



PARLIAMENT OF MALAWI



TALKING NOTES IN RESPONSE TO THE RESOLUTIONS

BY THE

53RD SADC PF PLENARY ASSEMBLY SESSION HELD IN ARUSHA, TANZANIA

FROM 2ND TO 8TH JULY, 2023

FOR

54TH PLENARY ASSEMBLY OF THE SADC PF

TO BE HELD

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AT PARLIAMENT HOUSE, PORT LOUIS, MAURITIUS

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1.0 RESOLUTIONS ON THE SYMPOSIUM ON THE THEME: *“Modernizing Agriculture to Address Food Insecurity and Youth Unemployment in the SADC Region: Role of the Parliaments”*

1. Malawi is actively participating in intra-African trade by aligning its trade policies and strategies with those of other countries within the Southern African Development Community (SADC) and the broader African region. This includes promoting regional economic integration, reducing trade barriers, and harmonizing trade regulations to foster complementarity and enhance the efficiency of trade between Malawi and its neighboring countries.
2. Malawi has been partnering with organizations for development projects, poverty alleviation, healthcare, and other sectors. There has been donor assistance in supporting economic development, infrastructure improvement, healthcare, education, and other sectors. Malawi coordinates with these donors to avoid duplication and prioritize funding for critical areas.
3. In terms of support for the youth in agriculture, Malawi supports programs that train and financially support them, and this is in line with the Malabo Declaration. The goal is to equip young people for success and harness their potential for economic opportunities in agriculture and the development of the country.
4. Malawi's economy relies on agriculture, which received 12% of the National Budget in 2023/24 and is the second-highest allocation after Education for the financial year. This suggests a serious commitment, the Government has towards the sector.

2.0 RESOLUTIONS ON ADOPTION OF A MOTION ON DEBT CEILING IN SADC MEMBER STATES

1. The Parliament of Malawi has taken steps to strengthen its oversight of government debts through the establishment of a Parliamentary Budget Office (PBO) in addition to its relevant Committees. With this development, the Legislature will undertake to conduct debt sustainability assessments and comprehensive debt management to ensure sound oversight and accountability in the Government's borrowing and debt repayment processes.
2. With the establishment of the PBO, it is anticipated that Parliament will become proactive in scrutinizing all Government borrowing as well as potential breaches of loan agreements in case of changes in executive management.
3. In addition, under the Open Governance Project being championed by the Office of President and Cabinet, Parliament is currently implementing what is termed as open parliament governance where issues of oversight towards debt management are being seriously considered.
4. In terms of the exploration of mineral resources, the Government of Malawi has been, working to incorporate stringent clauses in mineral exploration agreements to safeguard the country's interests, promote responsible mining practices, and ensure

equitable benefits for its citizens, as well as to address environmental and social considerations.

3.0 RESOLUTIONS ON HUNGER AND FOOD INSECURITY SITUATION IN THE SADC REGION, CHALLENGES FUELLING FOOD INSECURITY, MAJOR INTERNATIONAL GOALS AND AFRICA AGENDA, INVESTMENTS AND PERFORMANCE OF THE MALABO COMMITMENTS, AND ENVIRONMENT THAT CAN ATTRACT THE YOUTH TO INVEST IN AGRICULTURE

1. In the current Fiscal year, Malawi allocated resources of up to 3.0 percent of GDP and about 12 percent of the total budget towards agriculture and related expenditures. Despite surpassing the 10 percent threshold as suggested by the resolution, the sector remains resource-constrained and this is the gap development partners continue to support.
2. Malawi uses hydro and solar power for clean electricity, and the government has been expanding rural electrification. The Government has been promoting renewable energy usage and investment in exploring bio-energy for cooking and small-scale generation.
3. It is also worthwhile to note that efforts are being in Malawi to promote equitable access to adequate food while addressing gender disparities and empowering women in the context of food production, processing, and consumption. These initiatives focus on women's land rights, access to agricultural resources, income-generating opportunities, nutrition education, healthcare services, and the promotion of gender-responsive policies. The ultimate goal is to reduce gender inequalities in food security and improve the well-being of women and children in Malawi.

4.0 RESOLUTIONS ON “WHAT CAN PARLIAMENTARIANS DO TOWARDS A RIGHTS-BASED APPROACH TO THE CONDUCT OF BUSINESS WITHIN THE NATURAL RESOURCES SECTOR IN THE SADC REGION”

1. The Parliament of Malawi underscores the necessity for concurrence of business and human rights practices in the extractive sector. In areas where transnational corporations (TNCs) are operating, stringent adherence to international human rights standards is key. Parliament through its oversight activities has been emphasizing that operations in the sector should contribute to sustainable development while respecting and upholding the human rights of all stakeholders. Thus, the Parliament of Malawi advocates for the Government's collaboration with relevant players as crucial for ensuring responsible and ethical practices in the extractive industry.
2. To curb corporate impunity of transnational corporations (TNCs), the Parliament of Malawi has been enacting and enhancing various laws that regulate TNC activities and conducting oversight to ensure compliance with corporate responsibility standards, thus safeguarding the interests of the country and its citizens.

