

SUMMARY FOR RESOLUTIONS ON THE SADC PARLIAMENTARY FORUM 51ST PLENARY ASSEMBLY SESSION

1.0 Resolutions on the Symposium on the Theme: “Towards Energy Efficiency, Sustainability and Self-Sufficiency in the SADC Region”

1. Malawi is one of the countries in the SADC Region that is endowed with abundance of largely unexploited resources for energy production like rivers for hydroelectricity, solar and fossil fuel sources like coal and uranium deposits, yet the country continue to face power shortage challenges.
2. The success stories continue to be the rural electrification programme, progressive development of renewable energy sources and the coal power generation station still under development. Parliament of Malawi will continue to support Government efforts along these lines.
3. Despite the challenges being faced in the energy sector, Parliament will continue to encourage the contribution of the independent private power producers in reducing the national power deficit and their role in employment creation.
4. The National Gender Policy, under the priority area of ‘environment, climate change and management,’ advocates the energy sector to integrate gender in environmental impact assessments (EIAs). Like all sectors, the energy sector is expected to contribute to achievement of the priority area on 'gender and economic development' under which there is a call to mainstream gender in national budgets, plans, strategies and programmes e.g., There is a deliberate effort to include youth and women participation in Malawi Rural Electricity Programme (MAREP)

2.0 Resolution on the Adoption of the SADC Model Law on Public Financial Management

1. Parliament of Malawi recognises that Models laws are benchmarks that help member states achieve enjoyment of human rights and to a greater extent entrench democratic values amongst the member states.
2. The review of the Public Finance Management Act (PFMA) (2003) is at an advanced stage and the goal is to align the Act with ongoing public finance

management reforms thereby making the PFMA more robust¹. The review process has engaged Parliament among others and some of the proposals from these engagements are aligned to the SADC Model on Public Finance Management. These proposals are being incorporated for improvement of the Act under review. The Bill will soon be presented to the house.

3. Among others, the Act has established the Parliamentary Budget Office, a development which will go a long way in improving the budget oversight role of Parliament on public finance. Parliament of Malawi finds this development very much in tandem with the SADC Model law on Public Finance Management. This Act will be repealing the Public Finance Management Act of 2003.
4. In recent years, access to information has come into limelight as there have been more reporting on public financial malpractices and some of which have come to Parliament for inquiries and reporting for further actions by other public institutions.

4.0 Resolution on the Motion on Strengthening the Fight against Transnational Organised Crime in the SADC Region

1. Parliament of Malawi passed the Trafficking in Persons Act in 2015, which makes provisions for the prevention and elimination of trafficking in persons. Malawi enacted the law as an implementation tool of the ratified regional and international human rights instruments which obligate the state to put in place necessary measures to protect women and girls from all forms of violence and exploitation including sexual exploitation and sex trafficking.
2. The Parliament of Malawi will continue to undertake oversight of such issues as migration among others, whilst the Government continues to collaborate with neighbouring countries in dealing with issues of human trafficking and transnational organised crimes. There are allegedly numerous cases of human traffic, which uses Malawi as a transit route to their various destinations and efforts to avert these vices need to be regionally coordinated.
3. Parliament of Malawi also enacted the Money Laundering, Proceeds of Serious Crime Terrorist Financing law and this law has been in force over the years. Implementation of this Law has seen prosecution and imprisonment of those involved in theft of public resources. Some of these resources are illegally

¹ Government of Malawi, February, 2022. The 2022/2023 Budget Statement. Lilongwe: Ministry of Finance and Economic Affairs.

externalized in Transnational Organised Crime. Parliament has been and will continue to be very robust in strengthening legal environment, as an effort to continue curbing this vice.

4.0 Resolution on the Report of the Standing Committee on Food, Agriculture and Natural Resources on Participation of Parliaments Towards Building Resilient Agricultural Systems in the SADC Region Through Enhanced Public Finance Management

1. Parliament of Malawi undertakes to continue building the capacity of Members of Parliament, especially in the budget oversight and scrutiny. This has been an on-going intervention, which sometimes is hampered by resource constraints. It is believed that by building the capacity of parliamentarians, they will be able to engage successfully to curbing issues of financial crimes that are so rampant.
2. As an example, with regard to public finance spending on AIP for 2022/2023 agricultural season, Parliament undertook to investigate the issues that were reported pertaining misstatement of finances. A report pertaining to the same is yet to be tabled in meeting of Parliament currently under way. Thus, public inquiries conducted by parliaments are key in dealing with acts of financial malpractices. This is very much in tandem with the tenets of Public Finance Management.
3. SADC Member states should therefore consider rethinking their allocation of scarce resources to innovative agricultural functions are capable of achieving the food security targets, among, which those enshrined in the 2004 Dar e Salaam Declaration i.e., access to quality seeds, fertilizers, and agrochemicals.
4. *Accordingly, there multiple fronts in which Malawi is striving to build resilience agricultural systems which Parliament can support by: -*
 - a. *Continuing with the rigorous debates around the feasibility of Input Subsidy Programme and the debates are on-going as an effort to make sure that the programme achieves optimally, its intended goals;*
 - b. *Through promotion of Public Finance Management practices, Government will be able to secure resources that among others, Parliament can allocate for promoting and building such good resilient agricultural practices as: -*

