



# INTEGRATION OF MALAWIAN LOCAL AUTHORITIES IN THE EUROPEAN COOPERATION PROGRAMMING PROCESS 2021-2027

## A COMPENDIUM OF KEY REFERENCE DOCUMENTS

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SUPPORTED BY



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### Acronyms and Abbreviations

|         |  |
|---------|--|
| ADC     | Appointments and Disciplinary Committees                           |
| ADP     | Area Development Plans   |
| ALGAM   | Association of Local Government Authorities in Malawi              |
| AU      | Africa Union   |
| DDC     | District Development Committees                                    |
| DDP     | District Development Plans (DDPs)                                  |
| DHO     | District Health Officer  |
| EC      | European Commission  |
| ECD     | Early Childhood Education  |
| EU      | European Union   |
| EUACP   | European Union Africa Caribbean Pacific                            |
| GNI     | Gross National Income  |
| HRH     | Human Resource for Health  |
| HSSP II | Health Sector Strategic Plan II                                    |
| ICT     | Information Communication and Technology                           |
| LA      | Local Authority  |
| LG      | Local Governments  |
| LGAP    | Local Government Accountability Project                            |
| M&E     | Monitoring & Evaluation  |
| MALGA   | Malawi Local Government Association                                |
| MGDS    | Malawi Growth and Development Strategy                             |
| MNPSRP  | Malawi National Public Sector Reforms Policy                       |
| MoLGRD  | Ministry of Local Government and Rural Development                 |
| MPSMP   | Malawi Public Service Management Policy                            |
| NACS    | National Anti-Corruption Strategy II                               |
| NAIP    | National Agriculture Investment Plan                               |
| NAP     | National Agriculture Policy  |
| NDICI   | Neighbourhood Development and International Cooperation Instrument |
| NDP     | National Decentralisation Programme                                |
| NEP     | National Education Policy  |

|       |   |
|-------|---|
| NESIP | National Education Sector Investment Plan             |
| NESP  | National Education Sector Paper                       |
| NIP   | National Indicative Program                           |
| NIP   | National Indicative Program (NIP)                     |
| PFM   | Public Finance Management                             |
| SDGS  | Sustainable Development Goals                         |
| TEVET | Technical Education & Vocational Educational Training |
| UCLGA | United Cities for Local Government in Africa          |
| UHC   | Universal Health Coverage                             |
| UN    | United Nations  |
| USAID | United States Agency for International Development    |
| VDC   | Village Development Committee                         |
| VDP   | Village Development Plans                             |
| VNR   | Voluntary National Review                             |

## 1.0 Introduction

This document is a compendium of key references on Malawi's National Development Policy and Strategies, National Decentralisation Policy and the European Union National Indicative Programme in Malawi. The background to this compendium is that the European Commission has concluded a new financing instrument, the Neighbourhood Development and International Cooperation Instrument (NDICI) that will guide its next programming of the next 6 years (2021 to 2027). This programming phase seeks to incorporate Local authorities, through their national association as an integral part of the programming process alongside the representatives of the national government in the dialogue with the EU delegations. The EC 2013 Communication on "Empowering local authorities in partner countries for enhanced governance and more effective development outcomes" recognizes local and subnational governments (local authorities) as state actor in their own rights and capacity, working as proximity public authorities besides the central government according to the principle of subsidiarity. In light of this development, The United Cities for Local Government in Africa (UCLGA) seeks to assist local authorities through their national associations to get prepared to proactively and efficiently participate in the dialogue with the national government and the EU delegation leading to the definition of priorities and programs to be included in the country's EU cooperation.

The compendium should be read together with the analytical report<sup>1</sup> as background documentation that should assist members of the national associations of local authorities to develop strategic lines of action through a comprehensive synthesis of issues around the following three key areas:

- the national development policy and priority sector strategies defined and/or being implemented by the national government and the level of participation of LAs in its implementation
- the implementation of the decentralization policy, and especially the extent to which national policies and strategies and their financial and other means of implementation are territorialized; and the extent to which the national government considers local authorities and subnational governments as a developmental agent in their own capacity alongside the central government

the implementation of the EU cooperation in the country, including the national indicative program (NIP) supported by the European Development Fund under the EUACP Cotonou Agreement and any information providing an evaluation of the involvement of the different stakeholders in the definition, implementation and monitoring of the interventions defined by the NIP; and the choice of flagship priority sectors considered by the European Union at the NDICI pre-programming phase.

### 1.1 Methodology of the Assignment

The main method used for developing this compendium is a review of the available literature or documents sourced from institutions and internet searches via country portals and ministerial departments, websites of International organizations and donors on the internet bordering on the three areas described in section 1.1 above.

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<sup>1</sup>This is a separate report

## 2.0 The General Malawi Context

Malawi is a landlocked, densely populated country located in the southern part of Africa. It is one of the poorest countries in the world “with a per capita gross national income (GNI) of just US\$320 in 2016, one of the lowest in the world” (International Monetary Fund, 2017:1). Malawi gained its independence in 1964 and yet it is one of the least developed countries which largely depend on agriculture for its social and economic development. The first 30 years Malawi was under autocratic one-party rule of Kamuzu Banda which was marked as a frail economy. In 1994, Malawi transitioned to a democratic state and Malawi’s new constitution of 1994 introduced multi-party democracy. These changes saw the collapse of the autocratic one-party state machinery and adoption of a liberal democratic constitution in 1995 which, among other things, guarantees a full range of civil, cultural, political, social and economic rights, democracy, good governance and rule of law. According to the World Bank (2018), Malawi has over the years witnessed significant negative indicators; for instance “shortage of energy still stands out with about 10% of the population having access to electricity. Infrastructure development, the manufacturing base, and adoption of technology are low”. Based on Transparency International ranking, corruption levels have over the past two years worsened; from 112 in 2016 to 120/175 economies in 2017.

## 3.0 National Development Policy Context

For a long time after independence, Malawi's development plans had been guided by short to medium term plans, which included 10-year Statement of development policies during the one party state. After Dr. Banda, Malawi has had five other heads of states (Bakili Muluzi, Bingu wa Mutharika, Joyce Banda, Peter Mutharika and now Lazarus Chakwera) and each has championed specific development policies but not much has changed. After attaining multiparty democracy, it was considered important to develop a long term development framework upon which short and medium-term plans would be based. This was decided upon to ensure continuity of development programmes beyond any political regime that would be ushered into office through the five-year electoral cycles. The Vision 2020, which is the national long-term development plan for the country was, hence, developed in 1998 and launched in 2000 to guide sustainable development in Malawi. The aspiration of Malawians defined in 2000 as articulated in the Vision 2020 is that:

“by the year 2020 Malawi as a God fearing nation will be secure, democratically mature, environmentally sustainable, self-reliant with equal opportunities for and active participation by all, having social services, vibrant cultural and religious values and being a technologically- driven middle income country (Malawi Government 2017:30).”

