

# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">2002/2284(INI)</a>	Procedure completed
Development policy: untying of aid		
Subject 6.30 Development cooperation		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>DEVE</b> Development and Cooperation		03/12/2002
		PPE-DE <a href="#">FERNÁNDEZ MARTÍN Fernando</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>AFET</b> Foreign Affairs, Human Rights, Common Security, Defense	The committee decided not to give an opinion.	
	<b>ITRE</b> Industry, External Trade, Research, Energy		23/01/2003
		PSE <a href="#">GILL Neena</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">General Affairs</a>	<a href="#">2509</a>	19/05/2003
European Commission	Commission DG	Commissioner	
	Development		

Key events			
18/11/2002	Non-legislative basic document published	<a href="#">COM(2002)0639</a>	Summary
16/01/2003	Committee referral announced in Parliament		
19/05/2003	Debate in Council	<a href="#">2509</a>	
20/05/2003	Vote in committee		Summary
20/05/2003	Committee report tabled for plenary	<a href="#">A5-0190/2003</a>	
04/09/2003	Debate in Parliament		
04/09/2003	Decision by Parliament	<a href="#">T5-0387/2003</a>	Summary
04/09/2003	End of procedure in Parliament		

Technical information

Procedure reference	2002/2284(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure completed
Committee dossier	DEVE/5/19033

### Documentation gateway

Non-legislative basic document	<a href="#">COM(2002)0639</a>	18/11/2002	EC	Summary
Committee report tabled for plenary, single reading	<a href="#">A5-0190/2003</a>	20/05/2003	EP	
Text adopted by Parliament, single reading	<a href="#">T5-0387/2003</a> OJ C 076 25.03.2004, p. 0255-0474 E	04/09/2003	EP	Summary

## Development policy: untying of aid

**PURPOSE** : to enhance the effectiveness of aid by exploring the options on untying aid. **CONTENT** : a consensus has emerged that the practice of tying the granting of aid, directly or indirectly to the purchase of goods and services procured by means of that aid in the donor country reduces its effectiveness. It is generally recognised that the untying of aid is an important factor in a coherent pro-poor development policy. The World Bank estimates that full untying could lower the transaction cost of aid by up to 25%. The Development Assistance Committee of the OECD (DAC) follows the same line by estimating that this reduction may reach 15% to 30% of the costs. Community aid has been untied for more than 25 years. Calls for tender are open to the fifteen Member States and to all 71 ACP countries without distinction between LDCs and other developing countries for projects financed by the EDF, to all Mediterranean partner countries under the MEDA programme and to the beneficiary countries for Asia and Latin America (ALA). This openness of calls for tender had concrete consequences under the 6th, 7th and 8th EDF (1985-2000), as it made it possible for the operators of the ACP countries to gain 23.6% of the contracts, amounting to EUR 1.415 billion. The paper examines the DAC Recommendation on untying aid of April 2001 and comes to the conclusion that it is too limited, since it focuses on the LDCs and excludes Food Aid and its transport. The impact of this limitation is worsened by the fact that almost one third of the LDCs are in conflict situations where aid delivery is very difficult. In order to untie aid further, the Commission will introduce elements of untying into the legal bases of all development related financial instruments. The approach proposed by the Commission goes beyond the scope of the current DAC Recommendation and will lead to an almost complete untying of Community Aid. The whole of EC Aid would be untied immediately towards 16 out of 23 of the DAC Members, 32 developed countries and 151 developing countries as a group for the thematic budget lines and on a regional basis for the regional instruments. In addition the whole of EC aid would be untied to all other third countries under the condition of reciprocity and the agreement of recipient country. The paper examines the situation of EU bilateral aid, including the application of Community rules on state aid, and the application of public procurement directives. It makes several recommendations, including the following: - information on the impact of full untying among all donors on the effectiveness of aid, the allocation of resources and the structures of development is insufficient. The Commission suggests initiating comprehensive work on this at European level. - information on the relationship between untying of aid and moves towards decentralisation, the harmonisation of procedures and the role of the recipient country is insufficient. The Commission proposes further work. - the Commission will propose to integrate the untying of Community aid into all relevant legal bases of development related financial instruments of the Community. - regarding contracts awarded by authority of the recipient country, where these do not act on behalf of a contracting authority of a Member State, the Commission proposes an undertaking by Member States to untie aid and systematically to insert a contractual clause in the instruments by which aid is granted, obliging the authorities of the recipient country concerned to apply award procedures based on the principles underlying the public procurement directives, namely the principles of equal treatment, transparency, mutual recognition and proportionality. - efforts concerning the untying of aid among all donors at the OECD/DAC should be extended to complete untying including food aid and food aid transport.?

## Development policy: untying of aid

The committee adopted the own-initiative report by Fernando FERNÁNDEZ MARTÍN (EPP-ED, E) on the Commission communication. It welcomed the Commission's attempts to shift the underlying logic of aid procurement towards putting the interests of the recipient countries first, and insisted that aid should be totally disconnected from the economic interests of the donor countries. The report accordingly called for the complete untying of all overseas development aid (ODA) by the EU and its Member States within the next five years and expressed support for the Commission's approach in already extending untying to almost all Community aid arrangements. MEPs called for the equal treatment of horizontal and geographical budget lines so as to introduce open procurement for all countries, be they developed or developing countries. They added that these provisions should be linked to a clear preference for local and regional cooperation, prioritising - in ranking order - suppliers from the recipient country, neighbouring developing countries, and other developing countries. The committee also stressed the need to untie food aid and its transport and to incorporate a series of requirements on transparency and good practice, including a commitment to regulate the large-scale use of surpluses as food aid in kind and to take account of the food habits and cultural practices of the recipient countries. Lastly, the report pointed out that internal market rules, and specifically the public procurement directives, apply to aid-related procurement undertaken by a Member State contracting authority. This also applies when the latter is situated in a third country, for example an embassy. The Commission was therefore urged to take out infringement proceedings on a systematic basis against Member States whose tying of aid is in breach of the public procurement directives and EU competition law.?

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The European Parliament adopted a resolution based on the own-initiative report drafted by Fernando FERNANDEZ MARTIN (EPP-ED, Spain) on enhancing the effectiveness of development aid. (Please see the summary of 20/05/03.) Parliament also emphasised the need to take account of local operators in the programming and management of aid, and pointed out that untying aid must benefit the development of the national and regional capacities of the developing countries. The Commission and Member States should introduce into their procurement manuals measures to support the sourcing of goods and services from developing countries (e.g. significant price preferences). Parliament went on to ask the Commission to invite the Member States to involve independent bodies in the selection of aid projects in order to prevent possible conflicts between their interests and those of the beneficiary countries.?