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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 11.6.2008
COM(2008) 348 final

Proposal for

COUNCIL DECISION

**fixing the financial contributions to be paid by the Member States contributing to the
European Development Fund (second instalment for 2008)**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Since the entry into force of the Financial Regulation for the 9th European Development Fund (EDF) the Council decides, on a proposal from the Commission, on each of the three instalments to be paid by the Member States (Article 38 of the Financial Regulation). In the case of the 9th and 10th EDF instruments managed by the European Investment Bank (EIB), the Member States pay their contributions directly to the EIB. The contributions for other instruments are paid to the Commission.

Article 157 of the 10th EDF Financial Regulation stipulates that the procedure for the Member States' contributions for 2008 is governed by Article 38 of the 9th EDF Financial Regulation.

In accordance with Article 121 of the 9th EDF Financial Regulation, the EIB has sent the Commission its updated estimates of commitments and payments under the instruments it manages.

This proposal concerns the second instalment of contributions for 2008. Under Article 38(2) of the 9th EDF Financial Regulation, the schedule decided for this instalment is as follows: (1) the Commission presents a proposal by 15 June; (2) the Council decides on this instalment no later than 21 calendar days after the Commission presents its proposal; (3) the Member States pay this instalment of the contributions no later than 21 calendar days after they receive notification of the Council decision.

Note that Article 40(4) of the 9th EDF Financial Regulation provides that a Member State which fails to pay the instalment of the contribution due by the deadline will be required to pay interest on the amount unpaid; the arrangements for the payment of interest are specified in the same Article.

Proposal for

COUNCIL DECISION

fixing the financial contributions to be paid by the Member States contributing to the European Development Fund (second instalment for 2008)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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, and revised in Luxembourg (Grand Duchy of Luxembourg) on 25 June 2005², and in particular Annex Ib thereto,

Having regard to the Internal Agreement between 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 Agreement³, and in particular Article 7 thereof,

Having regard to the Financial Regulation of 27 March 2003 applicable to the 9th European Development Fund⁴, and in particular Article 38(1) and the second subparagraph of Article 38(2) thereof,

Having regard to the Financial Regulation of 18 February 2008 applicable to the 10th European Development Fund (hereinafter referred to as "the 10th EDF Financial Regulation")⁵, and in particular Article 157 thereof,

Having regard to the proposal from the Commission⁶,

Whereas:

- (1) Article 157 of the 10th EDF Financial Regulation provides that the procedure for the Member States' contributions for 2008 remains governed for practical purposes by the 9th EDF Financial Regulation.
- (2) On 14 October 2007 the Commission sent the Council a statement of the payments to be made in 2008 and the schedule of calls for contributions. On 20 December the Council adopted the decision laying down the 2008 schedule of calls for contributions from the Member States to the 9th EDF⁷.

¹ OJ L 317, 15.12.2000, p. 3.

² OJ L 209, 11.8.2005, p. 27.

³ OJ L 247, 9.9.2006, p. 32.

⁴ OJ L 83, 1.4.2003, p. 1.

⁵ OJ L 78, 19.3.2008, p. 1.

⁶ OJ C ..., ..., p. .

⁷ Document 15986/07.

- (3) On 20 December 2007 the Council also adopted the decision laying down the financial contributions to be made by the Member States to the EDF (first instalment for 2008)⁸.
- (4) In accordance with the second paragraph of Article 121 of the 9th EDF Financial Regulation, the European Investment Bank has sent the Commission the updated estimates of commitments and payments it is responsible for,

HAS ADOPTED THIS DECISION:

Article 1

The contributions to be paid by the Member States to the Commission and the European Investment Bank as the second instalment for 2008 are set out in the table in the Annex.

Article 2

This decision shall apply from the date of its adoption.

Article 3

This decision is addressed to the Member States contributing to the 9th EDF.

Done at Brussels,

For the Council
The President

⁸ Document 15990/07.

ANNEX

Second instalment of contributions for 2008 (in euro)

COUNTRY	to the European Investment Bank	to the Commission
GERMANY	24 528 000	233 600 000
BELGIUM	4 116 000	39 200 000
DENMARK	2 247 000	21 400 000
SPAIN	6 132 000	58 400 000
FRANCE	25 515 000	243 000 000
GREECE	1 312 500	12 500 000
IRELAND	651 000	6 200 000
ITALY	13 167 000	125 400 000
LUXEMBOURG	304 500	2 900 000
NETHERLANDS	5 481 000	52 200 000
PORTUGAL	1 018 500	9 700 000
UNITED KINGDOM	13 324 500	126 900 000
AUSTRIA	2 782 500	26 500 000
FINLAND	1 554 000	14 800 000
SWEDEN	2 866 500	27 300 000
TOTAL	105 000 000	1 000 000 000