



**COUNCIL OF
THE EUROPEAN UNION**

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NOTE

from : the Commission
to : Council

Subject : 10th EDF ratification process
- Note from the Commission

The Commission hereby circulates the attached note, in connection with its request to include an item on the 10th EDF ratification process under the "Orientation debate - Complementarity and Division of Labour" on the agenda of the General Affairs and External Relations Council of 16/17 October 2006.

10th EDF ratification process

In order for the 10th EDF to enter into force, the legal bases have to be put in place. Considering the inter-governmental nature of the ACP-EC Partnership Agreement, some of those documents need to be ratified by all Member States:

- The revision of the ACP-EC Partnership Agreement, signed in Luxembourg on 25.6.2005, published in the OJ L 209, 11.8.2005, p. 26;
- The internal agreement amending the internal agreement of 18.9.2000 regarding the implementation of the ACP-EC Partnership Agreement, signed in Luxembourg on 10.4.2006, published in the OJ L 247, 9.9.2006, p. 48;
- The internal agreement of the financing of Community aid to the ACP and the OCT for the period 2008-2013, signed in Brussels on 17.7.2006 and published in the OJ L 247, 9.9.2006, p. 32.

Council Decision 2005/446/EC of 30.5.2005 sets at 31.12.2007 the date beyond which the funds of the 9th EDF can no longer be committed. By this time the 9th EDF is planned to be entirely committed. In order to avoid the detrimental effects of a gap in EDF funding for the ACP, it is imperative that the 10th EDF enters into force on 1.1.2008.

The 10th EDF can only enter into force on the first day of the second month following the date of deposit of the instruments of ratification of above documents by all Member States.

The Member States are therefore urged to ensure a rapid ratification of the above three documents and to set up, if necessary, appropriate fast track procedures, in order to ensure a smooth continuation of financial cooperation with the ACP after the end of 2007.