3. The Parliament of Malawi has over the years been advocating and will continue to advocate for integrating corporate social responsibility, environmental sustainability, and human rights principles into its resource management policies to promote ethical resource extraction.
4. In Malawi, the Parliament supports the ratification of international treaties by ensuring the passing of aligned domestic legislation to uphold commitments. This ensures consistency with legal and policy frameworks, including Model Laws.

5.0 RESOLUTIONS ON THE ROLE OF PARLIAMENTARIANS IN PROMOTING GENDER AND CLIMATE JUSTICE AGENDA IN THE SADC REGION

1. Malawi is promoting the adoption of clean energy to mitigate climate change through initiatives that include investing in renewable energy sources like solar and wind, enhancing energy efficiency, developing policies to reduce carbon emissions, and ensuring sustainable energy practices.
2. Malawi is actively supporting youth-driven solar energy innovations as a business opportunity, fostering both climate change mitigation and economic growth through programs that promote clean energy entrepreneurship and access to green technologies.
3. Malawi is empowering women through education, access to resources, and gender-sensitive climate policies, fostering resilience and innovative solutions to climate change as well as addressing both environmental challenges and gender disparities.
4. Malawi has climate change solutions tailored for women, which encompass empowering them with access to clean energy technologies, participation in decision-making processes, training in sustainable agricultural practices, improved usage of technology and policies to enhance women's resilience to climate impacts, and contribution to climate change mitigation and adaptation efforts.
5. The Government of Malawi has been allocating funds from the national budget towards gender and climate change mitigation. Over the years, the country has been increasing its climate finance contributions and improving its resilience to climate impacts, whilst appreciating the support from non-governmental organizations.
6. The Parliament of Malawi is involved in various initiatives to address climate change, including passing laws to support mitigation efforts, promoting sustainable land use and natural resource management, and advocating for policies that enhance environmental conservation and resilience to climate impacts.

6.0 RESOLUTIONS ON STRENGTHENING SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS (SRHR) IN THE CONTEXT OF CLIMATE CHANGE AND EMERGENCY SITUATIONS

1. In times of natural disasters, Malawi significantly emphasizes respecting, protecting, and promoting sexual and reproductive health and rights (SRHR).
2. In such times, the government and humanitarian organizations have been prioritizing the provision of essential SRHR services, including access to contraceptives, maternal care, and comprehensive sexual education to address vulnerabilities and protect individuals' rights.
3. Additionally, disaster response efforts in Malawi about SRHR aim to ensure the safety and dignity of women and girls, prevent gender-based violence, and ensure access to hygiene and sanitation facilities.
4. The Government has been Partnering with organizations that play a vital role in delivering SRHR services and addressing the unique challenges that arise in disaster-affected areas, thereby upholding the principles of SRHR even in the most challenging circumstances
5. There is however a need to highlight the need for a youth-focused bottom-up approach in disaster risk management as the approach harnesses the energy and innovation of young people, who are often the most affected by climate-related disasters and empowers them to actively engage in community resilience-building and adaptive strategies.
6. Funding for disaster response in Malawi is often insufficient to meet the full scope of needs, requiring consistent efforts to mobilize resources and support from international partners and organizations to address the country's vulnerability arising from natural disasters.

7.0 RESOLUTIONS ON LEVERAGING SOCIAL MEDIA TO ADVANCE WOMEN POLITICAL PARTICIPATION IN THE SADC REGION

1. The Parliament of Malawi has been actively advocating for policies and incentives such as tax rebates or subsidies on the importation of digital gadgets to promote youth inclusion by leveraging technology access and digital skills for education, employment opportunities, and participation in the digital economy.
2. The Parliament of Malawi is increasingly using social media platforms like Facebook to engage with the public by sharing information on parliamentary proceedings, policies, and legislative initiatives, fostering transparency, and encouraging public participation and feedback.
3. The Government is actively working to close the digital gender divide by implementing policies and initiatives that promote digital literacy, provide affordable access to technology, and support women's active participation in the digital economy and governance.

4. The Government and Parliament of Malawi are engaged in advocacy efforts to reduce tariffs on mobile airtime and data, seeking to make digital access more affordable and accessible to a broader segment of the population, thereby promoting digital inclusion and economic participation.
5. The Malawi Communications Regulatory Authority (MACRA) has been actively establishing telecentres in rural areas, thus significantly increasing digital access and promoting digital literacy, particularly in remote communities.
6. Malawi is implementing cybersecurity and communication laws to protect users, particularly girls, and women, from online violence by incorporating provisions that address cyberbullying, harassment, and the dissemination of harmful content to ensure a safer online environment and hold perpetrators accountable.
7. Malawi is enhancing ICT literacy education at all levels of education to equip students with digital skills and knowledge, ensuring they can harness technology for personal and economic development and participate in the digital economy and global opportunities.