This national vision has been pursued through the implementation of 5-year medium term development strategies. Since 2000, the country has used the Malawi Poverty Reduction Strategy Paper (2001-2004), and then moved on to the Malawi Growth and Development Strategy (MGDS) I (2005-2010), then MGDS II (2011-2016). The MGDS is actually an overarching development guide for the country. Each and every government institution is meant to refer to the document when planning its activities or programmes. The MGDS III is the country’s latest development framework which covers the period from 2017 to 2022.

### 3.1 Key Reference Documents on National Development Plans & Strategies

The list below shows the key reference documents that describe the national development plans and strategies and other reports that have reviewed the implementation of the plans strategies.

1. *Malawi Government (2019). Review of the Vision 2020. Final Report. National Planning Commission: Lilongwe*
2. *Malawi Government (2016). Malawi Growth and Development Strategy (MGDS II) Review and Country Situation Analysis Report. Ministry of Finance, Economic Planning and Development: Lilongwe*
3. *Malawi Government (2017). Malawi Growth and Development Strategy III: Building a Productive, Competitive and Resilient Nation. Ministry of Economic Planning and Development: Lilongwe*
4. *Government of Malawi (2020) Malawi 2020 Voluntary National Review Report for Sustainable Development Goals (SDGs).*
5. *Malawi Government (2018). The National Anti-Corruption Strategy II (NACS II) 2019-2024, Anti-Corruption Bureau: Lilongwe*

The section below provides a brief summary of each of the documents listed above

*Malawi Government (2019). Review of the Vision 2020, Final Report. National Planning Commission: Lilongwe*

The report reviews Malawi's Vision 2020 and its implementation with a view to generating lessons for the successor Vision. The review found that the nine pillars of the Vision were poorly achieved and very rarely formed the basis of resource allocation. The report also noted limited interministerial coordination and limited willingness by successive Governments to transform the government system towards doing things with respect to transforming the developmental path of the country. The review recommends that decentralisation ought to be factored in adequately in the successor Vision, always bearing in mind the importance of a fuller and more democratic engagement and involvement of the people for which developmental interventions will be targeting.

*Malawi Government (2016). Malawi Growth and Development Strategy (MGDS II) Review and Country Situation Analysis Report. Ministry of Finance, Economic Planning and Development: Lilongwe*

This report reviews and assesses the effectiveness of the MGDS II in achieving stated objectives, the relevance and effectiveness of strategies and interventions. It also analyses the MGDS II in attainment of results and making recommendations for the next national development strategy. The review found an apparent disconnect between the MGDS II and the national vision. The review also noted that although more than 15 years after the National Decentralization Policy (1998) and the Local Government Act (1998) were passed, actual progress was slow and the following situation obtained as of 2016: Only Ministries of Health, Education and Agriculture and Food Security had decentralised operations, but with staff still being line-managed from the headquarters; the decentralization policy was still not fully implemented, with planning, design, prioritization of interventions determined from the Centre, with limited alignment with District Development Plans (DDPs); implementation, monitoring and supervision is still heavily skewed in favour of the Centre; there was no coherent M & E approach at district level, low capacity of M & E officers, (including to collect sex disaggregated data),

with 70 percent of the M & E staff not qualified; there were no budgets to implement M & E plans and programmes at district council level; there were reports of open ‘high level’ resistance to devolution in various government line ministries, from certain heads of ministries; though decentralisation is based on the principle of ‘power to the people,’ the relevance of most District Development Plans and budgets is undermined by minimal consultations of grassroots communities, particularly socially marginalised and/or vulnerable groups.

*Malawi Government (2017). Malawi Growth and Development Strategy III: Building a Productive, Competitive and Resilient Nation. Ministry of Economic Planning and Development: Lilongwe*

MGDS III is a successor strategy of MGDS II. It aims at moving Malawi towards being “a productive, competitive and resilient nation” through sustainable economic growth, energy, and industrial and infrastructure development while addressing water, climate change and environmental management and population challenges. (Malawi Government 2017:14). The policy has five (5) priority areas which “were arrived at through the national wide consultations, recommendation from MGDS II comprehensive review, impact analysis, sector interlinkages and the SDG model” (Malawi Government 2017:55). These five (5) priority areas are Agriculture, Water Development and Climate Change Management; Education and Skills Development; Energy, Industry and Tourism Development; Transport and Information Communication and Technology (ICT) Infrastructure; Health and Population. MGDS III has anchored its implementation through decentralised structures. On decentralisation it says:

MGDS III implementation will emphasize devolution of those functions that have not yet been devolved so that decisions are made at the local level for development efficiency and effectiveness. It is expected that local government councils will take active role in putting up policy decisions that will facilitate development programmes that are inclusive and help the country attain sustainable national development (GOM, 2018)

The MGDS III is also aligned to both the SDGs and the Africa Union Agenda 2063. For instance, section 9.4.3 of the MGDSIII says that:

“Malawi has committed to implement SDGs and AU Agenda 2063. These frameworks have been localised in the national development plan for easy implementation. This implies that global reporting will be done alongside the national reporting as per the county’s obligation to report on the progress of these globally agreed targets” (Malawi Government 2017:95).

Through this acknowledgement, the country has subscribed to sustainable development goals SDGs as a global agenda for development that apply to all countries aimed at eliminating poverty, promoting peace and prosperity and protecting the earth. It has also subscribed to the AU agenda 2063 that articulates the aspirations for the African continent to be realized by African countries by 2063. The MGDS III has domesticated the SDGs, the Africa Union Agenda 2063, and the other international development frameworks with specific objectives at region, continental and global level. The core principles of SDGs include: universality, integration, transformation, and leaving no one behind.

*Government of Malawi (2020) Malawi 2020 Voluntary National Review Report for Sustainable Development Goals (SDGs)*

The 2020 Voluntary National Review (VNR) on the SDGs presents to the UN progress made on all SDGs zeroing in on the seven goals, while providing a summary progress update on the rest of the SDGs implementation. It highlights some success stories that have taken on board the vulnerable and less

privileged in the society into the fold of improved livelihoods and national prosperity. The report found that Malawi had made commendable progress on 29 of the 169 targets and moderate progress on 59 of the targets and the country shows insufficient to no policy change or otherwise poor performance on 81 of the targets. Despite the progress, the country continues to suffer the challenges of poverty, unemployment, rapid population growth and environmental degradation, and vulnerability to external shocks, among others. The review notes that the national Government relies upon a healthy working relationship with Local Councils to deliver the SDGs. It therefore recommends that there is need to enhance the roles of Local Government/local communities in the implementation of SDGs by ensuring that government is committed to the decentralization process and fiscal devolution in particular by making sure that plans and priorities generated through the local government structures such as District Development Plans (DDPs), Village and Area Development Committees (VAPs and ADP) are funded.

