COUNCIL RECOMMENDATION

of 10 February 2009

concerning the discharge to be given to the Commission in respect of the implementation of the operations of the European Development Fund (Ninth EDF) for the financial year 2007

(2009/114/EC)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

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 on the financing and administration of Community aid under the Financial Protocol to ACP-EC Partnership Agreement [3], hereinafter referred to as the 'Internal Agreement', setting up, amongst others, the Ninth European Development Fund (Ninth EDF), and in particular Article 32(3) thereof,

Having regard to the Financial Regulation of 27 March 2003 applicable to the Ninth European Development Fund [4], and in particular Articles 96 to 103 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the Ninth EDF as at 31 December 2007 and the Court of Auditors' report concerning the financial year 2007 together with the Commission's replies [5],

Whereas:

(1) Pursuant to Article 32(3) of the Internal Agreement, the discharge for the financial management of the Ninth 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 Ninth EDF during the financial year 2007 has been satisfactory,

HEREBY RECOMMENDS that the European Parliament give the Commission a discharge in respect of the implementation of the operations of the Ninth EDF for the financial year 2007.

Done at Brussels, 10 February 2009.

For the Council
The President
M. KALOUSEK

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[1] OJ L 317, 15.12.2000, p. 3.
[2] OJ L 287, 28.10.2005, p. 4.
[3] OJ L 317, 15.12.2000, p. 355.
[4] OJ L 83, 1.4.2003, p. 1.
[5] OJ C 286, 10.11.2008, p. 273.