Council Decision (EU) 2020/1708 of 13 November 2020 on the financial contributions to be paid by Member States to finance the European Development Fund, including the ceiling for 2022, the annual amount for 2021, the first instalment for 2021 and an indicative and non-binding forecast for the expected annual amounts of contributions for the years 2023 and 2024

COUNCIL DECISION (EU) 2020/1708

of 13 November 2020

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THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies[(1)], and in particular Article 7 thereof,

Having regard to the Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11th European Development Fund, and repealing Regulation (EU) 2015/323[(2)], and in particular Article 19(2) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) In accordance with the procedure laid down in Articles 19 to 22 of Regulation (EU) 2018/1877 (‘the 11th EDF Financial Regulation’), the Commission is to present a proposal by 15 October 2020 specifying: (a) the ceiling for the annual amount of the contribution for 2022; (b) the annual amount of the contribution for 2021; (c) the amount of the first instalment of the contribution for 2021; and (d) an indicative, non-binding forecast for the expected annual amounts of contributions for the years 2023-2024.

(2) In accordance with Article 46 of the 11th EDF Financial Regulation, the European Investment Bank (EIB) sent to the Commission its updated estimates of commitments and payments under the instruments it manages.

(3) Article 20(1) of the 11th EDF Financial Regulation provides that calls for contributions first use up the amounts provided for in previous European Development Funds (EDFs). Therefore a call for funds under the 10th EDF for the EIB and the 11th EDF for the Commission should be made.

Changes to legislation: *There are currently no known outstanding effects for the Council Decision (EU) 2020/1708. (See end of Document for details)*

(4) Article 55 of the 11th EDF Financial Regulation provides that the amounts from projects under the 10th EDF or from other previous EDFs not committed according to Article 1(3) of the Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies, or decommitted according to Article 1(4) of that Agreement, unless decided otherwise by the Council unanimously, are to be deducted from that part of Member States' contributions referred to in point (a) of Article 1(2) of thatAgreement.

(5) Articles 152 and 153 of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community[(3)] provide that the United Kingdom is to remain party to the EDF until the closure of the 11th EDF and all previous unclosed EDFs. However, the United Kingdom's share in decommitted funds from projects under the 10th EDF or previous EDFs is not to be reused.

(6) On 24 October 2019, by means of Decision (EU) 2019/1800[(4)], based on a proposal by the Commission, the Council set the ceiling for the annual amount of the Member States' EDF contributions for 2021 at EUR 3 700 000 000 for the Commission, and at EUR 300 000 000 for the EIB,

HAS ADOPTED THIS DECISION:

Article 1

The ceiling for the annual amount of the Member States' EDF contributions for 2022 is hereby set at EUR 2 800 000 000. It shall be divided into EUR 2 500 000 000 for the Commission, and EUR 300 000 000 for the EIB.

Article 2

The annual amount of the Member States' EDF contributions for 2021 is hereby set at EUR 4 000 000 000. It shall be divided into EUR 3 700 000 000 for the Commission, and EUR 300 000 000 for the EIB.

Article 3

The individual EDF contributions to be paid by Member States to the Commission and to the EIB as the first instalment for 2021 are set out in the table in the Annex to this Decision.

Article 4

An amount of EUR 223 000 000 from uncommitted or decommitted funds from projects under the 8th EDF and the 9th EDF shall be refunded by a reduction of payment against the first instalment for 2021, as stated in Article 3.

***Changes to legislation:** There are currently no known outstanding effects for the Council Decision (EU) 2020/1708. (See end of Document for details)*

Article 5

The indicative non-binding forecast for the expected annual amount of contributions for 2023 is hereby set at EUR 1 800 000 000 for the Commission and at EUR 300 000 000 for the EIB, and that for 2024 at EUR 1 500 000 000 for the Commission and EUR 200 000 000 for the EIB.

Article 6

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 13 November 2020.

For the Council

The President

M. ROTH