*Malawi Government (2018). The National Anti-Corruption Strategy II (NACS II) 2019-2024, Anti-Corruption Bureau: Lilongwe*

NACS II provides a new framework for fighting corruption through the pursuit of three strategic goals of improving service delivery, strengthening the rule of law and promoting a culture of integrity. The strategy lists Local Government as one of the pillars of ACB which are all-encompassing of the Malawian society to work towards the achievement of clear goals and objectives following clear governance, implementation, and monitoring and evaluation mechanisms. Particular areas where local governments will be active in support of NACS II include corruption in land distribution and land disputes settlement, securing the rights and entitlements of safety-net beneficiaries, fighting corruption in services such as processing of passports, enforcing controls and promoting initiatives to fight corruption in procurement of local government contracts, improving local revenue collection as well as collaborating with communities and non-state actors in developing innovative grassroots anti-corruption initiatives.

### **3.2 Key Reference documents on MGDS priority sector policies and strategies**

The reference documents included in this compendium are only those that relate to MGDS priority sectors that have currently been devolved. While the Decentralisation Policy identifies many functions to be transferred to local authorities but the sectors that are devolved are the ones that Malawian local authorities have mandate over. These are agriculture, health, education and gender. Provided below is a list of key policy and strategy documents in these three sectors.

- 1. Malawi Government (2018): National Health Policy: Towards Universal Health Coverage. Ministry of Health: 2020*
- 2. Malawi Government (2016): Health Sector Strategic Plan II 2017-2022, Towards Universal Health Coverage, Ministry of Health: 2020*
- 3. Malawi Government (Ministry of Health Malawi Human Resources for Health Strategic Plan, 2018–2022. Ministry of Health: Lilongwe*
- 4. Malawi Government (2017). National Community Health Strategy 2017 – 2022. Ministry of Health: Lilongwe*

5. *Malawi Government (2016), National Education Policy, Ministry of Education: Lilongwe*
6. *Malawi Government, (2014) Strategic Plan 2015 2020. Ministry of Education, Science and Technology*
7. *Malawi Government (2020). National education sector investment plan (2020 – 2030). Ministry of Education and Culture: Lilongwe*
8. *Malawi Government, (2018), Readmission Policy for Primary and Secondary Schools, Ministry of Education Science and Technology: Lilongwe*
9. *Malawi Government (2016), National Agriculture Policy, Ministry of Agriculture: Lilongwe*
10. *Malawi Government, (2016) National Irrigation Policy, Prospering Through Irrigation. Ministry of Agriculture, Irrigation and Water Development: Lilongwe.*
11. *Malawi Government, (2018) National Agriculture Investment Plan: Prioritised and Coordinated Agricultural Transformation Plan for Malawi: 2017-2022. Ministry of Agriculture, Irrigation and Water Development: Lilongwe.*
12. *Seife Ayele, Jodie Thorpe, Gezahegn Ayele, Henry Chingaipe, Joseph Kofi Teye and Peter O’Flynn (2020) Agribusiness Investment in Agricultural Commercialisation: Rethinking Policy Incentives in Africa. Working Paper No. 33. Agriculture Policy Research in Africa.*

The section below provides a descriptive summary of what each document is all about.

*Malawi Government (2018): National Health Policy: Towards Universal Health Coverage. Ministry of Health: 2020*

Malawi has never had a National Health Policy to properly guide stakeholders in the implementation of initiatives for improving the functioning of the health system. The purpose of the National Health Policy is to provide a unified guiding framework for achieving the health sector goals of the country through addressing the identified key challenges and their root causes, thereby improving the functioning of the Malawi Health System. The policy is guided by the The Local Government Act (1998) which consolidates the law regarding local government. It provides for health service delivery to be decentralized to district and city councils and empowers communities to be responsible for their own health and healthcare services. It also mandates the Ministry of Health and Population to be responsible for health-related policies, training and supervision. In the policy the Ministry of Local Government & Rural Development will be responsible for the implementation of health and population interventions at the district and lower levels.

*Malawi Government (2016): Health Sector Strategic Plan II 2017-2022, Towards Universal Health Coverage, Ministry of Health: 2020.*

The Health Sector Strategic Plan II (HSSP II) 2017-2022 is the health sector’s medium term strategic plan outlining objectives, strategies and activities and guiding resources over the period 2017-2022. The goal of the HSSP II is to move towards Universal Health Coverage (UHC) of quality, equitable and affordable quality health care with the aim of improving health status, financial risk protection and client satisfaction. The role of local government is for community, primary and secondary level care falls under district councils. At district level District Health Officers manage all public health facilities

at district level and direct provision of both primary and secondary level health services. They report to the District Commissioners who are under Ministry of Local Government.

*Malawi Government (Ministry of Health Malawi Human Resources for Health Strategic Plan, 2018–2022. Ministry of Health: Lilongwe*

The overall purpose of the HRH Strategic Plan 2018-2022 is to guide the health sector in the effective planning, development, management and utilization of human resources for health in Malawi. The plan provides direction to develop, deploy and retain a health workforce of adequate size, equitably distributed, and with the necessary skills, motivation and experience for efficient and effective delivery of health services. It is identified that under the Local Government Service Act, the Local Government Service Commission oversees health workforce recruitment and deployment at the district and community level for Grades F-K positions approved by the Department of Human Resource Management & Development. District Councils are responsible for recruitment and HRH issues related to Grades L and below, with support from the Appointments and Disciplinary Committees (ADC). The Ministry of Local Government mandate is to provide guidance and support to the local authorities and act as a link between the central government and the local authorities. The local authorities' role is provision of primary health services and stakeholder coordination within their jurisdiction.

*Malawi Government (2017). National Community Health Strategy 2017 – 2022: Integrating health services and engaging communities for the next generation. Ministry of Health: Lilongwe*

The vision of the National Community Health Strategy is to improve the livelihoods of all people in Malawi. The mission is to ensure quality, integrated community health services are affordable, culturally acceptable, scientifically appropriate, and accessible to every household through community participation – in order to promote health and contribute to the socio-economic status of all people in Malawi. The Malawi health sector operates under a decentralised system guided by the Local Government Act (1998). The Act delegates authority and funding from central government ministries to district assemblies, who guide health sector planning, budgeting, procurement, and service delivery at district and community levels. The decentralised system has four tiers of service delivery: community, primary, secondary and tertiary. The Ministry of Local Government and Rural Development (MoLGRD) is responsible for health care service delivery at community, primary and secondary levels. Specifically the Local government oversees the day-to-day implementation of community health activities. Key to this is that health-specific structures (e.g., VHC, DHO) have strong linkages to other local government structures (e.g., VDC, District Council). Local government consists of local authorities and district health officials

*Malawi Government (2016), National Education Policy, Ministry of Education: Lilongwe*

