

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 (eighth EDF) for the financial year 2008**

(2010/102/EU)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the fourth ACP-EEC Convention, signed at Lomé on 15 December 1989 ⁽¹⁾ and amended by the Agreement signed in Mauritius on 4 November 1995 ⁽²⁾,Having regard to the Internal Agreement between the Representatives of the Governments of the Member States, meeting within the Council, on the financing and administration of the Community aid under the Second Financial Protocol to the fourth ACP-EC Convention ⁽³⁾, hereinafter referred to as the 'Internal Agreement', setting up, amongst others, the eighth European Development Fund (eighth EDF), and in particular Article 33(3) thereof,Having regard to the Financial Regulation of 16 June 1998 applicable to development finance cooperation under the fourth ACP-EC Convention ⁽⁴⁾, and in particular Articles 66 to 74 thereof,

Having examined the revenue and expenditure account and the balance sheet relating to the operations of the eighth 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 33(3) of the Internal Agreement, the discharge for the financial management of the eighth 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 eighth 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 eighth EDF for the financial year 2008.

Done at Brussels, 16 February 2010.

For the Council
The President
E. SALGADO

⁽¹⁾ OJ L 229, 17.8.1991, p. 3.

⁽²⁾ OJ L 156, 29.5.1998, p. 3.

⁽³⁾ OJ L 156, 29.5.1998, p. 108.

⁽⁴⁾ OJ L 191, 7.7.1998, p. 53.

⁽⁵⁾ OJ C 269, 10.11.2009, p. 257.