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Proposal for a

COUNCIL DECISION

**terminating the partial suspension of the Cooperation Agreement between the European
Economic Community and the Syrian Arab Republic and repealing Decision
2011/523/EU**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

On 2 September 2011, the Council adopted Decision 2011/522/CFSP amending Decision 2011/273/CFSP concerning restrictive measures against Syria. That decision prohibited the purchase, import or transport from Syria of crude oil and petroleum products following the brutal campaign waged by Bashar al-Assad and his regime against their own people. The prohibition had been extended to oil and petroleum products as it was the trade of those products that benefitted the Syrian regime most, thereby supporting its repressive policies.

To comply with the terms of the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic (the “Cooperation Agreement”), the Council adopted also on 2 September 2011 Decision 2011/523/EU authorising the partial suspension of Articles 12, 14 and 15 thereof, which are the rules prohibiting quantitative restrictions for goods originating in Syria that were covered by the restrictive measures of the initial Common Foreign and Security Policy (CFSP) decision. The suspension was notified to Syria on 5 September 2011.

On 27 February 2012, the Council adopted Council Decision 2012/122/CFSP amending Decision 2011/782/CFSP concerning restrictive measures against Syria. This Decision prohibited the direct or indirect sale, purchase, transportation or brokering of gold, precious metals, and diamonds to, from or for the Government of Syria, its public bodies, corporations and agencies, or the Central Bank of Syria, as well as to, from or for persons and entities acting on their behalf or at their direction, or entities owned or controlled by them.

On 27 February 2012 the Council adopted also Decision 2012/123/CFSP amending Decision 2011/523/EU to extend the coverage of the partial suspension to gold and precious metals, as well as diamonds insofar as they originate in Syria. The Union notified Syria that of the coverage of the partial suspension of the Cooperation Agreement had been extended to those products on 29 February 2012.

The reason for partially suspending the Cooperation Agreement and imposing the restrictive measures was the serious and systematic human rights violations by the Assad regime since 2011, as well as the failure to respect the principles of the United Nations Charter which form the basis of the Cooperation Agreement.

The fall of the Assad regime in December 2024 opened a window of opportunity for a new Syria and for renewed bilateral relations.

In its conclusions of 23 June 2025, the Council underlined the importance of a peaceful and inclusive transition in Syria, free from harmful foreign interference, and protecting the rights of all Syrian people, without discrimination.

The Council also underlined its support for the ongoing efforts by international financial institutions to assess Syria’s needs and invited the European Investment Bank to resume its activity in Syria. It called on the international community to facilitate Syria’s economic recovery and to work on reintegrating it into the international financial system.

In that context, the EU has lifted all economic sanctions on Syria, except for those based on security grounds. The EU has also mobilised more than EUR 424 million in support for Syria, including a EUR 175 million package to support Syria's socio-economic recovery and institution-building, as well as to promote transitional justice, accountability and human rights.

In a clear demonstration of continued support, the EU organised the Brussels IX Conference on “Standing with Syria: meeting the needs for a successful transition”, committing nearly EUR2.5 billion for 2025 and 2026. Together with partners, a total of EUR 5.8 billion was raised overall to aid Syria's transition process and the country's socio-economic recovery. The EU also addressed the urgent humanitarian needs, both within Syria and in the host communities across Jordan, Lebanon, Iraq, and Türkiye.

The EU also successfully organised in cooperation with Syrian civil society and the Syrian transitional authorities the Day of Dialogue in Damascus, gathering over 350 representatives from the country's civil society.

In line with these decisions, and with the objective of restoring normal trade relations with Syria and supporting the country's socio-economic recovery, it is important to terminate the partial suspension of the EU-Syria Cooperation Agreement, thereby fully reinstating the EU-Syria Cooperation Agreement.

The suspensions concerned the provisions of the Cooperation Agreement removing the quantitative restrictions on Syrian imports into the Union of products which were subject to the restrictive measures. The tariff concessions were not suspended. Therefore, repealing the partial suspension would not have any impact on trade flows, as, after repealing the restrictive measures, there are currently no other quantitative restrictions on imports into the Union from Syria of the products subject to the partial suspension.