The policy defines the country's education policies and outlines the priorities that will guide the development of the education sector in Malawi. The NEP is aligned to the Government of Malawi policy of poverty reduction and addresses national educational goals as outlined in Vision 2020 and MGDS II. The NEP is also informed by the Education Act (2013). By building an educated and highly skilled population, Malawi will achieve accelerated economic growth and development. The strategy outlines the role of local government as to integrate education activities into district development plans to promote decentralization. Specifically outlined is in the policy to enhance governance and management of primary education. The strategy is to devolve finances, teaching and learning materials, human resource management and development, planning, infrastructure development and management, Monitoring and Evaluation (M&E) to the district assemblies

*Malawi Government, (2014) Strategic Plan 2015 2020. Ministry of Education, Science and Technology: Lilongwe.*

This is the first Strategic Plan that the Ministry of Education, Science and Technology (MoEST) has developed to provide an operational guidance for its operations for the next five years from 2015 to 2020. The plan is also aligned to the Malawi Growth and Development Strategy II (MGDS II), the National Education Sector Plan (NESP) and other policy frameworks like the Education Sector Implementation Plan II (ESIP II). The role of the Local government is discussed in the governance and management of education sectors especially in primary education where some functions have been decentralized to the districts including data collection, monitoring and some funds management.

*Malawi Government (2020). National education sector investment plan (2020 – 2030). Ministry of Education and Culture: Lilongwe*

The National Education Sector Investment Plan (NESIP) is an overarching long term, strategic document that has been developed to guide planning and implementation of all education development programmes, projects and activities in the next ten years. The plan puts emphasis on all levels of education sector, that is, Early Childhood Education (ECD), Primary Education, Out of School Youth, Adult Literacy, Secondary Education, Higher Education, Technical and Vocational Training and Teacher Education. Issues of girls' education and learners with special education needs have also been given prominence in the plan. The plan will be used as a vehicle for achieving all the education sector goals at national level and the Government of Malawi education sector commitments at regional and global levels. The NESIP recognises local authorities as key actors at district level. It states that at district level, the district councils will lead the implementation of the NESIP. The councils will be required to develop education plans in tandem with NESIP. The district will be responsible for taking the plan down to school and community levels for implementation of community based strategies.

*Malawi Government, (2018), Readmission Policy for Primary and Secondary Schools, Ministry of Education Science and Technology: Lilongwe*

To ensure equitable access and gender parity in education, government has reviewed the readmission policy to ensure equitable access to quality education and completion of primary and secondary education cycles. School readmission refers to the process of bringing back learners to school. These learners may have dropped out of school because of different reasons or challenges. The purpose of the policy is to provide guidance to all stakeholders on readmission of learners into schools with the aim of improving access, retention and completion of education cycle. The policy states the role of the Ministry of Local Government and Rural Development as to integrate education activities into district development plan to promote decentralization. The policy specifically mentions that in view of the decentralization process, District Education Managers and Education Division Managers shall provide leadership in the monitoring of the policy in collaboration with the Planning Directorate at the Ministry of Education Science and Technology.

*Malawi Government (2016), National Agriculture Policy, Ministry of Agriculture: Lilongwe*

The National Agriculture Policy (NAP) defines the vision for development of the agricultural sector in Malawi over the next five years. By 2020, agriculture in Malawi will increasingly be oriented towards profitable commercial farming through specialization of smallholder farm production, output diversification at the national level, and value addition in downstream value chains. The NAP guides the design of agricultural subsector policies, strategies, and other actions of the Government of

Malawi over the next five years. Ministry responsible for Local Government and Rural Development can support the NAP by: implementing integrated rural development programs for investment in rural infrastructure for agriculture; promoting development of district and rural roads in areas of high agricultural potential, promoting the development of rural growth centres that support agriculture and spearheading the implementation of the National Decentralization Policy and Act.

*Malawi Government, (2016) National Irrigation Policy, Prospering Through Irrigation. Ministry of Agriculture, Irrigation and Water Development: Lilongwe*

The overall National Irrigation Plan goal is to contribute to sustainable national economic growth and development through enhanced irrigated agriculture production and productivity. The role of the Ministry of Local Government and local authorities in the policy is to: facilitate public awareness and mobilize communities for irrigation development; plan and coordinate the implementation of irrigation development at local council; and assist in the settlement of disputes in irrigated areas.

*Malawi Government, (2018) National Agriculture Investment Plan: Prioritised and Coordinated Agricultural Transformation Plan for Malawi: 2017-2022. Ministry of Agriculture, Irrigation and Water Development: Lilongwe.*

The National Agriculture Investment Plan (NAIP) is the framework guiding investment in Malawi's agricultural sector over the next five years. The NAIP provides a framework to coordinate and prioritise investments by government agencies, development partners, civil society, farmer organizations and the private sector. The role of the local government is in implementation of agricultural programs guided by the decentralisation and Local government Act

*Seife Ayele, Jodie Thorpe, Gezahegn Ayele, Henry Chingaipe, Joseph Kofi Teye and Peter O'Flynn (2020) Agribusiness Investment in Agricultural Commercialisation: Rethinking Policy Incentives in Africa. Working Paper No. 33. Agriculture Policy Research in Africa.*

This working paper examines the role of agribusiness investment as a driver of pathways of agricultural commercialisation, and the effectiveness of efforts by African governments and donor agencies to influence this investment towards public policy aims. The working paper explores the motivations of business investment, the effectiveness of government and donor policy incentives, and the relevance of these incentives for four different commercialisation pathways. This paper does not elaborate on the role of the local government in agribusiness.

### **3.0 The National Decentralisation and Local Government Context**

#### **4.0**

Malawi's history of decentralisation has been varied. The concept of decentralisation has been at the centre of different public administrations that have existed in the country. Depending on the nature of government existing at the time, either devolution or deconcentration has been adopted. In Malawi decentralisation has gone through three (3) distinct phases shaped by the objectives of the government in place. During the single party era, power and functions were centralised. This power structure enabled the decision authority to be concentrated with the President at the central level, and appointed District Commissioners at district level. Administratively, ministries and departments had representatives located at regional and district levels working with vertical decision-making structures. Ministries had since deconcentrated some of their operations below the district level giving lower level units of operational authority as 'cost centres.' Due to the process of accumulating power

at the centre, local governments existed only on paper. Most decisions of local governments were subjected to ministerial approval. Even candidates to local government elections were subjected to party vetting. Traditional revenue sources for councils were also transferred to central government.

From 1993, government began to pilot a District Focus policy of decentralisation in six districts. The deconcentrated policy of District Focus sought to assign more responsibility to District Development Committees (DDCs) for district specific development. The responsibilities included preparation of development plans and allocation of government grants to projects. It was hoped that because of the composition of the District Development Committee and its base in the District Commissioner's Office, it would easily coordinate district development. The District Development Committee was comprised of political and traditional leaders, and heads of sector ministries. However, the policy of District Focus was based on District Development Committee structure that had no legal mandate and usurped power from the councils. Most importantly, District Focus was developed in a one party era and therefore could not be expected to address democratic goal of genuine popular participation.

