

PE/2010/1815 C(2010)1962

COMMISSION DECISION

of 31 March 2010

on the adoption and the financing of an action not foreseen in the Annual Action Programme 2009 in favour of Sierra Leone to be financed from the 10th European Development Fund

THE EUROPEAN COMMISSION,

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 2000¹, revised by the Agreement of 25 June 2005² signed in Luxemburg, and in particular Article 34 of Annex IV thereof,

Having regard to the Council Regulation (EC) No 617/2007 of 14 May 2007 on the implementation of the 10th European Development Fund under the ACP-EC Partnership Agreement, and in particular Article 7 thereof³,

Having regard to Financing Agreement No 9729/REG with the Republic of Sierra Leone and the Republic of Guinea signed of 24 September 2007 modified by Addendum 1 signed on 2 December 2008, and in particular Articles 20.1 and 20.2 of the General Conditions applying to the 9th EDF,

Whereas:

- (1) The Commission has adopted the Country Strategy Paper for Sierra Leone and the Multiannual Indicative Programme for the period 2008-2013, point 1.2.1 which provide for the following priorities: Good governance and institutional support, Rehabilitation of priority infrastructure; General Budget support.
- (2) The objectives of the Financing Agreement No 9729/REG with the Republic of Sierra Leone and the Republic of Guinea are to increase the sub-regional economic activity and connectivity by improving the connection between the capital cities Freetown (Sierra Leone) and Conakry (Guinea).
- (3) The current contracts implementing the Financing Agreement include a price revision clause. Due to the increase in prices of hydrocarbon products, fuel, cement, steel and labour, additional funds are needed to cover the price revision cost and maintain the

¹ OJEU L 317, 15.12.2000, p. 3

² OJEU L 287, 28.10.2005, p. 5

³ OJEU L 152, 13.6.2007, p. 1

contingency fund at a level of 10% of the planned activity as the second phase of the project is only beginning to be implemented.

- (4) It is necessary to increase the ceiling of the Fund Commitment of the above-mentioned Financing Agreement by the amount of EUR 5,500,000 up to EUR 27,500,000.
- (5) In his request dated 24/03/2009, the National Authorising Officer of Sierra Leone has properly justified his request to increase the ceiling of the fund commitment in line with the recommendation from the IRCC.
- (6) The measures covered by this Decision are in conformity with the objectives of development finance co-operation as defined in Article 55 of the ACP-EC Partnership Agreement.
- (7) This decision constitutes a financing decision within the meaning of Article 16 of Annex IV to the ACP-EC Partnership Agreement and Article 67 of the Financial Regulation applicable to the 10th European Development Fund.
- (8) The measures provided for in this Decision are in accordance with the opinion of the European Development Fund Committee set up by article 8 of the Internal Agreement of 17 July 2006.

HAS DECIDED AS FOLLOWS:

Article 1

An additional contribution of the European Union to the project "Freetown-Conakry Highway Overlaying", a description of which is annexed, is hereby approved for an amount of EUR 5,500,000 from the 10th European Development Fund.

Article 2

Addendum No 2 to Financing Agreement 9729/REG signed on 24 September 2007 with the Republic of Sierra Leone and the Republic of Guinea, the text of which is annexed, is hereby approved.

Done at Brussels, 31/03/10

For the Commission

Member of the Commission

ANNEXES

1. Annex: Action fiche "Freetown-Conakry Highway Overlaying", (9 ACP SL 21 and 9 ACP GUI 10), Financing Agreement 9729/REG - action not foreseen in the Annual Action Programme 2009