By ending the partial suspension of the Cooperation Agreement, even if this is a formality and has no specific effects on trade, the Union can send out a political signal of support for normalising the relations with Syria and for the country's socio-economic recovery.

- **Consistency with Union policies**

This proposal is consistent with and complements the EU's positions on Syria since the fall of the Assad regime, and in particular the European Council conclusions on Syria of 19 December 2024 as well as the Council conclusions of 23 June 2025 and the Council's decision to lift EU economic sanctions on Syria in May 2025.

This proposal is consistent with Article 207(1) of the Treaty on the Functioning of the European Union (TFEU), which provides that the common commercial policy is to be conducted in the context of the principles and objectives of the Union's external action. These include the universality of human rights and fundamental freedoms, rule of law and the principles of international law.

- **Consistency with other Union policies**

The proposal addresses a foreign policy objective, namely restoring normal trade relations with Syria and supporting the country's socio-economic recovery, and does not interfere with other Union policies.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

- **Procedural Legal basis**

Article 218(9) TFEU provides in its first alternative a procedural legal base for decisions suspending an international agreement. This also includes decisions terminating a suspension which has previously been decided by the Council.

In the present case the Commission proposes a Council decision terminating the suspension of certain trade-related provisions of the Cooperation Agreement and hence Article 218(9) is the appropriate procedural legal basis.

- **Substantive legal basis**

The substantive legal basis for a decision under Article 218(9) TFEU depends primarily on the objective and content of the envisaged act in respect of which a position is being taken on the Union's behalf.

The main objective and content of the envisaged act concerns reinstating import concessions for trading in goods laid down in an international agreement. Such a measure is fully covered by the scope of the common commercial policy as set out in Article 207(1) TFEU.

Therefore, the substantive legal basis of the proposed decision is the first subparagraph of Article 207(4) TFEU.

- **Conclusion**

The legal basis of the proposed Council decision should be the first subparagraph of Article 207(4) TFEU in conjunction with Article 218(9) TFEU.

- **Proportionality**

This proposal does not go beyond what is necessary to achieve the objective pursued, namely, terminating the partial suspension of certain trade-related provisions of the EU-Syria Cooperation Agreement.

- **Choice of the instrument**

The objectives of this proposal can only be achieved by an act that terminates the partial suspension of the international agreement concerned. Therefore, a Council decision terminating the Decision partially suspending the Cooperation Agreement is the only available instrument for achieving this objective.

3. BUDGETARY IMPLICATIONS

The legal act envisages ending the suspension of the provisions of the Cooperation Agreement prohibiting quantitative restrictions on Syrian imports into the Union. It concerns products, which were subject to the restrictive measures under the CFSP. Therefore it has no budgetary implications.

4. OTHER ELEMENTS

- **Notification of the termination**

With regard to matters falling within the scope of application of the TFEU, the Commission represents the Union externally in accordance with Article 17(1) TEU. It is therefore the task of the Commission, once the Council has adopted this Decision by the Council, to notify the Republic of Syria that the partial suspension of the Cooperation Agreement that has been implemented in line with the Council Decision of 2 September 2011 (2011/523/EU) as amended by Council Decision 2012/123/CFSP of 27 February 2012 has been terminated.

- **Time for implementation**

To provide sufficient time to implement the changes to the customs tariff, the termination of the suspension of the preferential market access shall become applicable as of the first day of the first month following the notification of the termination by the Commission to the Republic of Syria.