In 1994 when Malawi adopted a multiparty system of governance the government directed that the country should explore a decentralization policy suitable for the new republic nation and to institute institutional frameworks that would promote good governance and democratic principles. This included creation of strong local institutions that would promote local development, participation and accountability and enhance delivery of services. Following from this a new National Decentralisation Policy and Local Government Act was approved in 1998. In the next sections that follow, we describe documents regarding decentralisation along three categories: a) those that describe the legal and policy framework and the structure of local government; b) those that illustrate how decentralisation and local government reforms have been implemented and the status today; and those that elaborate on the Malawi Local Government Association

#### 4.1 Key documents on the Legal framework governing Decentralization in Malawi

1. *Government of Malawi (1995). The Constitution of the Republic of Malawi, Zomba: Government Press.*
2. *Malawi Government (1998) Malawi Decentralisation Policy. Zomba: Government Printer*
3. *Malawi Government (1998). The Local Government Act, No 42 of the Laws of Malawi. Zomba: Government Printer.*
4. *Malawi Government (1996) Local Government Elections Act No.24 of the Laws of Malawi. Zomba: Government Printer.*
5. *Malawi Government (2010). The 2010 Amendment to the 1998 Local Government Act*
6. *Malawi Government (2019). Guidebook on Local Government System in Malawi. Lilongwe: Ministry of Local Government and Rural Development.*

These key documents are briefly described below:

*Government of Malawi (1995). The Constitution of the Republic of Malawi, Zomba: Government Press*

In Section 146-148 The Constitution provides for the establishment, composition, functions and powers of rural and urban local government authorities. The constitution makes local government

authorities responsible for the representation of the people over whom they have jurisdiction, for their welfare. The Constitution stipulates the following responsibilities for local authorities:

- The promotion of infrastructural and economic development, through the formulation and execution of local development plans and the encouragement of business enterprise;
- The presentation to central government authorities of local development plans and the promotion of the awareness of local issues to national government;
- The consolidation and promotion of local democratic institutions and democratic participation; and other functions including the registration of birth and deaths and participation in the delivery of essential and local services, as may be prescribed by any Act of Parliament.

The Constitution also establishes the National Local Government Finance Committee under Section 149 (1). The committee's powers and responsibilities as provided in section 149(2) include:

- To receive annual estimates of revenue and expenditure budget from local authorities;
- To supervise and audit (check) accounts of Councils;
- To make recommendations on the distribution of funds allocated to Councils by central government.

The constitutional provisions only provided the legal foundations and imperatives for the creation, reform, and support of local government but did not stipulate the exact form the local government structures were to take. This necessitated a review of the Local Government Act, existing decentralisation efforts, and associated policies. This resulted in the 1998 National Decentralisation Policy that provided the basis for the 1998 Local Government Act.

*Malawi Government (1998). Malawi Decentralisation Policy. Zomba: Government Printer*

In order to translate the constitutional aspirations, a Decentralisation Policy was adopted in 1998. In this new policy, the emphasis on local government reform shifted from administrative provision of services to devolution. The policy devolves administration and political authority to the district level; integrates governmental agencies at the district and local levels into one administrative unit, through the process of institutional integration, manpower absorption, composite budgeting and provision of funds for the decentralised services; diverts the centre of implementation responsibilities and transfers these to the districts; assigns, functions and responsibilities to the various levels of government; and promotes popular participation in the governance and development of districts. The Decentralisation policy seeks to achieve the following objectives:

- To create a democratic environment and institutions in Malawi for governance and development at the level that will facilitate the participation of grassroots in decision-making;
- To eliminate dual administration at the district level with the aim of making public services more efficient, more economic and cost effective.
- To promote accountability and good governance at the local level in order to help government reduce poverty; and
- To mobilise the masses for socioeconomic development at the local level

The policy designates local authorities as planning authorities charged with the overall development of the district. It says that in the course of their development work the Assemblies are required to provide for local people's (communities) participation in the formulation and implementation of the District Development Plan. The decentralisation policy also delineates specific functions for local authorities and others for the central government ministries. It states that Line ministries will retain responsibility over the following areas: policy formulation, policy enforcement, inspectorate, establishment of standards, training, curriculum development, international representation, etc. In undertaking this responsibility, line ministries will have direct links with local authorities as instruments of services delivery over professional and operational issues. However, policy and other issues affecting all local authorities as instruments of local government and development will be channelled through the Ministry of Local Government. The Policy also indicates that for local authorities to translate the power and competence given to them by this policy into development phenomena a sound local government financing mechanism is required. Main revenue sources provided in the policy include: locally generated revenues (traditional); central government transfers; and ceded revenues.

*Malawi Government (1998). The Local Government Act, No 42 of the Laws of Malawi. Zomba: Government Printer.*

The Local Government Act No 42 of 1998 is the principal legislation to support the implementation of the 1998 decentralisation policy. It repealed the Local Government (Urban Areas) Act of 1961 and the Local Government (District Councils) Act of 1958. It provided the framework for establishing the structure of local government institutions at the district level (called councils), and their composition, powers, functions, and financing. According to the act, the objectives of local government are to further the 1994 constitutional order based on democratic principles: accountability, transparency and participation of people in decision-making and development processes. It defines rural and urban Local authorities and specifies the composition of the Councils to include: elected councillors from the wards within the council as voting members, Traditional Authorities or Senior Traditional Authorities, Members of Parliament and five persons to cater for special interest groups as non-voting members. The Act gives guidance on the institutional framework of local government authorities and makes provision for the financing of local government authorities. Section 6 and second schedule of the Act makes provision for the following functions of local authorities:

- To make policy and decisions on local governance and development for the local government area;
- To consolidate and promote local democratic institutions and democratic participation;
- To promote infrastructural and economic development through the formulation, approval and execution of district development plans;
- To mobilize resources within the local government area for governance and development;
- To maintain peace and security in the local government area in conjunction with the Malawi Police Service;
- To make by-laws for the good governance of the local government area;

*Malawi Government (1996) Local Government Elections Act No.24 of the Laws of Malawi. Zomba: Government Printer.*

The Local Government Elections Act No. 24 of 1996 governs the process of local government elections in Malawi provides guidance on the election of local councillors. It stipulates candidature provisions for Local Councillors: a person shall qualify to be nominated as a Councillor if at the time of nomination the person has attained twenty one years of age and is able to speak and to read the English language well enough to take an active part in the proceedings of the council (Government of Malawi, 1996a: section 27). The Act also stipulates the organisation and conduct of the local elections

