



Brussels, 19.12.2017
C(2017) 9038 final

COMMISSION DECISION

of 19.12.2017

**amending Commission Decision C(2016) 3964 of 22.6.2016 on the individual measure in
favour of the Republic of Malawi to be financed from the 11th European Development
Fund**

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THE EUROPEAN COMMISSION,

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

Having regard to Council Regulation (EU) No 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund¹, and in particular Article 9(4) thereof,

Having regard to Council Regulation (EU) No 323/2015 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund², and in particular Article 26 thereof,

Whereas:

- (1) Commission Decision C(2016) 3964 of 22.6.2016 on the individual measure in favour of the Republic of Malawi to be financed from the 11th European Development Fund aims to contribute to dignified life through accountable Government, informed democratic choice, and human and effective delivery of justice.
- (2) Initially the Decision C(2016) 3964 awarded some tasks under indirect management to the British Council, which would then work with the Paralegal Advisory Services Institute (PASI), a local non-state actor which was funded by the European Union under the 10th EDF Democratic Governance Programme (DGP) to continue a unique Village Mediation Programme (VMP) which was very successful. Unfortunately, the British Council and PASI could not agree on the carrying forward of this programme jointly, and as a result the Commission, after considering the best way forward, decided to replace the implementing partner. The United Nations Development Programme (UNDP), an agency of the United Nations, was chosen because PASI and the UNDP have worked together before on access to justice with very good results, the Union and the UNDP currently cooperate successfully in a number of programmes, and the UNDP can bring valuable and proven expertise to the action.
- (3) It is necessary to adopt a financing decision the detailed rules of which are set out in Article 94 of Commission Delegated Regulation (EU) No 1268/2012 on the rules of application of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council on the financial rules applicable to the general budget of the Union³.
- (4) The measure provided for in this Decision does not fall within the categories of measures for which the prior opinion of the Committee is required. The EDF Committee established under Article 8 of the Internal Agreement should be informed of this Decision within one month following its adoption,

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ OJ L 362, 31.12.2012, p. 1.

HAS DECIDED AS FOLLOWS:

Sole Article

Commission Decision C(2016) 3964 of 22.6.2016 on the individual measure in favour of the Republic of Malawi to be financed from the 11th European Development Fund is modified as follows :

The Annex is integrated by the Annex to this Decision.

Done at Brussels, 19.12.2017

For the Commission
Stefano MANSERVISI
Director-General