- **Execution of the Decision**

The Directorate-General for Trade and Economic Security has the task to execute this Decision by instructing the Delegation of the European Union to Syria to notify the termination of the suspension by diplomatic note to the Ministry of Foreign Affairs and Expatriates of the Syrian Arab Republic and by notifying the Cooperation Council established by Article 35(1) of the Cooperation Agreement and to the Mission of the Syrian Arab Republic to the European Union.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207(4), first subparagraph, in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 18 January 1977, the European Economic Community and the Syrian Arab Republic concluded a Cooperation Agreement¹ (the Cooperation Agreement) to promote overall cooperation with a view to strengthening relations between the parties.
- (2) Council Decision 2011/523/EU² partially suspended the application of the Cooperation Agreement following the brutal campaign waged by Bashar al-Assad and his regime against their own people.
- (3) The partial suspension of Articles 12, 14 and 15 of the Cooperation Agreement, which prohibit Syrian imports into the Union, with regard to crude oil and petroleum products was necessary in order to implement Council Decision 2011/522/CFSP³.
- (4) Council Decision 2012/123/CFSP⁴ extended the partial suspension of the application of the Cooperation Agreement to Syrian imports into the Union of gold, precious metals and diamonds. The adoption of Decision 2012/123/CFSP was necessary in order to implement the restrictive measures provided for in Council Decision 2012/122/CFSP⁵.

¹ Cooperation Agreement between the European Economic Community and the Syrian Arab Republic (OJ L 269, 27.9.1978, p. 2, ELI: http://data.europa.eu/eli/agree_internation/1978/2216/oj).

² Council Decision 2011/523/EU of 2 September 2011 partially suspending the application of the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic (OJ L 228, 3.9.2011, p. 19, ELI: <http://data.europa.eu/eli/dec/2011/523/oj>).

³ Council Decision 2011/522/CFSP of 2 September 2011 amending Decision 2011/273/CFSP concerning restrictive measures against Syria (OJ L 228, 3.9.2011, p. 16, ELI: <http://data.europa.eu/eli/dec/2011/522/oj>).

⁴ Council Decision 2012/123/CFSP of 27 February 2012 amending Decision 2011/523/EU partially suspending the application of the Cooperation Agreement between the European Economic Community and the Syrian Arab Republic (OJ L 54, 28.2.2012, p. 18, ELI: [http://data.europa.eu/eli/dec/2012/123\(1\)/oj](http://data.europa.eu/eli/dec/2012/123(1)/oj)).

⁵ Council Decision 2012/122/CFSP of 27 February 2012 amending Decision 2011/782/CFSP concerning restrictive measures against Syria (OJ L 54, 28.2.2012, p. 14, ELI: [http://data.europa.eu/eli/dec/2012/122\(1\)/oj](http://data.europa.eu/eli/dec/2012/122(1)/oj)).

- (5) Since December 2024, the fall of the Bashar al-Assad regime has brought about a fundamental change in the Syrian political landscape rendering the original grounds for the suspension obsolete.
- (6) In its conclusions of 23 June 2025, the Council underlined the importance of a peaceful and inclusive transition in Syria, free from harmful foreign interference, and protecting the rights of all Syrian people, without discrimination.
- (7) The Council also underlined its support for ongoing efforts by international financial institutions to assess Syria's needs and invited the European Investment Bank to resume its activity in Syria. It called on the international community to facilitate Syria's economic recovery and to work on its reintegration into the international financial system.
- (8) On 24 February and 27 May 2025, in its Decisions (CFSP) 2025/406⁶ and (CFSP) 2025/1096⁷, the Council lifted all economic restrictive measures on Syria, with the exception of those based on security grounds, in order to support the country's socio-economic recovery.
- (9) In accordance with those decisions, and with the objective of restoring normal trade relations with Syria and supporting the country's socio-economic recovery, the partial suspension of the application of the Cooperation Agreement provided for in Decision 2011/523/EU should be terminated.
- (10) Decision 2011/523/EU should therefore be repealed,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2011/523/EU is repealed.

Article 2

This Decision shall take effect on the date of its notification.

Article 3

This Decision is addressed to the Syrian Arab Republic.

Done at Brussels,

*For the Council
The President*

⁶ Council Decision (CFSP) 2025/406 of 24 February 2025 amending Decision 2013/255/CFSP concerning restrictive measures in view of the situation in Syria (*OJ L*, 2025/406, 25.2.2025, *ELI*: <http://data.europa.eu/eli/dec/2025/406/oj>).

⁷ Council Decision (CFSP) 2025/1096 of 27 May 2025 amending Decision 2013/255/CFSP concerning restrictive measures in view of the situation in Syria (*OJ L*, 2025/1096, 28.5.2025, *ELI*: <http://data.europa.eu/eli/dec/2025/1096/oj>).