



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 13 July 2012

12344/12

**Interinstitutional File:
2012/0188 (NLE)**

**ACP 122
FIN 514
PTOM 31
OC 397**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Council Decision on the financial contributions to be paid by the Member States to finance the European Development Fund in 2012, including the 2nd instalment 2012

NB: THIS DOCUMENT CONSTITUTES A REQUEST FOR PAYMENT OF MEMBER STATES' CONTRIBUTIONS TO THE EUROPEAN DEVELOPMENT FUND

COMMON GUIDELINES

Consultation deadline for Croatia: 22.7.2012

COUNCIL DECISION

on the financial contributions to be paid by the Member States to finance the European Development Fund in 2012, including the 2nd instalment 2012

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union (TFEU),

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 (Benin) on 23 June 2000¹, revised in Luxembourg (Grand Duchy of Luxembourg) on 25 June 2005², and revised for the second time in Ouagadougou (Burkina Faso) on 22 June 2010³,

Having regard to Decision 1/2006 of the ACP-EC Council of Ministers of 2 June 2006, specifying the multiannual financial framework for the period 2008 to 2013 and modifying the revised ACP-EC Partnership Agreement⁴,

¹ OJ L 317, 15.12.2000, p. 3.

² OJ L 209, 11.8.2005, p. 27.

³ OJ L 287, 4.11.2010, p.1, 3 and 68.

⁴ OJ L 247, 9.9.2006, p. 22.

Having regard to the Internal Agreement between the 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 applies, and in particular Article 10(1) thereof⁵,

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013 in accordance with the ACP-EC Partnership Agreement and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the EC Treaty applies⁶, and in particular Article 7 thereof,

Having regard to Council Decision 2007/549/EC of 16 July 2007 modifying the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing of Community aid under the multiannual financial framework for the period 2008 to 2013⁷,

Having regard to Council Regulation (EC) No 215/2008 of 18 February 2008 on the Financial Regulation applicable to the 10th European Development Fund (hereinafter referred to as "the 10th EDF Financial Regulation")⁸, and in particular Article 57 (3) thereof,

Having regard to the proposal from the Commission⁹,

⁵ OJ L 317, 15.12.2000, p. 355.

⁶ OJ L 247, 9.9.2006, p. 32.

⁷ OJ L 202, 3.8.2007, p. 35.

⁸ OJ L 78, 19.3.2008, p. 1.

⁹ Doc. 12409/12.

Whereas:

- (1) In accordance with the procedure laid down in Articles 57 to 61 of the 10th EDF Financial Regulation, the Commission shall present a proposal by 15 June specifying the amount of the second instalment of the contribution for 2012, and a revised annual amount of the contribution for the year 2012 in line with actual needs, in case where, in accordance with Article 7(3) of the Internal Agreement, the annual amount deviate from actual needs.
- (2) On a proposal made by the Commission, the Council has adopted on the 18 November 2011, a Decision¹⁰ to set at EUR 3 600 000 000 the Commission's share, and at and at 280.000.000 the EIB's share of the annual amount of the Member States contributions to the EDF for 2012.
- (3) In accordance with Article 7(3) of the 10th EDF Internal Agreement, if the contributions decided deviate from EDF's actual needs, the Commission should submit a proposal to the Council to amend the contribution amounts within the ceiling already decided. Therefore, the annual amount of the Member States' contributions to the EDF for 2012 allocated to the Commission should be set at 2.880.000.000 EUR (2.600.000.000 for the Commission and 280.000.000 for the EIB).
- (4) In accordance with the first paragraph of Article 145 of the 10th EDF Financial Regulation, the European Investment Bank has sent the Commission its updated estimates of commitments and payments under the instruments it manages.
- (5) Article 58(2) of the 10th EDF Financial Regulation provides that calls for contributions first use up the amounts laid down for previous EDFs. Therefore a call for funds under the 9th EDF should be made also on the basis of Article 58 (2) of the 10th EDF Financial Regulation for the EIB.

¹⁰ Doc. 16965/11

HAS ADOPTED THIS DECISION:

Article 1

The annual amount of the Member States contributions to the EDF for 2012 is hereby set at 2.880.000.000 EUR (2.600.000.000 for the Commission and 280.000.000 for the EIB).

Article 2

The individual EDF contributions to be paid by the Member States to the Commission and the EIB as the second instalment for 2012 are set out in the table in the Annex.

Article 3

This decision shall apply from the date of its adoption.

Article 4

This Decision is addressed to the Member States.

Done at Brussels,

*For the Council
The President*

Second instalment of EDF Contributions for 2012 (EUR)

MEMBER STATES	Key 9th EDF %	Key 10th EDF %	2nd Instalment		Total 2nd Instalment
			paid to	paid to	
			EIB	Commission	
			9th EDF	10th EDF	
BELGIUM	3.92	3.53	3.520.000	15.835.000	19.685.000
DENMARK	2.14	2.00	2.140.000	9.030.000	11.140.000
GERMANY	23.36	20.50	23.360.000	92.250.000	115.610.000
GREECE	1.25	1.47	1.250.000	6.615.000	7.065.000
SPAIN	5.84	7.85	5.640.000	35.325.000	41.165.000
FRANCE	24.30	19.55	24.300.000	87.975.000	112.275.000
IRELAND	0.62	0.91	620.000	4.036.000	4.716.000
ITALY	12.54	12.86	12.540.000	57.870.000	70.410.000
LUXEMBOURG	0.29	0.27	290.000	1.215.000	1.585.000
NETHERLANDS	5.22	4.85	5.220.000	21.825.000	27.045.000
AUSTRIA	2.65	2.41	2.650.000	10.845.000	13.495.000
PORTUGAL	0.97	1.15	570.000	5.175.000	6.145.000
FINLAND	1.48	1.47	1.480.000	6.615.000	8.095.000
SWEDEN	2.73	2.74	2.730.000	12.330.000	15.060.000
UNITED KINGDOM	12.69	14.82	12.690.000	66.630.000	79.380.000
BULGARIA		0.14		630.000	630.000
CZECH REPUBLIC		0.51		2.295.000	2.295.000
ESTONIA		0.05		225.000	225.000
CYPRUS		0.09		435.000	465.000
LATVIA		0.07		315.000	315.000
LITHUANIA		0.12		540.000	540.000
HUNGARY		0.55		2.475.000	2.475.000
MALTA		0.03		136.000	136.000
POLAND		1.30		5.850.000	5.850.000
ROMANIA		0.37		1.535.000	1.665.000
SLOVENIA		0.18		810.000	810.000
SLOVAKIA		0.21		945.000	945.000
TOTAL EUR-27	100.00	100.00	100,000,000	450,000,000	550,000,000