



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 5 September 2013

13338/13

**Interinstitutional File:
2013/0292 (NLE)**

**ACP 137
FIN 508
PTOM 28
RELEX 781
DEVGEN 219**

PROPOSAL

from:	European Commission
dated:	22 August 2013
No Cion doc.:	COM(2013) 596 final
Subject:	Proposal for a Council Decision modifying the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of European Union aid under the multi-annual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the Treaty on the Functioning of the EU applies

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Mr Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2013) 596 final



Brussels, 22.8.2013
COM(2013) 596 final

2013/0292 (NLE)

Proposal for a

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modifying the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of European Union aid under the multi-annual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the Treaty on the Functioning of the EU applies

EXPLANATORY MEMORANDUM

The Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of European Union aid under the multi-annual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the Treaty on the Functioning of the EU applies (hereinafter referred to as 'Internal Agreement') was signed on 26 June 2013.

The Republic of Croatia acceded on 1 July 2013 to the European Union¹. According to the Joint Declaration C attached to the Act concerning the conditions of accession of the Republic of Croatia, the Republic of Croatia will accede to the European Development Fund as of the entry into force of the new Multiannual Financial Framework of Cooperation following its accession to the Union.

As regards the contribution of the Member States to the eleventh European Development Fund (hereinafter referred to as 'EDF'), Article 1(2)(a) of the Internal Agreement contains merely the estimated contribution and contribution key for Croatia. It is stated in Article 1(7) of the Internal Agreement that the amounts and contribution keys shall be amended by a decision of the Council acting unanimously on a proposal from the Commission, should a new State accede to the Union.

Regarding the weighting of votes in the EDF Committee, Article 8(2) of the Internal Agreement contains merely the estimated votes for Croatia. It is stated in Article 8(4) of the Internal Agreement that the weightings and the qualified majority shall be amended by a decision of the Council acting unanimously, should a new State accede to the Union.

On the aforementioned basis the estimated contributions and votes for Croatia shall be confirmed by the attached draft decision of the Council.

The Commission therefore suggests that the Council adopts the attached decision.

¹ See Treaty between the Member States of the European Union and the Republic of Croatia concerning the conditions of accession of the Republic of Croatia and Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, OJ L112, 24.4.2012

Proposal for a

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modifying the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of European Union aid under the multi-annual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the Treaty on the Functioning of the EU applies

THE COUNCIL OF THE EUROPEAN UNION,

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

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 2000²,

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of European Union aid under the multi-annual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of the financial assistance for the Overseas Countries and Territories to which part Four of the Treaty on the Functioning of the EU applies (hereinafter referred to as "Internal Agreement")³, and in particular Articles 1(7) and Article 8(4) thereof,

Having regard the Act concerning the conditions of accession of the Republic of Croatia⁴, and in particular the Joint Declaration C on the European Development Fund,

Having regard to the accession of the Republic of Croatia to the European Union as of 1 July 2013,

Having regard to the proposal from the Commission,

Whereas:

- (1) In accordance with the Joint Declaration C attached to the Act concerning the conditions of accession of the Republic of Croatia, Croatia will accede to the European Development Fund as of the entry into force of the new Multiannual Financial Framework of Cooperation following its accession to the Union.

² OJ L 317, 15.12.2000, p. 3. Agreement as amended by the Agreement signed in Luxembourg on 25 June 2005 (OJ L 287, 28.10.2005, p. 4) and by the Agreement signed in Ouagadougou on 22 June 2010 (OJ L 287, 4.11.2010, p. 3).

³ Insert OJ reference

⁴ Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, OJ L112, 24.4.2012

- (2) In accordance with Article 1(7) of the Internal Agreement, the allocation of contributions referred to in Article 1(2)(a), which are currently only estimated amounts for Croatia, shall be amended by Council decision should a new State accede to the Union.
- (3) In accordance with Article 8(4) of the Internal Agreement, the weightings laid down in Article 8(2) which are currently only estimated votes for Croatia, and the qualified majority referred to in Article 8(3), shall be amended by Council decision should a new State accede to the Union.
- (4) The contributions and the weightings should be confirmed.

HAS ADOPTED THIS DECISION:

Article 1

The contribution key and the contribution of Croatia to the 11th European Development Fund as laid down in Article 1(2)a) of the Internal Agreement as well as their votes in the European Development Fund Committee as laid down in Article 8(2) of the Internal Agreement are hereby confirmed.

Article 2

The Internal Agreement is amended as follows:

1. In Article 1(2)(a) the round brackets and asterix after the word 'Croatia' and the footnote '(*) Estimated amount' shall be deleted.
2. In Article 8(2) the following shall be deleted:
 - (a) the round brackets and asterix after the word 'Croatia' and the square brackets in the second column of this same row;
 - (b) the footnote '(*) Estimated vote';
 - (c) the row 'Total EU 27', '998';
 - (d) the round brackets and asterix as well as the square brackets in the row 'Total EU 28 (*)' '[1 000]'.
3. Article 8(3) shall be replaced by the following:

'The EDF Committee shall act by a qualified majority of 721 votes out of 1000, expressing a vote in favour by at least 15 Member States. The blocking minority shall consist of 280 votes.'

Article 3

This decision shall enter into force on the day following that of its adoption.

Done at Brussels,

*For the Council
The President*