*Malawi Government (2019). Guidebook on Local Government System in Malawi. Lilongwe: Ministry of Local Government and Rural Development.*

The Guidebook describes the system of Local Government in Malawi. It explains the structure, functions, operational procedures of local authorities, roles and functions of councils and the responsibilities of the actors that make up the membership of the council. The local government system comprises of rural and urban Local Government Authorities. In the urban areas there are 3 categories of authorities: City, Town, and Municipal Councils. Rural local authorities are commonly known as District Councils. Each local authority comprises of two structures: The political arm (the elected body) called Council and is headed by chairperson (mayor in urban areas) to make decisions, monitor implementation, and providing oversight. The Secretariat is the administrative arm of each local authority. It is headed by the District Commissioner or Chief Executive supported by directorates to run the day to day management of the council and implement decisions taken by the Council. Local authorities' pathways for service delivery and development include Council service committees and directorates. The Decentralisation Policy states that in the performance of their functions, local authorities are mandated to form Committees. The committees comprise of elected council members and co-opted members. The local authorities shall establish the following mandatory committees: Finance Committee; Development Committee; Education Committee; the Works Committee; the Health and Environment Committee; and the Appointments and Disciplinary Committee. Development planning is also facilitated through district planning system/structures which include Area and Village development committees. In urban areas, the structures include the Constituency Development Committee, Ward Development Committee and Neighborhood Committee.

#### *2010 Amendments to the Local Government Act*

In 2010, the Bingu regime made significant amendments to the 1998 Local Government Act. Firstly status of Members of Parliament was changed and they were given voting rights within the local authorities alongside councillors. Secondly, the local policy making role of local authorities was removed. Thirdly, ward sizes were increased, reducing the number of Local Councillors to two per constituency, with Blantyre and Lilongwe cities not exceeding 30, Mzuzu not exceeding 15 and Zomba City not exceeding 10. Thirdly, town councils were abolished. Fourthly, Minister of Local Government was given power to appoint District Commissioners and Chief Executives. Finally, the tenure of Council chairmanship was varied with one year for rural Councils and two and half years for Urban Councils.

#### **4.2 Key documents on the implementation of the decentralisation policy**

The implementation of the decentralization policy, and especially the extent to which national policies and strategies and their financial and other means of implementation are territorialized; and the extent to which the national government considers local authorities and subnational governments as a developmental agent in their own capacity alongside the central government.

1. Chiweza, A. (2016). *The Political Economy of Fiscal Decentralisation: Implications for Local Governance and Public Service Delivery*. In Banik and Chinsinga (eds.). *The Democratic Dividend: Political Transition and Inclusive Development in Malawi*. Oxford, UK: Routledge Studies in African Development.
2. Kutengule, M., Kampanje, R., Chiweza, A. and Chunga, D. (2014) *Review of the National Decentralisation Programme II. Joint Review of the Ministry of Local Government and Rural Development, Lilongwe: Ministry of Local Government and Rural*.
3. Msiska, Y, Chiweza, A and Chirwa, T. (2018). *Decentralisation and Education Service Delivery in Malawi*. *Journal of Public Administration and Development Alternatives* Vol. 3 No. 1.1, pages 15-25.
4. USAID (2017). *Political Economy of Decentralisation and Local Government Reforms in Malawi. Research Report for the Local Government Accountability Project (LGAP): Lilongwe*.
5. USAID (2018). *Decentralisation Road Map Full findings & Road Map Report Research Report for the Local Government Accountability Project (LGAP), Lilongwe: USAID*.
6. USAID (2019). *Malawi's Fiscal Decentralization Architecture, Progress Made, Current Status and Strengthening Alignment of LGAP's PFM Interventions. Research Report for the Local Government Accountability Project (LGAP): Lilongwe*.
7. USAID (2020). *Analysis of Public Sector Reforms and Decentralisation Reforms. Research Report for the Local Government Accountability Project (LGAP): Lilongwe*.

Provided below are summaries of the contents of the documents listed above:

*Chiweza, A. (2016). The Political Economy of Fiscal Decentralisation: Implications for Local Governance and Public Service Delivery. In Banik and Chinsinga (eds.). The Democratic Dividend: Political Transition and Inclusive Development in Malawi. Oxford, UK: Routledge Studies in African Development.*

The paper shows that Malawi has had no formal comprehensive fiscal decentralisation policy and principles that should guide allocation of fiscal resources from Central Government to Local Governments in such a way as to enhance the Local Governments capacity to effectively deliver public services in a systematic manner. While some effort towards the development of intergovernmental fiscal transfer formulae was evident during the early 2000, this was not allowed to mature into a comprehensive set of policy and principles to regulate central government transfers in an objective manner. Instead over the years, the executive as well as parliamentarians from both ruling and opposition parties have taken a selected set of decisions that have shaped a compromised pattern of intergovernmental fiscal transfers strategically conceived to shore up their political interests and visibility in delivering local public goods and services. A key argument arising out of the analysis is that the impact of the devolution policy on service delivery is largely negated when districts when fiscal devolution has not kept pace. This limits the leverage of the Council in making decisions over service delivery.

*Kutengule, M., Kampanje, R., Chiweza, A. and Chunga, D. (2014) Review of the National Decentralisation Programme II. Joint Review of the Ministry of Local Government and Rural Development, Lilongwe: Ministry of Local Government and Rural*.

This report documents the review of the National Decentralisation Programme II. The aim was to assess the extent to which NDP II outputs and impacts were achieved through the implementation of its sub programmes. It also seeks to identify the key implementation challenges and successes experienced so as to generate lessons that would inform the design and implementation of follow-up decentralisation programmes or activities. The review found that by 2014, about 15 sectors had their functions devolved but there was still some subtle forms of resistance to devolution in various government line ministries, as did the 2004 review of NDP I. Although progress was registered in fiscal devolution, the planned devolution of sector budgets did not happen satisfactorily because the devolving sectors were not provided with the necessary direction and guidelines and only the recurrent expenditure budget was devolved while the development budget was not. Central Government Transfers, which were targeted at 5 % of Net National Revenue, were low at below 1%. There was no consistency in the processes of preparing District and Urban Development Plans, Strategic Plans and Physical Development Plans. The report also observed numerous gaps and inconsistencies in the legal framework that impinge on the decentralisation process.

*Msiska, Y, Chiweza, A and Chirwa, T. (2018). Decentralisation and Education Service Delivery in Malawi. Journal of Public Administration and Development Alternatives Vol. 3 No. 1.1, pages 15-25.*

Drawing from a qualitative study from an urban local government, this paper discusses the primary education functions that have been devolved to district local governments to date and the potential that this has had on effective delivery and accountability of primary education services. The paper shows that the Malawi decentralisation policy identified the following services to be assigned to district local governments: Nursery and kindergarten, Primary schools and Distance Education Centres. The paper shows that devolution of decision making for primary functions to the district has been partial. Some pivotal functions regarding human resources, procurement of teaching and learning materials, and capital development are still controlled by the central government. What this means is that district local governments do not have full leverage over decisions for many of the primary education functions and hence service delivery outcomes. The paper concludes that the potential of decentralisation to improve primary education service delivery is contingent on appropriate transfer of earmarked functions and financial resources to the district actors.

