



Brussels, 27.10.2017
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COMMISSION DECISION

of 27.10.2017

**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) 2015/322 of 2 March 2015 on the implementation of the 11th European Development Fund¹, and in particular Article 9 thereof,

Having regard to Council Regulation (EU) 2015/323 of 2 March 2015 on the financial regulation applicable to the 11th European Development Fund², and in particular Article 26 thereof,

Whereas:

- (1) The Commission has adopted the 11th EDF National Indicative Programme for the period 2014-2020, for co-operation between the Republic of Malawi and the European Union³, points 1.2 and 3 of which prioritises under: (i) Governance, (ii) Sustainable Agriculture, and (iii) Secondary Education and Vocational Training.
- (2) The objective pursued by the measure to be financed under the 11th European Development Fund (EDF) Internal Agreement⁴ is to reduce poverty through enhancing resilience among the most vulnerable households in Malawi.
- (3) The action entitled ‘Social Support for Resilience Programme (SoSuRe)’ will aim at (i) increasing livelihood diversification and enhancing food and nutrition security for labour-constrained [ultra-]poor households; (ii) contributing to improve the coordination and implementation of the Social Protection system in Malawi, while making it more effective, efficient, gender-sensitive and shock-responsive; and (iii) increasing poor and vulnerable households resilience to climate change. The Action will be implemented through indirect management with the partner country; indirect management with Member State agencies, namely Kreditanstalt für Wiederaufbau (KfW) and Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ); and two direct grants awarded to the only two existing consortia of non-governmental organizations (NGOs) working on resilience building activities with capacity to cover the seven EU-funded districts.

¹ OJ L 58, 3.3.2015, p. 1.

² OJ L 58, 3.3.2015, p. 17.

³ Commission Decision on the adoption of the National Indicative Programme between the European Union and the Republic of Malawi C(2015)3527 final of 28.05.2015.

⁴ Internal Agreement between the Representatives of the Governments of the Member States of the European Union, meeting within the Council, on the financing of European Union aid under the multiannual financial framework for the period 2014 to 2020, in accordance with the ACP-EU Partnership Agreement, and on the allocation of financial assistance for the Overseas Countries and Territories to which Part Four of the Treaty on the Functioning of the European Union applies (OJ L 210, 6.8.2013, p. 1).

- (4) 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 1268/2012⁵, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323.
- (5) It is necessary to adopt a work programme for grants in accordance with Article 128(1) of Regulation (EU, Euratom) No 966/2012 and Article 188(1) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323. The work programme is set out in the Annex.
- (6) The Commission should entrust budget-implementation tasks under indirect management to the entities specified in the Annex to this Decision, subject to the conclusion of delegation agreements. In accordance with Article 60(1)(c) and (2) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that these entities guarantee a level of protection of the financial interests of the European Union equivalent to that required when the Commission manages European Union funds. These entities comply with the conditions set out in points (a) to (d) of the first subparagraph of Article 60(2) of Regulation (EU, Euratom) No 966/2012 and the supervisory and support measures are in place as necessary.
- (7) The Commission should entrust budget-implementation tasks under indirect management to the partner country specified in the Annex to this Decision, subject to the conclusion of a financing agreement. In accordance with Article 60(1)(c) of Regulation (EU, Euratom) No 966/2012 applicable in accordance with Article 2(1) and Article 17 of Regulation (EU) 2015/323, the authorising officer responsible needs to ensure that measures are taken to supervise and support the implementation of the entrusted tasks. A description of those measures and the entrusted tasks are laid down in the Annex to this Decision.
- (8) The authorising officer responsible should be able to award grants without a call for proposals only in the exceptional cases set out in Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323.
- (9) It is necessary to allow for the payment of interest due for late payment on the basis of Article 92 of Regulation (EU, Euratom) No 966/2012 and Article 111(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 29(1) of Regulation (EU) 2015/323.
- (10) Pursuant to Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, any substantial change to a financing decision that has already been adopted should follow the same procedure as the initial decision. It is therefore appropriate that the Commission defines the changes to this Decision that are considered non-substantial in order to ensure that any such changes can be adopted by the authorising officer responsible.
- (11) The measure provided for in this Decision is in accordance with the opinion of the EDF Committee established under Article 8 of the Internal Agreement.

⁵ Commission Delegated Regulation (EU) No 1268/2012 of 29 October 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 Union (OJ L 362, 31.12.2012, p. 1).

HAS DECIDED AS FOLLOWS:

Article 1

Adoption of the measure

The individual measure in favour of the Republic of Malawi to be financed from the 11th European Development Fund, as set out in the Annex, is adopted.

The measure shall include the following action:

Annex: ‘Social Support for Resilience Programme (SoSuRe)’.

Article 2

Financial contribution

The maximum contribution of the European Union for the implementation of the measure referred to in Article 1 is set at EUR 50 000 000 and shall be financed from the 11th European Development Fund.

The financial contribution provided for in the first paragraph may also cover interest due for late payment.

Article 3

Methods of implementation

Budget-implementation tasks under indirect management may be entrusted to the entities identified in the Annex, subject to the conclusion of the relevant agreements.

The elements required by Article 94(2) of Delegated Regulation (EU) No 1268/2012 applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, are set out in the Annex to this Decision.

Grants may be awarded without a call for proposals by the authorising officer responsible in accordance with Article 190 of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 37(1) of Regulation (EU) 2015/323.

Article 4

Non-substantial changes

Increases or decreases of up to EUR 10 000 000 not exceeding 20% of the contribution set in the first paragraph of Article 2, or cumulated changes to the allocations of specific actions not exceeding 20% of that contribution, as well as extensions of the implementation period shall not be considered substantial within the meaning of Article 94(4) of Delegated Regulation (EU) No 1268/2012, applicable in accordance with Article 2(1) and Article 26 of Regulation (EU) 2015/323, provided that they do not significantly affect the nature and objectives of the actions. The use of contingencies shall be taken into account in the ceiling set by this Article.

The authorising officer responsible may adopt such non-substantial changes in accordance with the principles of sound financial management and proportionality.

Done at Brussels, 27.10.2017

For the Commission
Neven Mimica
Member of the Commission