8.0 RESOLUTIONS ON “PARLIAMENT’S ROLE IN LEGISLATING FOR STRATEGIC AND SENSITIVE ASSETS TAKING INTO ACCOUNT THE SECURITY OF THE NATION, WHILE ENCOURAGING DIRECT INVESTMENTS”

1. The normative framework for the use of strategic assets and their dissociation from foreign ownership in Malawi includes policies and regulations that promote domestic ownership, local participation, and safeguarding national interests in key sectors, particularly in areas such as energy, physical infrastructure, telecommunications, and natural resources.
2. Innovative ways of attracting Foreign Direct Investment (FDI) in Malawi include incentives such as tax breaks, simplified regulatory environments, enhancing infrastructure development, and promoting public-private partnerships to create an attractive business environment for investors.
3. Malawi is leveraging the African Continental Free Trade Agreement (AfCFTA) by actively participating in trade negotiations that aim to boost intra-African trade, diversify its exports, and stimulate economic growth by expanding market access within the continent.
4. The Government in Malawi ensures that debt instruments bind successive governments for parliament approval by following established legal and constitutional procedures, including seeking parliamentary authorization for significant loans and debt commitments, thus making them legally binding on future administrations.
5. Malawi undertook to review its Public Finance Management Act which was enacted in 2022. The incorporated various perspectives into its provisions, some of which are from the Models Laws.

9.0 RESOLUTIONS ON PROGRESS ON THE DOMESTICATION OF THE SADC MODEL LAW ON ELECTIONS: USING ELECTORAL SYSTEM DESIGN TO ACHIEVE INCLUSIVE GOVERNANCE, SPECIFICALLY WOMEN, YOUTH AND MINORITY GROUPS PARTICIPATION AND REPRESENTATION AS WELL AS POLITICAL FINANCING REGULATION

1. Malawi is implementing voter education programs, civic engagement initiatives, and efforts to enhance the accessibility and convenience of the voting process, to address declining voter turnout.
2. In recent years, Malawi has implemented significant electoral reforms, including changes in the electoral system as backed by the law (e.g. 50+1), enhanced voter registration processes, and strengthened election oversight and monitoring mechanisms to improve the credibility and transparency of its electoral processes, as well as constituency re-demarcation exercise.
3. Malawi has been working to ensure the inclusion of marginalized groups in elections through measures such as voter education targeting marginalized and efforts to facilitate participation by persons with disabilities.
4. Concerning youth voter apathy and declining trust in institutions, including political parties, Malawi is actively addressing these challenges through measures that aim to rekindle trust in democratic institutions and empower the youth to play a more active role in shaping the country's political landscape such as:
 - a) Education programs to raise awareness about the importance of civic participation and the electoral process, enhancing transparency in political party operations, and fostering youth engagement in political leadership roles.
 - b) Additionally, the government, civil society organizations, and youth-focused platforms collaborate to create spaces enabling young people to voice their concerns and influence policy decisions.

10.0 RESOLUTIONS ON ACCELERATING THE DOMESTICATION AND IMPLEMENTATION OF SADC MODEL LAWS ON CHILD MARRIAGE AND GENDER-BASED VIOLENCE: GOOD PRACTICES, CHALLENGES AND WAY FORWARD

1. Malawi is taking significant steps to eradicate all forms of gender-based violence and child marriage through:
 - a) the domestication and implementation of selected model laws, which include enacting the Gender Equality Act, which promotes gender equity and protects women's rights, and the Marriage, Divorce, and Family Relations Act, which raised the legal marriage age to 18 for both girls and boys, reinforcing the commitment to eliminating child marriage.

- b) Additionally, the country is actively promoting comprehensive education and awareness campaigns to change societal norms, empower women and girls, and hold perpetrators of gender-based violence and child marriage accountable.
- 2. Concerning school re-entry for pregnant and married girls, Malawi has been implementing a re-admission policy (Introduced in 1994, revised in 2016) that allows pregnant and married girls to return to school, with specific guidelines in place to ensure they have access to education, combat stigmatization, and create supportive learning environments.
- 3. Comprehensive Sexuality Education (CSE) is being delivered in-school, through the Life Skills Education curriculum, which is designed to empower learners to effectively deal with the social and health challenges and pressures affecting young people, like the HIV and AIDS, teenage pregnancies other sexual reproductive health issues, and various forms of abuses, and through various out-of-school programmes.