*USAID (2017). Political Economy of Decentralisation and Local Government Reforms in Malawi. Research Report for the Local Government Accountability Project (LGAP): Lilongwe.*

This report summarises a Political Economy Analysis that was carried out to examine stakeholder commitment to decentralisation reform through the lens of four areas of stated priorities of the Ministry of Local Government and Rural Development. The four areas prioritised were a) review/amendments to the Local Government Act; b) review of the role of chiefs and the Chiefs Act of 1967; c) devolution of human resources; and d) devolution of the development budget. These priority areas were included in the Performance Service Contract between the Ministry and the Office of the President. The analysis seeks to contribute to a better understanding of the interests aligned for and against each policy or reform area, a clearer overview of historical legacies and current realities shaping them, and the ability to identify practical activities within the scope of the LGAP project that will drive positive. The analysis found that an overarching “competitive clientelist” political settlement holds - despite some movement on reforms in the wake of elections, in general it is not in the interest of the ruling party to lose control to lower-level officials of decision-making, including chiefs, and the patronage opportunities linked to these. It is not in the interest of the opposition parties, either, to empower locally elected officials in the face of local competition for patronage resources. The key conflict evident in the districts is between locally elected Councilors and Members of Parliament (from both ruling and opposition parties) over the local delivery of goods, and related access to funding

sources. Almost as a bloc, MPs benefit from the status quo, and this encompasses or extends to political party interests. However there has been some movement on the development budget, the review of the Local Government, human resource devolution and the Chiefs Act. There were competing explanations for the greater release of funds for local development, but a political consideration that was noted at the time was the response to growing demands for federalism that were emerging in the wake of the 2014 tripartite elections. A push for federalism reflects regional political competition, but also reflects underlying dissatisfaction of the inequitable distribution of national resources and failure of decentralization to contribute to improved service delivery; paying some (if relatively scant) attention to decentralization may have been seen as a relief valve by elites to maintain control.

*USAID (2018). Decentralisation Road Map Full findings & Road Map Report Research Report for the Local Government Accountability Project (LGAP), Lilongwe: USAID.*

The Ministry of Local Government and Rural Development (MLGRD) in collaboration with the Local Government Accountability and Performance Project (LGAP) commissioned a Decentralisation Road Map study in 2018. The purpose of the exercise was to facilitate reflection of various stakeholders of the implementation of decentralisation over the 20 year period. The intention was to map the Malawi Decentralisation process since 1998, depict the gains, achievements, and gaps and come up with a road map that depicts priority actions necessary to attain full decentralisation. The reflection exercises found that while so much good work had been done towards implementation of the decentralisation policy, what was envisaged to be done had been achieved partially and some pressing gaps still remain in each of the decentralisation reform areas. The review found that the gaps persist due to a number of factors that include: A weak link between decentralisation policy reforms and the broader public service reforms agenda; limited political and bureaucratic championship and oversight over the implementation process; shifting political interests combined with limited dialogue with key actors over the 20 year period; limited shared understanding and unity of purpose of decentralisation as a way of doing business with actors pulling in different directions; resistance to devolve at various levels; government fiscal decentralisation approaches that embody different rules and pull in different directions. Another key factor that was identified relates to limited government funding to implement key aspects of the reform. As a result implementation of key catalytic activities has depended on donor resources with their priority areas of interest. This has hugely contributed to the unsystematic nature of implementation, with a lot of activities indeed taking place, but not addressing each of the three areas fully. As a result, the whole of what decentralisation was envisaged to achieve had not come to completion.

*USAID (2019). Malawi's Fiscal Decentralization Architecture, Progress Made, Current Status and Strengthening Alignment of LGAP's PFM Interventions. Research Report for the Local Government Accountability Project (LGAP): Lilongwe.*

The main objective of the assignment was to assess progress and gaps in Malawi's fiscal decentralization, and provide recommendations for aligning LGAP Public Finance Management (PFM) interventions. There is no fiscal decentralization policy in Malawi despite the Decentralization Policy being in force since 1998. The objective of the fiscal decentralization policy is to provide sufficient resources, and also build the capacity of local governments to mobilize resources in order to implement their decentralized functions. This Policy is supposed to provide guidelines on the implementation of fiscal decentralization in Malawi. There is no fiscal decentralization strategy which would operationalize the policy on fiscal decentralization. Ideally a country should have a fiscal strategy that enables it to strengthen the decentralization process. There is no subsidiary law to support constitutional provisions of fiscal decentralisation architecture Most LGs have inadequate locally generated revenues to meet their expenditure needs. Most LGs lack incentives to generate and collect more revenues as the majority of locally generated revenues are collected by the central

government. This affects the autonomy of the LGs. Transfers made by the Central Government are not matching with the expenditure responsibilities of the LGs. Development budgets of the devolved sectors are still being retained by the respective sector ministries. Central Government only transfers funds that cover the recurrent expenditures. Only funds for covering recurrent expenditures are transferred to the LGs for the sectors that have been devolved to the LGs. There has been weak top level political and administrative leadership in the implementation of fiscal decentralization which has resulted in the weakening of the LGs. Currently, there is no champion and political head of the FDA responsible for supervising its implementation

*USAID (2020). Analysis of Public Sector Reforms and Decentralisation Reforms. Research Report for the Local Government Accountability Project (LGAP): Lilongwe.*

This analysis focused on the linkages between the Public Service Management Reforms and Decentralisation Reforms. It examined the synergies between public sector reforms with a number of policies, including the Local Government Act (1998) and Decentralisation Policy. The assessment established that public sector reforms recognise decentralisation as a key reform area for the improvement of the public service including local authorities. However, the Malawi National Public Sector Reforms Policy (MNPSRP) of 2018; and The Malawi Public Service Management Policy (MPSMP) of 2018 broadly present the key priority reform areas particularly those linked with decentralisation reform components. There is need for proper integration between the current public sector reform agenda and decentralisation reforms in order to maximise synergies among the various agencies operating at the central and local levels. There is also need for clarity on organisation and methods and institutional arrangements for implementation to ensure that public sector reforms and decentralisation speak to each other unambiguously. Furthermore, 17 sectors have devolved functions to the district and plans are underway to devolve more sectors. Government has undertaken payroll devolution and human resource devolution which has involved operationalisation of new staff establishment, rationalization process and filling of staff establishment for district Councils through recruitment and promotions of DCs and Directors. This has led to efficiency and improvement in coordination, reporting, staff integration, resource and information sharing as processing of salary at the Council level. However, although there is some progress, the pace of reforms is generally slow. The major challenges facing public sector reforms and decentralisation include non-responsive pieces of legislation, policies rules and regulations; ineffective collaboration in reform implementation; inadequate capacity, limited supply of financial and physical resources including fixed assets