- i. *Use of early maturing varieties in view of climate change;*
- ii. *Use of fast growing breeds of livestock;*
- iii. *agroforestry and use of composite manure;*
- iv. *Embracing of new agricultural technologies in agriculture e.g., use of solar powered boreholes for broadening of irrigation farming; and*
- v. *Enhancing the operationalization of mega farms, which the Government of Malawi is starting.*

5.0 Resolution of the Report of the Standing Committee on Trade, Industry, Finance and Investment on Domestic Resource Mobilization as a Sustainable Way to Manage Public Debt in the SADC Region – What Role can Parliament Play?

1. Government of Malawi through the Ministry of Finance is reviewing the Public Finance Management Act of 2003 to among others, address gaps that have been observed in the current legal framework on issues of contracting public debt².
2. Malawi Government and indeed the Parliament of Malawi have shown serious commitment and political will in curbing corruption that is leading into losing of public resources. There are public institutions in place that report parliament from time to time on their activities in dealing with the vice. Again, Government through Parliament has enacted and will continue to enact various laws as legal instruments to deal with issues of corruption and theft of public resources.
3. Mining is an emerging key in economy in Malawi and as it is in its infancy stages, it is facing various challenges, mainly bordering on illegal mining and smuggling of various mineral resources. Parliament through relevant Committees has been joining Government efforts through their oversight role, so that the mining market start yielding results it anticipates. Parliament has and will continue to engage other Government bodies for appropriate regulation of the sector.
4. *Public debt management is at the center of the budget implementation by the Government of Malawi, probably just like other Member states in the SADC Region. Accordingly, the Government is implementing the following³: -*
 - a. *Review of domestic debt profiles with a view of restructuring debt towards longer maturity period, which will address the current debt sustainability;*

² Government of Malawi, February 2022. The 2022/2023 Budget Statement. Lilongwe: Ministry of Finance and Economic Affairs.

³ Budget Statement and Mid-Year budget review presentations for 2022/23 financial year

- b. Continued exercising of fiscal discipline;*
 - c. Avoidance of debt creating policies, and reduction of granting of extra budgetary financing at Treasury;*
 - d. The Public Finance Management Act (2003) is also being reviewed to address gaps that have been observed in the current legal framework on issues of contracting public debt;*
 - e. Government will maintain a policy of concessional borrowing; preferring grants and only under very exceptional circumstances contract non-concessional loans for high value investments;*
 - f. Government will engage its external creditors to restructure some of the loans;*
 - g. Intensification of efforts to refinance all expensive and near-maturing debt using cheaper debt to create fiscal space; and*
 - h. This will enable Government to have resources for financing exports enhancing projects such as in the mining sector.*
5. Parliament will continue to ensure accountability by provide checks and balances through its oversight role on these progressive measures to make sure that these efforts come to fruition.

6.0 Resolution on The Report of the Standing Committee on Human and Social Development and Special Programmes on the Theme “The Role of Parliamentarians in Monitoring the Implementation of the Programmes and Systems in Accelerating Health Financing for Universal Coverage (UHC) in the SADC Region.

1. As an efficiency improvement initiative, Malawi has been implementing a Health Sector Strategic Plan II which is winding up this year, having been launched in 2017. Parliament of Malawi has been undertaking oversight of these service delivery to appreciate the implementation of the Health Sector Strategic Plan.
2. In Malawi health financing has always remained dynamic and always ignites one big debate both within and outside parliament. The Malawi public health system is largely financed by donors and the Government contributes a small proportion to this financing. Parliament in recent times has been advocating for pooling of the resources to this Sector in one basket for proper programming as opposed to the current situation when donors are supporting specific

programmes in a fragmented manner. Parliament through the relevant Committee will continue to engage the stakeholders on this cause.

3. Parliament has been striving to improve budgetary allocation to health services in Malawi. As much as the allocation continue to fall short of the 15 percent Abuja declaration towards health sector, there has been an incremental trajectory in Government budgetary health allocation in Malawi through Parliament's lobbying.
4. The practice of collecting user fees from the citizens for accessing public health services, specifically in central hospitals was discontinued as it was inhibiting access to health services by the poor majority. The issue is still under discussion by various stakeholders in the health sector.

7.0 Resolution on the Report of the Standing Committee on Democracy, Governance and Human Rights on the Theme "Towards Strengthening the Role of Parliament in Curbing Corruption and Promoting Accountability in the SADC Region: Engaging Parliamentarians on how to use Public Finance Management to Execute Measures to Fight Corruption"

1. In terms of institutional framework, Malawi has the Anti-Corruption Bureau which is established by the Corrupt Practices Act which was enacted through parliament in 1995. By law, the ACB is a body under the civil service framework, which uses a four-way approach against corruption: investigations, prosecution, prevention, and public education. These statutes contribute to the sound rule of law and curbing corruption.

