



EUROPEAN COMMISSION

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2012/0151 (NLE)

Proposal for a

COUNCIL DECISION

**extending the period of application of the appropriate measures laid down for the
Republic of Guinea by Decision 2011/465/EU and amending that Decision**

EXPLANATORY MEMORANDUM

In July 2011 the Council of the European Union eased the appropriate measures laid down in July 2009 for Guinea, in recognition of progress made towards a return to constitutional rule since the inauguration of President Alpha Condé following democratic elections. Yet the Council recalled at the time that the transition would be complete only once free and transparent parliamentary elections had been held.

Council Decision 2011/465/EU expires on 19 July 2012. The Decision stipulates in the first milestone that the 10th EDF Country Strategy Paper and National Indicative Programme (CSP/NIP) may be signed once they are finalised and once the competent Guinean authorities have adopted and forwarded a detailed timetable (preliminary dates and stages/preparatory operations) for the holding of parliamentary elections by the end of 2011. Technical appraisal of the projects and programmes provided for in the CSP/NIP may also be carried out and funds from the 10th EDF for direct support to the people may be released. Release of the remaining funds from the 10th EDF allocated to Guinea is, however, contingent upon the second milestone, which is the holding of free and transparent parliamentary elections.

Neither of the milestones has been achieved to date. The date for holding elections has not yet been set, in spite of the numerous commitments made by President Condé to organise elections as quickly as possible. The monitoring mission carried out under Article 96 on 28-29 February 2012 established that conditions for lifting the appropriate measures had not been met.

As preparations for parliamentary elections are well behind schedule and as the situation on the ground has not changed significantly since July 2011 (date of Council Decision 2011/465/EU), the Commission believes that the period of application of the appropriate measures should be extended and the deadline for holding parliamentary election postponed until the end of 2012.

Conclusion:

The Council is requested to approve the draft Council Decision extending the period of application of the appropriate measures laid down for the Republic of Guinea by Decision 2011/465/EU.

Proposal for a

COUNCIL DECISION

extending the period of application of the appropriate measures laid down for the Republic of Guinea by Decision 2011/465/EU and amending that Decision

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 2000¹ and revised in Ouagadougou, Burkina Faso, on 22 June 2010² (hereinafter called the Cotonou Agreement), and in particular Article 96 thereof,

Having regard to the Internal Agreement on measures to be taken and procedures to be followed for the implementation of the Cotonou Agreement³, and in particular Article 3 thereof,

Having regard to the proposal from the Commission,

Whereas:

- (1) Decision 2011/465/EC of 18 July 2011⁴ lays down appropriate measures for Guinea under Article 96 of the ACP-EU Partnership Agreement.
- (2) Decision 2011/465/EU requires that two milestones be achieved before cooperation with Guinea under the 10th European Development Fund (10th EDF) can be resumed, namely: that a detailed timetable (preliminary dates and stages/preparatory operations) be drawn up and adopted by the competent authorities for the holding of parliamentary elections by the end of 2011, and that free and transparent parliamentary elections be held.
- (3) To date, neither of these conditions has been met.
- (4) It is therefore necessary to extend the period of application of the appropriate measures laid down in Decision 2011/465/EU and to postpone the deadline set in these measures for the holding of parliamentary elections until the end of 2012,

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, as amended, OJ L 247, 9.9.2006, p. 48.

⁴ OJ L 195, 27.7.2011, p. 2.

HAS ADOPTED THIS DECISION:

Article 1

The period of validity of Council Decision 2011/465/EU of 18 July 2011 is extended by 12 months. To that end, the Decision is amended as follows:

- in Article 3, the date '19 July 2012' shall be replaced by the date '19 July 2013';
- in the Commitments by Partners in the Annex, the deadline given in the commitments by Guinea for holding parliamentary elections is extended until the end of 2012.

Article 2

The letter in the Annex to this Decision shall be addressed to the Guinean authorities.

Article 3

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

Done at Brussels,

For the Council
The President

ANNEX

To the President and the Prime Minister of the Republic of Guinea

Sirs,

Welcoming the progress made by the Republic of Guinea in returning to constitutional rule following the peaceful conclusion of the presidential elections in 2010 and the inauguration of a legitimate President and a civil government, in July 2011 the Council of the European Union, eased the appropriate measures laid down for Guinea .

In Decision 2011/465/EU of 18 July 2011, the Council specified that cooperation with Guinea under the 10th European Development Fund (EDF) could be resumed in two stages, depending on progress made towards the holding of free and transparent parliamentary elections by the end of 2011.

The Council of the European Union finds that neither of the conditions has been met to date and has therefore decided, on the one hand, to extend the period of application of the appropriate measures set forth in Council Decision 2011/465/EU, and, on the other hand, to postpone the deadline for holding parliamentary elections until the end of 2012. Failure to respect this deadline will limit the possibilities of funds being committed from the 10th EDF.

We should like to recall the importance which the European Union attaches to the holding of credible, free and transparent parliamentary elections as quickly as possible and under optimum conditions, marking the end of the transition in Guinea. The European Union confirms its commitment to supporting the organisation of these elections.

We assure you, Sirs, of the European Union's support for your efforts to ensure sustainable economic growth and the welfare of the Guinean people.

Yours faithfully,

Done at Brussels,

For the Council

C. ASHTON

President

For the Commission

A. PIEBALGS

Commissioner