



Council of the
European Union

Brussels, 9 February 2026
(OR. en)

5431/26

**Interinstitutional File:
2026/0015(NLE)**

LIMITE

**CORLX 80
CFSP/PESC 101
RELEX 60
COARM 12
COAFR 15
FIN 80**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL REGULATION amending Regulation (EC) No 314/2004
concerning restrictive measures in view of the situation in Zimbabwe

COUNCIL REGULATION (EU) 2026/...

of ...

**amending Regulation (EC) No 314/2004
concerning restrictive measures in view of the situation in Zimbabwe**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 215 thereof,

Having regard to Council Decision (CFSP) 2026/... of ...amending Decision 2011/101/CFSP concerning restrictive measures in view of the situation in Zimbabwe¹⁺,

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

¹ OJ L, ..., ELI: ...

⁺ OJ: Please insert the number and date of the Decision contained in document ST 5219/26.

Whereas:

- (1) Council Regulation (EC) No 314/2004² gives effect to several measures provided for by Council Decision 2011/101/CFSP³.
- (2) On ..., the Council adopted Decision (CFSP) 2026/...⁴⁺ removing the provisions on the travel ban and the freezing of assets, as well as the related prohibition on making funds or economic resources available, and amending the title of Decision 2011/101/CFSP to reflect the fact that the framework only includes an arms embargo.
- (3) The measures provided for in Decision 2011/101/CFSP fall within the scope of the Treaty on the Functioning of the European Union. Regulatory action at Union level is therefore necessary to give effect to Decision 2011/101/CFSP as amended by Decision (CFSP) 2026/...⁺⁺, in particular with a view to ensuring uniform application in all Member States.
- (4) Regulation (EC) No 314/2004 should therefore be amended accordingly,

HAS ADOPTED THIS REGULATION:

² Council Regulation (EC) No 314/2004 of 19 February 2004 concerning restrictive measures in view of the situation in Zimbabwe (OJ L 55, 24.2.2004, p. 1, ELI: <http://data.europa.eu/eli/reg/2004/314/oj>).

³ Council Decision 2011/101/CFSP of 15 February 2011 concerning restrictive measures in view of the situation in Zimbabwe (OJ L 42, 16.2.2011, p. 6; ELI: [http://data.europa.eu/eli/dec/2011/101\(1\)/oj](http://data.europa.eu/eli/dec/2011/101(1)/oj)).

⁴ Council Decision (CFSP) 2026/... of ... amending Decision 2011/101/CFSP concerning restrictive measures in view of the situation in Zimbabwe (OJ L, ..., ELI: ...).

⁺ OJ: Please insert in the text the number and date of the Decision contained in document ST 5219/26 and complete the corresponding footnote.

⁺⁺ OJ: Please insert the number of the Decision contained in document ST 5219/26.

Article 1

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

(1) the title is replaced by the following:

‘Council Regulation (EC) No 314/2004 of 19 February 2004 concerning an arms embargo in view of the situation in Zimbabwe’;

(2) Article 1 is amended as follows:

(a) points (b) to (e) are deleted;

(b) the following points are added:

‘(f) “competent authorities” means the competent authorities of the Member States as identified on the websites listed in Annex II;

(g) “financing or financial assistance” means any action, irrespective of the particular means chosen, whereby the natural or legal person, entity or body concerned, conditionally or unconditionally, disburses or commits to disburse its own funds or economic resources, including grants, loans, guarantees, suretyships, bonds, letters of credit, supplier credits, buyer credits, import or export advances and all types of insurance and reinsurance, including export credit insurance; payment as well as terms and conditions of payment of the agreed price for a good or a service, made in line with normal business practice, do not constitute financing or financial assistance;

- (h) “territory of the Union” means the territories of the Member States to which the Treaty on European Union (TEU) applies, under the conditions laid down in the TEU, including their airspace.’;

(3) Article 2 is replaced by the following:

Article 2

1. It shall be prohibited to sell, supply, transfer or export, directly or indirectly, the goods and technology listed in the Common Military List of the European Union* (the “Common Military List”), as well as firearms, their parts and essential components, and ammunition as defined in Regulation (EU) No 258/2012 of the European Parliament and of the Council**, whether originating in the Union or not, to any natural or legal person, entity or body in Zimbabwe or for use in Zimbabwe.
2. It shall be prohibited:
 - (a) to grant, sell, supply or transfer, directly or indirectly, technical assistance related to military activities or to the provision, manufacture, maintenance and use of the items referred to in paragraph 1 to any person, entity or body in Zimbabwe or for use in Zimbabwe;
 - (b) to provide, directly or indirectly, financing or financial assistance related to military activities or for the sale, supply, transfer or export of the items referred to in paragraph 1 to any person, entity or body in Zimbabwe or for use in Zimbabwe;

- (c) to participate, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to promote the transactions referred to in point (a) or (b).

* Latest version published in OJ C, C/2025/1499, 6.3.2025, ELI: <http://data.europa.eu/eli/C/2025/1499/oj>.