In Malawi, Parliament occupies a strategic oversight position in the fight against corruption. Thus, through its legislation function, Malawi Parliament has been enacting electoral laws that have been the basis of free and fair elections in Malawi.

2. Parliaments are central to curbing corruption and promoting accountability, much as it is alleged that members of the Malawi legislature lack professional support staff to help them monitor the budget and other legislative processes. Nonetheless, the Institution is in the process of recruiting more Budget Analysts to help the Members in discharging their duties.
3. This year (2022), Parliament of Malawi committed to a 20- week Campaign on the Fight against corruption in Malawi. This commitment is in line with His Excellency's the State President drive to stump out corruption. As an Institutional commitment, Parliament of Malawi held an open day on anti-

corruption on 30th November, 2022 to bring awareness about the evils of indulging in this vice.

8.0 Resolution on the Report of the Regional Women’s Parliamentary Caucus on the Theme “Securing Effective Public Finance Management through Gender Sensitive National Budget”

1. Malawi has a population which is female and youth dominated and therefore, policies should be crafted to address the needs of these population groups. Parliament has also been an advocate of more support to these population groups.
2. Accordingly, the Government through the Ministry of Gender: -
 - a. Engaged Members of Parliament to sensitize them on the importance of mainstreaming gender issues in budgetary allocation so that they continue to lobby for more support for the cause. These engagements are on-going.
 - b. Various actors in the health and gender issues have been brought together along with the Members of Parliament to work collectively on issues of mainstreaming gender issues in the budgetary allocations. The cause has also brought partners from the health sector as other gender related issues, like Gender Based Violence (GBV) are sometimes healthy related.
3. Other than lobbying for more budgetary support towards efforts on gender and equally, Parliament will continue to lobby for support from various partners for drive to increase the female representation in the legislature.
4. Parliament of Malawi will continue to look into possibilities of mainstreaming budgetary resources towards women empowerment and issues of gender and youth if efforts towards equality are to be achieved.

9.0 Resolution on the Report of the Standing Committee on Gender Equality, Women Advancement and Youth Development on Enhancing the Role of Parliament in the Construction and Implementation of Gender Responsive Budgeting within the Framework of Public Finance Management and Issues Affecting the Youth in the SADC Region and Mechanisms for Parliamentarians to directly Engage with the Youth

1. Parliament of Malawi has been approving Government borrowing of financing mainly for its various developments across the country. As much as it undertakes oversight of these projects, there is a need to intensively be tracking actual allocations going into the projects.
2. Inadequate capacity on the part of Members of Parliament to effectively undertake budgetary oversight hamper realization of desirable results though. Parliaments should consider adequate capacitation of MPs for feasible tracking resources allocations.
3. For sometime now, Parliament of Malawi has been subscribing to the 50 - 50 Gender campaign. This has been advocated by the Institution as an effort to increase the female Members of Parliament as it is largely male dominated at the moment.
4. Parliament of Malawi passed the Access to Information Law in 2016 which effectively became a Law in 2017 and was successfully operationalized. Understandably, this will go a long way in easing accessing of public information among others, the gender sensitive budgeting in Malawi.
5. There are more youthful parliamentarians that have been elected to represent various constituents and this trends coupled with the 50-50 Campaign, have a bearing of improving advocacy on issues affecting the two population groups. Parliament will continue to support efforts that aim at empowering the youth and women in all fronts.
6. Consistent with the drive towards enhancing representation of women in decision making position, is the issue of enhancing youth representation in the same. These efforts need the backing and support of the political will to ensure realization of these causes.
7. Consistent with the call to enact laws that encourage local production to improve national and regional economies, Parliament of Malawi has on several occasions made resolution along the same discourse as it has a bearing of reducing unemployment, mainly amongst its youthful population.

10. Resolution on the Report of the Regional Parliamentary Model Laws Oversight Committee on the Theme “Tracking Progress on the Domestication of SADC Model Laws by Member Parliaments Under the Theme “Improving Public Finance Management in SADC: Mapping the Role of Parliamentarians”

1. Members of Parliament have a very crucial role in domestication of Model Laws and therefore this role requires capacity enhancement.
2. The idea of developing model laws for the Member States is intended to provide acceptable tools for achievement of some degree of harmonization of legal and institutional frameworks, which advances political, social and economic integration and development.
3. Parliament of Malawi recognises the role being played by various players on issues of gender-based violence and child marriages. These are players that work with the grassroots and have first-hand information pertaining to gender-based violence issues and grassroots knowledge pertaining to various laws at play.
4. Parliament and parliamentarians in Malawi continue to work with various players on gender-based violence as they have the platforms of disseminating the relevant information to the end users, who in most cases tend to be the grassroots populations.
5. Through engagements, experiences of the grassroots have been reported to parliament with recommendations for further actions. These recommendations thus, help to align the provisions of the Model Laws in drafting national legislations and lately, necessitating the need for gender responsive budgets.