#### **4.3 Documents on the existence and functioning of the National Association**

The Malawi Local Government Association (MALGA) is an association established by Councils to take care of the concerns of Councils. Members of MALGA come from the Councils themselves and all Councils are free to become members. The Malawi Local Government Association (MALGA) is an umbrella organization which brings together thirty-five local government authorities in Malawi. An "Association" means that members join the group voluntarily because the group members share common norms (rules) and concerns. Members have to develop a sense of ownership of the association. The purpose of MALGA is to represent and promote the interests of all Councils in Malawi and the people served by these Councils. It has been in operation since 1966. Prior to 2001, it was known as the Association of Local Government Authorities in Malawi (ALGAM). All local councils are represented in MALGA by their elected Chairpersons/ Mayors. MALGA's main role is to represent, lobby for, and defend the interests of councils. MALGA is an independent body and is registered under the Trustees Incorporation Act. It is not established by any Act of Parliament. In terms of MALGA's operations and business, the Association is regulated by its own constitution.

The documents listed and summarised below provide more information about MALGA:

*MALGA (2016). The Constitution of the Malawi Local Government Association. MALGA: Lilongwe.*

The Constitution defined the objectives, powers and operations of the association. The objects of the Association shall be to: (a) provide a strong, coherent voice for local government issues at all levels of society; (b) provide an effective link between local government and the Central Government; (c) work in collaboration with other non-governmental organizations on issues involving local governance at all levels; (d) provide wide range of value added services to local authorities.

*MALGA (2019). Malawi Local Government Association Strategic Plan. MALGA: Lilongwe.*

MALGA's strategic plan covers the period 2019-2024. The strategic plan affirms MALGA'S mission or reason for being as "championing and defending the interests of Local Government Authorities through representation and advocacy". The vision of the strategic plan is towards a louder unified voice for service delivery in local government authorities in Malawi. The values of the Association are: integrity, dedication, transparency and accountability, service excellence, creativity and innovation, teamwork and all-inclusive participation, professionalism and assertiveness. The key aspirations of the strategic plan include that MALGA is known and appreciated, a stronger and louder voice, achieve operational independence, interests of member secured, better service delivery and enhanced transparency and accountability

*UCLGA (2016) Capacity Needs Assessment of Malawi Local Government Association. Final Report: Lilongwe.*

The assessment focused on analysing specific management capacity issues and institutional and organisational capacities. Under specific management capacity issues the assessment found the following: ineffective member participation; inability to effectively respond to concerns of members; inadequate capacity for Capacity Issue attainment; low utilization of council expertise; inadequate sources and areas of financial support; and low utilization of technical assistance. Secondly the institutional and organizational capacity assessment identified the following: capacity gaps to do with policy, legal and institutional frameworks such as, MALGA not being recognized in community's participation in development; lapses in managing governance issues; slow and delayed decentralization; overlap and duplication of roles between council appointed officials and elected officials; eroded public image and integrity; weak legal and policy frameworks; non-compliance with core values; and lack of capacity to manage HIV/AIDS and environmental issues. At organizational level the assessment revealed capacity gaps on governance and leadership; weak organizational structure that do not respond to the mandates of the Association; inadequate staffing levels; weak financial capacity owing to absence of an appropriate resource mobilization strategy and financial sustainability plan; absence of effective publicity; and ineffective networking with both external and internal partners. Lastly the assessment focused on capacity at individual level where weaknesses were identified on the following: member council secretariat staff including District Commissioners and Chief Executive Officers; member council chairpersons; leadership of MALGA Secretariat; and the Presidency of the Association.

*USAID (2019). An Assessment of the Functionality and Institutional Capacity of Malawi Local Government Association. Research Report by Local Government Accountability Project (LGAP): Lilongwe.*

## 5.0 The Malawi EU Programme

The implementation of the EU cooperation in the country, including the national indicative program (NIP) supported by the European Development Fund under the EUACP Cotonou Agreement and any information providing an evaluation of the involvement of the different stakeholders in the definition, implementation, and monitoring of the interventions defined by the NIP; and the choice of flagship priority sectors considered by the European Union at the NDICI pre-programming phase.

*Malawi Government and European Union (2014). European Union and Malawi Government National Indicative Programme (2014-2020): Lilongwe*

The legal basis for the bilateral cooperation between European Union and Malawi is the Cotonou agreement signed in 2000 and revised in 2005 and 2010. The overarching objective is to promote development of a common strategic approach to poverty reduction consistent with the objective of sustainable development and gradual integration of ACP countries into the world economy. The programmes being implemented under this NIP are in the sectors of Governance; Education and TEVET; Sustainable Agriculture; and Trade. Majority of EU projects are implemented through various Government Ministries and Agencies (MDA). For smooth implementation of these programs and projects coordination with stakeholders is very important.

*Malawi Government and European Union (2018). National Authorising Support Unit 2018 Annual Newsletter. Issue No.1: Lilongwe*

The newsletter documents the progress of EU funded projects under 10<sup>th</sup> and 11<sup>th</sup> EDFs.

- a. Document on the current National Indicative Program (PIN) implemented in the country, and any document on the assessment of the implementation of the PIN
- b. Results of the pre-programming exercise of the European Union and foreseen sector of priority for the EU Cooperation (2021/2027) it is clear that the delegation are already fully involved in this exercise following their interaction with the EC Headquarters in the pre-programming exercise.

**Annex 1: Full Reference List for all documents included in the Compendium**

- Chiweza, A. (2016). The Political Economy of Fiscal Decentralisation: Implications for Local Governance and Public Service Delivery. In Banik and Chinsinga (eds.). The Democratic Dividend: Political Transition and Inclusive Development in Malawi. Oxford, UK: Routledge Studies in African Development.
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- Malawi Government, (2018) National Agriculture Investment Plan: Prioritised and Coordinated Agricultural Transformation Plan for Malawi: 2017-2022. Ministry of Agriculture, Irrigation and Water Development: Lilongwe.
- Msiska, Y, Chiweza, A and Chirwa, T. (2018). Decentralisation and Education Service Delivery in Malawi. Journal of Public Administration and Development Alternatives Vol. 3 No. 1.1, pages 15-25.

- Seife Ayele, Jodie Thorpe, Gezahegn Ayele, Henry Chingaibe, Joseph Kofi Teye and Peter O’Flynn (2020) Agribusiness Investment in Agricultural Commercialisation: Rethinking Policy Incentives in Africa. Working Paper No. 33. Agriculture Policy Research in Africa.
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