



**PARLIAMENT OF MALAWI**



**COUNTRY REPORT FOR THE PARLIAMENT OF MALAWI ON THE  
PROGRESS ON THE IMPLEMENTATION OF THE RESOLUTIONS  
MADE BY THE 55<sup>TH</sup> SADC PF PLENARY ASSEMBLY.**

**DECEMBER, 2024**

**ZAMBIA, LIVINGSTONE**

**REPORT FOR THE PARLIAMENT OF MALAWI ON THE PROGRESS ON THE IMPLEMENTATION OF THE RESOLUTIONS MADE BY THE 55<sup>TH</sup> SADC PF PLENARY ASSEMBLY IN LUANDA, ANGOLA**

**1.0 TRANSFORMATION OF THE FORUM TO A SADC REGIONAL PARLIAMENT**

- i. Malawi signed the agreement to amend the SADC Treaty to establish the SADC Parliament. However, Malawi is still consulting with relevant authorities including the Ministries of Foreign Affairs, and Justice on the draft protocol on the establishment of the SADC Parliament

**2.0 ADDRESSING THE IMPACT OF INFLATION ON THE BUDGET OF THE FORUM: INCREASE IN MANDATORY MEMBER CONTRIBUTIONS**

- i. Malawi appreciates that SADC-PF has been created to operate as a platform for national parliamentarians to congregate to discuss regional issues and to develop model laws that may promote harmonization of legislation and policy in the region.
- ii. It is indeed essential that SADC PF continues its operations without any impediments. However, Malawi is a small open economy in Sub-Saharan Africa with a GNI per capita, of 1820 USD as reported by World Bank in 2023. With a struggling economy and related budgetary constraints, the suggested 20 percent increase in the Mandatory Member Contributions is not agreeable by Malawi. Malawi would propose if the suggested percentage increase could be done in phases for a period of time.

**3.0 SECONDMENT OF THE SENIOR PARLIAMENTARY STAFF TO THE PROGRAMMES AND PARLIAMENTARY BUSINESS AND LANGUAGES DEPARTMENT**

- i. One of the key features that was proposed in the 2021 report of the SADC PF transformation roadmap was on reliance on National Parliaments for long-term secondments as well as

short-term engagements. Over the years, we have seen SADC PF requesting National Parliaments to send their staff on secondment as one of the cost-effective measures in the operations of SADC PF. In 2022, the Malawi Parliament sent one of its senior staff members on secondment, Mr. Joseph Manzi, who is the Director of Parliamentary Business and Programmes. Malawi bears all costs pertaining to the secondment and does not currently have any plans for other secondments.

#### **4.0 ELECTION OBSERVATION**

- i. Since last year in 2023 up to now, we have seen over five countries going into elections. The conduct of democratic Elections by countries in the region is a manifestation of strengthened democracy, and this calls for the need to conduct Election observation by SADC PF and there is need for fee contribution by national parliaments to conduct the same. However, the Parliament of Malawi feels that the proposed of 6,000 USD dollars per election toward logistical and support costs under the Elections Observation Missions is a bit too much. Instead, Malawi would propose if the fee is less than 6000 USD and is paid annually, and not per election. Malawi is still, however, in the consultative stage with relevant authorities on the consideration of the Election Observation Mission fee in its next financial budget of 2025/2026.

#### **5.0 DESIGNATION OF FOCAL PERSON TO MONITOR THE DOMESTICATION OF MODEL LAWS**

- i. The Malawi Parliament is currently using the Desk Officers to follow up with relevant government institutions on the domestication of the Model laws adopted by the SADC PF to promote sustainability. Malawi is going into elections in September 2025, hence the use of Members of Parliament in monitoring of the domestic laws, lacks continuity. In the next

cohort, nevertheless, Parliament will use a combination of Members and desk officers to facilitate the monitoring processes.

