁽⁵⁾ the appropriate measures were adapted and their period of application extended for six months until 20 August 2012.

- (3) The Union recognises the creation of the Government of National Unity in Zimbabwe as an opportunity to re-establish a constructive relationship between the Union and Zimbabwe and to support the implementation of Zimbabwe's reform programme.

- (4) By means of Council Decision 2012/97/CFSP of 17 February 2012 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe ⁽⁶⁾, the Union took a significant decision to relax parallel CFSP sanctions on individuals with a view to encouraging further progress and thereby demonstrating its strong commitment to the Global Political Agreement process. The high level consultations held in Brussels with the Zimbabwe Ministerial re-engagement team in May 2012 constitute an important step forward in this re-engagement process.

- (5) The Union continues to support the ongoing efforts of the Government of National Unity in implementing the Global Political Agreement, and welcomes the progress made in Zimbabwe to stabilise the economy and restore social services. The Union also continues to support the facilitation efforts led by South Africa on behalf of the Southern African Development Community.

- (6) To demonstrate the Union's continued commitment to the Global Political Agreement process, it is appropriate to extend the validity of Decision 2012/96/EU, while, however, suspending the application of the appropriate measures limiting cooperation under Article 96 of the Cotonou Agreement for a period of 12 months.

- (7) Should there be a deterioration of the state of democracy, human rights and the rule of law in Zimbabwe, the Union could re-impose these appropriate measures and/or other measures at any time,

HAS ADOPTED THIS DECISION:

Article 1

The validity of Decision 2012/96/EU and of its appropriate measures is hereby extended until 20 August 2013. However, the application of the appropriate measures is hereby suspended.

⁽¹⁾ OJ L 317, 15.12.2000, p. 3.

⁽²⁾ OJ L 287, 4.11.2010, p. 3.

⁽³⁾ OJ L 317, 15.12.2000, p. 376.

⁽⁴⁾ Council Decision of 18 February 2002 concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement (OJ L 50, 21.2.2002, p. 64).

⁽⁵⁾ Council Decision of 17 February 2012 adapting and extending the period of application of the appropriate measures first established by Decision 2002/148/EC concluding consultations with Zimbabwe under Article 96 of the ACP-EC Partnership Agreement (OJ L 47, 18.2.2012, p. 47).

⁽⁶⁾ OJ L 47, 18.2.2012, p. 50.

The appropriate measures shall be kept under constant review and shall be applied again if the situation in Zimbabwe is to seriously deteriorate. Such measures shall in any event be reviewed six months after the entry into force of this Decision.

The letter annexed to this Decision shall be addressed to the President of Zimbabwe, Mr Mugabe, and copied to Prime Minister Tsvangirai and Mr Welshman Ncube.

Article 2

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

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Done at Brussels, 7 August 2012.

For the Council

The President

A. D. MAVROYIANNIS

ANNEX

LETTER TO THE PRESIDENT OF ZIMBABWE

In a letter dated 19 February 2002, the European Union informed you of its decision to conclude the consultations held under Article 96 of the Cotonou Agreement and to take appropriate measures within the meaning of Article 96(2)(c) of that Agreement. In a letter dated 23 February 2012, the European Union informed you of its decision to further extend the period of application of those measures until 20 August 2012.

The European Union is encouraged by the progress that is being made in implementing the Global Political Agreement by the Government of National Unity in Zimbabwe. The European Union reiterates the great importance it attaches to the political dialogue provided for in Article 8 of the Cotonou Agreement and which, at the request of the Government of Zimbabwe, was officially launched at the EU-Zimbabwe Ministerial Troika in June 2009 in Brussels. As agreed by both parties, the main objective of the Article 8 dialogue is to normalise EU-Zimbabwe relations along with the implementation of the reforms foreseen in the Global Political Agreement and to pave the way for peaceful and credible elections.

The European Union welcomes the constructive dialogue that has been established in the process of EU re-engagement with all parties in the Government of National Unity, including through the meeting in May this year between High Representative Ashton and the members of the Zimbabwe Ministerial Re-engagement Committee. The European Union welcomes the continued commitment of SADC to support the implementation of the Global Political Agreement, as expressed at the recent extraordinary SADC Summit in Luanda.

The steps taken by the Government of National Unity to improve the freedom and prosperity of the Zimbabwean people justify the immediate suspension of the measures hitherto applied under Article 96 of the Cotonou Agreement. This will allow the European Union to work directly with the Government of National Unity and to develop new assistance programmes for the benefit of the people of Zimbabwe under the next European Development Fund. In this context, and in line with efforts supporting Zimbabwe's re-engagement with the international financial institutions and the signing of an interim Economic Partnership Agreement, the European Investment Bank also envisages to re-launch development activities with the private sector in Zimbabwe.

The European Union welcomes the recent visit to Zimbabwe of the UN HCHR at the invitation of the Government of National Unity. The European Union attaches the utmost importance to the provisions of Article 9 of the Cotonou Agreement, since respect for human rights, democratic institutions and the rule of law constitutes the essential basis of EU-Zimbabwe relations and the European Union will continue to closely follow the situation in Zimbabwe. It recognises the improvement that has been achieved in the human rights situation although significant areas of concern remain.

As indicated in February this year and consistent with its incremental approach, the European Union will further adjust its policy to recognise progress as it is made by the Zimbabwean parties along the SADC roadmap.

The European Union reaffirms its partnership with the people of Zimbabwe. The present European Union decision to suspend the application of the appropriate measures and re-engage in further dialogue and cooperation with the Government of National Unity is intended to provide additional impetus in enhancing EU-Zimbabwe relations, with the aim of normalising bilateral relations. The European Union calls on all parties to seize the momentum to complete implementation of the Global Political Agreement.

Yours faithfully,

For the Council

C. ASHTON

For the Commission

A. PIEBALGS

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