



**COUNCIL OF
THE EUROPEAN UNION**

**Brussels, 4 February 2013
(OR. en)**

5191/13

**ACP 3
PTOM 2
FIN 16
OC 12**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: **COUNCIL RECOMMENDATION** concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (ninth EDF) for the financial year 2011
COMMON GUIDELINES
Consultation deadline for Croatia: 11.2.2013

COUNCIL RECOMMENDATION

of

**concerning the discharge to be given to the Commission
in respect of the implementation of the operations
of the European Development Fund (ninth EDF)
for the financial year 2011**

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 amended by the Agreement signed in Luxembourg on 25 June 2005²,

¹ OJ L 317, 15.12.2000, p. 3.

² OJ L 287, 28.10.2005, p. 4.

Having regard to the Internal Agreement between Representatives of the Governments of the Member States, meeting within the Council, on the Financing and Administration of Community Aid under the Financial Protocol to the Partnership Agreement between the African, Caribbean and Pacific States and the European Community and its Member States signed in Cotonou (Benin) on 23 June 2000 and the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies¹ (the "Internal Agreement"), setting up, amongst others, the ninth European Development Fund (ninth EDF), and in particular Article 32(3) thereof,

Having regard to the Financial Regulation of 27 March 2003 applicable to the 9th European Development Fund², and in particular Articles 96 to 103 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the ninth EDF as at 31 December 2011 and the Annual Report of the Court of Auditors on the activities funded by the eighth, ninth and tenth European Development Funds (EDFs)³, concerning the financial year 2011, together with the Commission's replies contained in that Annual Report,

¹ OJ L 317, 15.12.2000, p. 355.

² OJ L 83, 1.4.2003, p. 1.

³ OJ C 344, 12.11.2012, p. 243.

Whereas:

- (1) Pursuant to Article 32(3) of the Internal Agreement, the discharge for the financial management of the ninth EDF is to be given to the Commission by the European Parliament on the recommendation of the Council.
- (2) The overall implementation by the Commission of the operations of the ninth EDF during the financial year 2011 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the ninth EDF for the financial year 2011.

Done at Brussels,

For the Council

The President
