COMMISSION DECISION

of 24.7.2014

on the return of the functions of EDF National Authorising Officer to the Republic of Madagascar
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THE EUROPEAN COMMISSION,

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

Having regard to the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000¹, as last amended in Ouagadougou (Burkina Faso) on 22 June 2010² (hereinafter the ‘ACP-EU Partnership Agreement’),


Having regard to Council Regulation (EU) No 567/2014 of 26 May 2014 amending Regulation (EC) No 215/2008 on the Financial Regulation applicable to the 10th European Development Fund as regards the application of the transition period between the 10th European Development Fund and the 11th European Development Fund until the entry into force of the 11th European Development Fund Internal Agreement, and in particular Article 19(2) thereof,


Whereas:

(1) By adopting appropriate measures under Article 96(2)(c) of the ACP-EU Partnership Agreement, Council Decision 2010/371/EU provides for the European Commission to reserve the right to assume immediately, wholly or partially, the functions of National Authorising Officer for the EDF.

(2) The Commission adopted Decision C(2011) 1871 to assume these functions on the grounds that the National Authorising Officer for the EDF had been relieved of his duties and that implementation of EU development aid could not continue to be entrusted to national authorities that were unable to guarantee proper implementation of the programmes or projects, or sound management of the related funds. This Decision provides for its review at the same time as the regular reviews of Decision 2010/371/EU.

² OJ L 287, 4.11.2010, p. 3.
³ OJ L 214, 19.8.2009, p. 34.
(3) Council Decision 2011/808/EU (extending Decision 2010/371/EU) indicates in its annex that the taking over of the functions of National Authorising Officer will be repealed after constitutional order is restored and the full normalisation of relations between the EU and Madagascar is confirmed.

(4) Presidential and parliamentary elections were held in Madagascar on 25 October and 20 December 2013 and the credibility of these was assessed positively by the High Representative/Vice-President and the EU election observation mission. The establishment of institutions (president, government and parliament) and the restoration of constitutional order were welcomed jointly by the High Representative/Vice-President, Catherine Ashton, and the European Commissioner for Development, Andris Piebalgs, on 18 April 2014, confirming the full normalisation of relations between the EU and Madagascar and complete resumption of development cooperation.

(5) On 19 May 2014, the Council of the European Union decided to repeal Decision 2010/371/EU of 7 June 2010 concerning the conclusion of consultations with Madagascar under Article 96 of the ACP-EU Partnership Agreement.

(6) The Commission concludes that the conditions have been met to allow the functions of National Authorising Officer to be returned to the Republic of Madagascar. Provision should be made for this to take effect when a new National Authorising Officer is appointed by the competent authorities in accordance with Article 35 of Annex IV to the ACP-UE Partnership Agreement,

HAS DECIDED AS FOLLOWS:

*Sole Article*

The functions of National Authorising Officer of the European Development Fund shall be returned to the National Authorising Officer of Madagascar.

This Decision shall take effect when the Republic of Madagascar appoints a new National Authorising Officer in accordance with Article 35 of Annex IV to the ACP-EU Partnership Agreement.

Done at Brussels, 24.7.2014

*For the Commission*

*Andris Piebalgs*

*Member of the Commission*