COUNCIL RECOMMENDATION

of 16 February 2010

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (10th EDF) for the financial year 2008

(2010/104/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the ACP-EC Partnership Agreement, signed in Cotonou on 23 June 2000 ([1]) and amended by the Agreement signed in Luxembourg on 25 June 2005 ([2]),

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 ([3]), hereinafter referred to as the 'Internal Agreement', setting up, amongst others, the 10th European Development Fund (10th EDF), and in particular Article 11(8) thereof,

Having regard to the Financial Regulation of 18 February 2008 applicable to the 10th European Development Fund ([4]), and in particular Articles 142 to 144 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the 10th EDF as at 31 December 2008 and the Court of Auditors' report concerning the financial year 2008 together with the Commission's replies ([5]),

Whereas:

(1) Pursuant to Article 11(8) of the Internal Agreement, the discharge for the financial management of the 10th EDF is to be given to the Commission by the European Parliament on the recommendation of the Council.

(2) The overall implementation by the Commission of the operations of the 10th EDF during the financial year 2008 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the 10th EDF for the financial year 2008.

Done at Brussels, 16 February 2010.

For the Council
The President
E. SALGADO

([1]) OJ L 317, 15.12.2000, p. 3.
([2]) OJ L 287, 28.10.2005, p. 4.
([3]) OJ L 247, 9.9.2006, p. 32.
([4]) OJ L 78, 19.3.2008, p. 1.
([5]) OJ C 269, 10.11.2009, p. 257.