## **6.0 IMPLEMENTATION OF THE 2023-2026 SRHR AND GOVERNANCE PROJECT**

- i. On signing of the agreement to implement the SRHR and governance project in collaboration with the SADC PF, Malawi is pleased to report that the official launch of the project and signing of the agreement to implement the Project took place on 6th March 2024. The launch was presided over by the Deputy Speaker of Parliament, honorable Madalitso Kazombo, MP, the Secretary General of SADC PF, Ms. Boemo Sekgoma and the Clerk of parliament, Mrs. Fiona Kalemba. On 5th March, SADC PF Secretary General had engagement meetings such as courtesy call to the office of the Speaker, engagement with chairpersons of parliamentary committees, parliament staff, members of the Technical Working Group and CSOs that deal with SRHR. The meetings were done to mobilize and sensitize the institution of Parliament of Malawi and its stakeholders on the new phase of the SRHR project. The project was formally launched before a quorum of MPs, stakeholders drawn from the Line Ministries, UN agencies, CSOs that are involved in SRHR advocacy and Parliament staff.
- ii. On recruitment of the researcher, Parliament of Malawi has a hardworking and dedicated SRHR Researcher in the name of Ms. Gomezgani Ngwira who was recruited in 2020 to assist in the implementation of the project.
- iii. On the budget that parliament of Malawi has drawn down on the resources allocated to implement activities, in the first year of project implementation, from 1<sup>st</sup> November 2023 to 31<sup>st</sup> October 2024, parliament has drawn down a total of USD 9,668.8 to implement activities which were recommended in the Project agreement as follows:
  - Project Launch and signing of the project agreement;

- Technical working Group meeting;
  - Roundtable discussion on SRHR budget and other priority areas;
  - Constituency awareness campaigns/public hearing on the impact of Climate change of SRHR and MPs; and
  - CSOs capacity building workshop on Women's, Children's and Adolescent's Health. A total of sixty (60) MPs from different parliamentary committees, 30 parliament staff and 20 CSOs have been provided with SRHR information and trained.
- iv. The Parliament of Malawi recommends to this 56<sup>th</sup> Plenary Assembly on the need to allocate more resources to Community or constituency engagement activities in-order to promote community participation that can lead to more informed and empowered citizens who are better able to address SRHR issues. Community engagements will also help MPs to make more inclusive and effective SRHR solutions that are supported by the community.

## **7.0. DOMESTICATION OF SADC PF MODEL LAWS AND RELATED POLICIES/ INSTRUMENTS**

- i. The Southern African Development Community (SADC) Parliamentary Forum (PF) has developed several model laws that can be used by member states, including Malawi, to address a range of issues.
- For instance, in 2020, Malawi MPs used the SADC Model Law on HIV and voted to reject controversial provisions in their HIV (Prevention and Management) Bill. The Bill had included provisions that would have made HIV testing and treatment mandatory for specific people in a discriminating manner. (Sentinel Newsletter Volume 23).
  - Additionally, on eradicating child marriage, in 2016, the SADC-PF adopted a model law to end child marriage and protect children already in marriage. The law provides

guidance for lawmakers, policymakers, and civil society to help ensure that member states' commitments to end child marriage are translated into action. In February 2017, the Malawi Parliament amended the child age of marriage to 18 years from 16 years.<sup>i</sup> In October 2024, the Ministry of Gender and Community Social Welfare launched a National Strategy to end Child Marriage<sup>ii</sup>.

- Furthermore, on Public Financial Management, Malawi has the 2022 Public Finance Management Act. Malawi also has related regulations on the Public Finance Management namely, the Debt and Aid Management Regulations of 2023 Gender-based violence. In general to improve the financial management and discipline in the public service delivery, Malawi's has a Public Finance Management System which includes the Malawi Public Finance Management (PFM) Strategy of 2023–2028, uses the Integrated Financial Management Information System (IFMIS) to enhance transparency and accountability and to produce timely reports and the Public Finance Management Act (Act 4 of 2022) to provide as the legal and institutional framework for public finance management.
- On the SADC PF Model Law on Gender based Violence, apart from the Constitution, Malawi has the 2013 Gender Equality Act that promotes gender equality and equal opportunities for men and women; has the Domestic Violence Act, the Sexual Offences Act and the National Gender Policy among others.

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<sup>i</sup> <https://www.savethechildren.net/news>

<sup>ii</sup> <https://www.girlsnotbrides.org/>