



Council of the  
European Union

Brussels, 29 September 2020  
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**ACP 96**  
**FIN 647**  
**PTOM 16**  
**COAFR 259**

### **LEGISLATIVE ACTS AND OTHER INSTRUMENTS**

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Subject: COUNCIL DECISION concerning the allocation of funds decommitted from projects under the 10<sup>th</sup> European Development Fund for the purpose of replenishing the African Peace Facility

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**COUNCIL DECISION (EU) 2020/...**

**of ...**

**concerning the allocation of funds decommitted from projects  
under the 10<sup>th</sup> European Development Fund for the purpose  
of replenishing the African Peace Facility**

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 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<sup>1</sup>, and in particular Article 1(4) thereof,

Having regard to the proposal from the European Commission,

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<sup>1</sup> OJ L 210, 6.8.2013, p. 1.

Whereas:

- (1) The ongoing Union engagement in peace and security on the African continent under the African Peace Facility (APF) should be sustained until the end of June 2021 or until the expiration of the application of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Union and its Member States, of the other part<sup>1</sup>, as last amended (the ‘ACP-EU Partnership Agreement’), whichever comes first.
- (2) APF financial requirements for the period from January to June 2021 are estimated at EUR 113 000 000.
- (3) It is appropriate to use decommitted funds from projects under the 10<sup>th</sup> European Development Fund (the ‘10<sup>th</sup> EDF’) to ensure the financing of the APF until the end of June 2021 or until the expiration of the application of the ACP-EU Partnership Agreement, whichever comes first. Those additional funds should finance support to African-led Peace Support Operations.

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<sup>1</sup> OJ L317, 15.12.2000, p. 3.

- (4) The funds should be used in accordance with the relevant APF multiannual action programme and with the rules and procedures applicable to the 11<sup>th</sup> European Development Fund (the ‘11<sup>th</sup> EDF’), as set out in Council Regulations (EU) 2015/322<sup>1</sup> and (EU) 2018/1877<sup>2</sup>.
- (5) Reused 10<sup>th</sup> EDF funds, previously not committed in accordance with Article 1(3) of the 11<sup>th</sup> EDF Internal Agreement or decommitted in accordance with Article 1(4) of that Agreement, shall remain a resource of the 10<sup>th</sup> EDF under point (a) of Article 1(2) of the 10<sup>th</sup> EDF Internal Agreement<sup>3</sup>,

HAS ADOPTED THIS DECISION:

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<sup>1</sup> Council Regulation (EU) 2015/322 of 2 March 2015 on the implementation of the 11<sup>th</sup> European Development Fund (OJ L 58, 3.3.2015, p. 1).

<sup>2</sup> Council Regulation (EU) 2018/1877 of 26 November 2018 on the financial regulation applicable to the 11<sup>th</sup> European Development Fund, and repealing Regulation (EU) 2015/323 (OJ L 307, 3.12.2018, p. 1).

<sup>3</sup> 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 applies (OJ L 247, 9.9.2006, p. 32).

*Article 1*

An amount up to a maximum of EUR 113 000 000 from the funds decommitted from projects under the 10<sup>th</sup> EDF shall be allocated for the purpose of replenishing the APF for the period from 1 January to 30 June 2021 or until the expiration of the application of the ACP-EU Partnership Agreement, whichever comes first.

Those funds shall be used in accordance with the rules and procedures applicable to the 11<sup>th</sup> EDF.

*Article 2*

This Decision shall enter into force on the day following that of its adoption.

Done at Brussels,

*For the Council*

*The President*

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