



EUROPEAN COMMISSION

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2012/0188 (NLE)

Proposal for a

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**

EXPLANATORY MEMORANDUM

In accordance with Article 57(3) of the EDF Financial Regulation, this proposal covers:

the amount of the second instalment of the contribution for 2012 ("n+1" in the sense of the permanent procedures laid down in that Article);

In accordance with Article 57(7) of the EDF Financial Regulation, the amount managed by the Commission and the amount managed by the EIB are specified for each.

In accordance with Article 145 of the EDF Financial Regulation, the EIB has sent the Commission its updated estimates of commitments and payments under the instruments it manages.

In accordance with Article 57(3) of the EDF Financial Regulation, the Council must decide on this proposal at the latest 21 calendar days following the presentation by the Commission of its proposal and Member States must pay the second instalment of the contribution at the latest 21 calendar days following the date on which the Council decision is notified to them.

Article 58(2) of the EDF Financial Regulation provides that calls for contributions first use up the amounts laid down for previous EDFs, one after the other. The calls for contributions in this proposal therefore concern amounts under the 10th EDF for the Commission and under the 9th EDF for the EIB.

Note that Article 60(1) of the 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 a

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,

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, and in particular Article 10(1) thereof,

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 applies², and in particular Article 7 thereof,

Having regard to the 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")³, and in particular Article 57 (3) thereof,

Whereas:

- (1) In accordance with the procedure laid down in Articles 57 to 61 of the 10th EDF Financial Regulation, the Commission should present a proposal by 15 June specifying (a) the amount of the second instalment of the contribution for 2012, and (b) a revised annual amount of the contribution for the year $n + 1$ 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) The Council has adopted on the 18th of November 2011, on a proposal made by the Commission, the decision to fix at EUR 3.600.000.000 the Commission's share and at 280.000.000 the EIB's share of the annual amount of the Member States contributions to the EDF for 2012.

¹ OJ L 317, 15.12.2000, p. 355.

² OJ L 247, 9.9.2006, p. 32.

³ OJ L 78, 19.3.2008, p. 1.

- (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. Due to lower than forecasted payments in 2011 and the fact that a considerable cash balance was carried over from 2010, The Commission evaluates that it is justified to reduce its request to EUR 2.600 million. Therefore, a revised amount of the Member States contributions to the EDF for 2012 allocated to the Commission should be set at 2.600.000.000 EUR.
- (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 European Development Fund (hereafter "the EDF") Financial Regulation provides that calls for contributions first use up the amounts provided 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,

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*

ANNEX

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	3.920.000	1E.885.000	19.805.000
DENMARK	2.14	2.00	2.140.000	5.000.000	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	7.865.000
SPAIN	5.84	7.85	6.840.000	3E.326.000	41.166.000
FRANCE	24.30	19.55	24.300.000	87.975.000	112.275.000
IRELAND	0.62	0.91	620.000	4.055.000	4.715.000
ITALY	12.54	12.86	12.540.000	57.870.000	70.410.000
LUXEMBOURG	0.29	0.27	290.000	1.215.000	1.505.000
NETHERLANDS	5.22	4.85	5.220.000	21.825.000	27.045.000
AUSTRIA	2.65	2.41	2.650.000	1E.845.000	13.495.000
PORTUGAL	0.97	1.15	970.000	5.175.000	6.145.000
FINLAND	1.43	1.47	1.430.000	6.616.000	8.096.000
SWEDEN	2.73	2.74	2.730.000	12.330.000	15.060.000
UNITED KINGDOM	12.69	14.82	12.690.000	6E.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		405.000	405.000
LATVIA		0.07		315.000	315.000
LITHUANIA		0.12		640.000	640.000
HUNGARY		0.55		2.475.000	2.475.000
MALTA		0.03		135.000	135.000
POLAND		1.30		5.850.000	5.850.000
ROMANIA		0.37		1.665.000	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