



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 23 October 2012

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“I” ITEM NOTE

from: Political and Security Committee
on: 23 October 2012
to: Permanent Representatives Committee

No. prev. doc.: 15026/12

Subject: Amendment to the Three-year Action Programme for the African Peace Facility,
2011-2013 (10th EDF)

I. Introduction

1. The ACP-EU African Peace Facility (APF) was created on 11 December 2003 by Decision No 3/2003 of the ACP-EC Council of Ministers¹ and financed initially by the 9th European Development Fund (EDF).
2. Under the 10th EDF, EUR 300 million were earmarked for funding the APF for the period 2008-2010².

¹ OJ L 345, 31.12.2003, p.108.

² Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the ACP-EC Partnership Agreement (OJ L 152, 13.06.2007, p.1).

3. For the period 2011-2013, an additional amount of EUR 300 million was released in 2011³ to finance the African Peace Facility.
4. As the additional amount of EUR 300 million turned out to be insufficient to cover the remaining period 2012-2013, on 12 April 2012 the African Union (AU) sent a first request to the Commission for a further replenishment of APF funds by reallocating EUR 100 million from the 10th EDF, and a second request, on 11 May 2012, for transferring an uncommitted approximate amount of EUR 26.2 million from the 2008-2010 period. Such requests were forwarded to the Council on 20 June 2012⁴.
5. In the light of the AU requests, the following steps were taken:
 - (a) securing a budget and renewing of the legal basis allowing the replenishment of the APF for the period 2012-2013:

This was done by Decision No 3/2012 of the ACP-EU Committee of Ambassadors adopted on 13 September 2012⁵, and by Council Conclusions adopted on 24 September 2012⁶.
 - (b) endorsing the AU request:

On 15 October 2012, the Council endorsed the new African Union requests⁷, and on 17 October 2012, in accordance Article 12 of the 10th EDF Financial Regulation, the requests were endorsed by the ACP-EU Committee of Ambassadors⁸.

³ Council Conclusions of 18 May 2011, doc. 10342/11.

⁴ Document 11678/12.

⁵ Document ACP-UE 2116/12.

⁶ Document 13935/12.

⁷ Document 13933/1/12 REV 1 + REV1 COR1, and CM 4928/12 (list of A points adopted).

⁸ By a written procedure.

II. Three-year Action Programme for the APF, 2011-2013, and amendments for 2012-2013

6. In accordance with Article 12 of the 10th EDF Implementation Regulation⁹, the Commission has drawn up an Action Programme for 2011 to 2013 concerning the implementation arrangements of the African Peace Facility.

The Action Programme sets out specific procedures for implementation, and serves as a basis for the financing agreement concluded between the Commission and the African Union.

In order to include in the current Action Programme for 2011-2013¹⁰ the additional EUR 126,2 million as requested by the AU to cover 2012-2013 needs, the Commission proposed amendments to the Action Programme that were:

- discussed and agreed by the ACP working party on 9 October 2012, and
- endorsed by the Political and Security Committee on 23 October 2012.

7. Coreper is invited to approve by a qualified majority as defined in Article 8(3) of the Internal Agreement¹¹, the text of the amendments to the Action Programme as set out in document 15026/12, it being understood that, in application of Article 12(b) of the Regulation on the implementation of the 10th EDF, the text will be forwarded to the Commission for adoption¹².

⁹ OJ L 152, 13.6.2007, p. 1.

¹⁰ Document 10861/11.

¹¹ OJ L 247, 9.9.2006, p. 32.

¹² Article 12(b) stipulates that the Action Programme and any changes thereto, shall be discussed by the relevant preparatory Council working groups and the Political and Security Committee and approved by Coreper before being adopted by the Commission.

N.B.: The provisions of Article 12 were extended to cover the period 2012-2013 by Council Conclusions of 24 September 2012, doc. 13935/12.