** Regulation (EU) No 258/2012 of the European Parliament and of the Council of 14 March 2012 implementing Article 10 of the United Nations' Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition, supplementing the United Nations Convention against Transnational Organised Crime (UN Firearms Protocol), and establishing export authorisation, and import and transit measures for firearms, their parts and components and ammunition (OJ L 94, 30.3.2012, p. 1, ELI: <http://data.europa.eu/eli/reg/2012/258/oj>).';

- (4) Article 3 is replaced by the following:

Article 3

It shall be prohibited:

- (a) to, knowingly and intentionally, sell, supply, transfer or export, directly or indirectly, equipment which might be used for internal repression as listed in Annex I, whether originating in the Union or not, to any natural or legal person, entity or body in Zimbabwe or for use in Zimbabwe;
- (b) to grant, sell, supply or transfer, directly or indirectly, technical assistance related to the equipment referred to in point (a) to any natural or legal person, entity or body in Zimbabwe or for use in Zimbabwe;

- (c) to provide, directly or indirectly, financing or financial assistance related to the equipment referred to in point (a) to any natural or legal person, entity or body in Zimbabwe or for use in Zimbabwe; or
- (d) to participate, knowingly and intentionally, in activities the object or effect of which is, directly or indirectly, to promote the transactions referred to in point (a), (b) or (c).’;
- (5) in Article 4, paragraph 1 is replaced by the following:
- ‘1. By way of derogation from Articles 2 and 3, the competent authorities of Member States as listed in Annex II may authorise:
- (a) the sale, supply, transfer or export of, and the provision of financing or financial assistance and technical assistance related to:
- (i) non-lethal military equipment intended solely for humanitarian or protective use, or for institution-building programmes of the European Union and the United Nations;
- (ii) materiel intended for European Union and United Nations crisis-management operations;
- (b) the sale, supply, transfer or export of equipment listed in Annex I intended solely for humanitarian or protective use, and the provision of financing or financial assistance and technical assistance related to these transactions.’;

- (6) Article 5 is replaced by the following:

‘Article 5

Articles 2 and 3 shall not apply to protective clothing, including flak jackets and military helmets, temporarily exported to Zimbabwe by United Nations personnel, personnel of the European Union or its Member States, representatives of the media and humanitarian and development workers and associated personnel for their personal use only.’;

- (7) Articles 6, 7 and 7a are deleted;

- (8) in Article 8(1), point (a) is replaced by the following:

‘(a) supply immediately any information which would facilitate compliance with this Regulation to the competent authorities of the Member States listed in Annex II in which they are resident or located, or of which they are a national, and shall transmit such information, directly or through those competent authorities, to the Commission.’;

- (9) Article 9 is deleted;

(10) Article 10 is replaced by the following:

‘Article 10

1. The Commission and Member States shall inform each other of the measures taken under this Regulation and shall share any other relevant information at their disposal in connection with this Regulation, in particular information in respect of:
 - (a) authorisations granted under the derogations set out in this Regulation; and
 - (b) violation and enforcement problems and judgments handed down by national courts.
2. The Member States shall immediately inform each other and the Commission of any other relevant information at their disposal which might affect the effective implementation of this Regulation.’;

(11) the following articles are inserted:

‘Article 10a

1. Member States shall designate the competent authorities referred to in this Regulation and identify them on the websites listed in Annex II. Member States shall notify the Commission of any changes in the addresses of their websites listed in Annex II.

2. Member States shall notify the Commission of their competent authorities, including the contact details of those competent authorities, without delay after the entry into force of this Regulation, and shall notify it of any subsequent amendment to the contact details of those competent authorities.
3. Where this Regulation sets out a requirement to notify, inform or otherwise communicate with the Commission, the address and other contact details to be used for such communication shall be those indicated in Annex II.

Article 10b

Any information provided or received in accordance with this Regulation shall be used only for the purposes for which it was provided or received.’;

- (12) Article 11 is replaced by the following:

‘Article 11

The Commission shall be empowered to amend Annex II on the basis of information supplied by Member States.’;

- (13) Article 11a is deleted;

(14) Article 12 is replaced by the following:

‘Article 12

1. Member States shall lay down the rules on penalties, including as appropriate criminal penalties, applicable to infringements of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall also provide for appropriate measures to allow for the confiscation of the proceeds of such infringements.
2. Member States shall notify the Commission of the rules referred to in paragraph 1 without delay after the entry into force of this Regulation and shall notify it of any subsequent amendment to those rules.’;

(15) Article 13 is replaced by the following:

‘Article 13

This Regulation shall apply:

- (a) within the territory of the Union;
- (b) on board any aircraft or vessel under the jurisdiction of a Member State;
- (c) to any natural person inside or outside the territory of the Union who is a national of a Member State;

- (d) to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State; and
- (e) to any legal person, entity or body in respect of any business done in whole or in part within the Union.’;

(16) the title of Annex II is replaced by the following:

‘Websites for information on the competent authorities referred to in Articles 4 and 8 and address for notifications to the European Commission’;

(17) Annex III is deleted.

Article 2

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

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

Done at ..., ...

For the Council
The President