



COMMUNIQUE

Third all-inclusive conference held at Sunbird
Mount Soche hotel,
Blantyre, 25-26 February, 2014

***“Malawi at Crossroads –
Enhancing Transformative Leadership through Holding Leaders and Ourselves Accountable”
Issued: 27 February, 2014***

PREAMBLE

- 1. The Public Affairs Committee (PAC) held a two-day Third All-Inclusive Stakeholders Conference from 25-26 February, 2014 at Sunbird Mount Soche Hotel, Blantyre, Malawi. Delegates to the conference included media fraternity, political parties, state representatives, development partners, academia, legal fraternity, Malawi Congress of Trade Union, representatives of civil society organizations, faith leaders and other interested stakeholders.*
- 2. PAC, a predominantly faith-based organization whose aims include: to encourage religious bodies to fulfil their prophetic and religious roles, and respond to the socio-economic and political affairs of the Republic of Malawi; to enter into and maintain a dialogue with any person, political body or any other institution including the Head of State in the Republic of Malawi regarding any issues of concern to the nation; and to promote peace and tranquillity in the Republic of Malawi among others, hosted the conference which focussed on four topics : Malawi at 50: Are We a Developmental State?, Insulating Economic and Development Policies, Rule of law - transparency and Accountability, State of Affairs on Rule of law – Transparency and Accountability (Government Perspective), and Morality and Integrity – A faith based Perspective.*

OBSERVATIONS

During deliberations of the third all-inclusive stakeholders conference, delegates observed that:

1. Poverty has been used as a tool by various leaders to oppress, marginalize, and exploit the poor Malawians instead of effectively addressing it,
2. While we started with a disciplined and efficient civil service, over the years, the civil service has been so politicized and increasingly losing discipline and integrity and consequently government effectiveness in the delivery of services and regulatory quality have been poor,
3. Since independence, there has not been an independent professional, legally established and insulated body that can come up with a long term guiding strategic vision to formulate, implement, coordinate and evaluate the country's vision and policies,

4. Oversight institutions remain weak largely due to low funding, concentrated appointment powers in the presidency, and political interference,
5. Personal and political integrity are increasingly diminishing at all levels of society, manifested through high levels of corruption, nepotism, theft, and lack of patriotism,
6. Despite having a Constitution that requires a government based on trust, there is no accountability and transparency from leadership at all levels,
7. The rule of law is applied selectively as evidenced by apparent non-investigation of top officials in the public and private sector who may have taken key roles in the looting of public resources,
8. Political leaders continue to distribute handouts such as cash and maize during political rallies and other occasions when ADMARC does not have maize stocks and hospitals do not have enough and necessary drugs.

RESOLUTIONS

For Immediate Action

1. Government through Parliament should enact a law that will establish and insulate an independent commission with mandate to advise on the development of a long term vision for the nation,
2. Given that Parliament will stand dissolved on 20th March, 2014 and that any summoning of Parliament before a new one is elected is only possible in the cases of a constitutional crisis or an emergency (S67:4), which will not be the case in April, therefore the conference demanded that Parliament should convene by 10th March, 2014 to deliberate on the following urgent important matters:
 - i. full forensic report of the looting of public resources,
 - ii. banning distribution of handouts for political gains,
 - iii. the reported loss of maize in the country's grain reserves,
 - iv. the sale of the presidential jet and the management of the proceeds from such a sale.
3. Delegates demanded that the Judiciary should leave procedural matters on S65 to Parliament and only intervene after the Speaker of Parliament has made determination,
4. Delegates demanded that the Office of the Attorney General should authorise the Office of the Speaker to engage a private lawyer(s) to expedite cases related to S65,
5. Regarding the current crisis of financial mismanagement and fraud, the conference demanded that:
 - i. The forensic report be published with names of those who have been involved in looting government funds by 15th March , 2014,
 - ii. Top Officials from public and private sectors involved in the looting of government funds (cashgate) must be treated equally rather than applying the rule of law selectively.

- iii. All holders of offices implicated in the current forensic audit should be interdicted pending investigations, and not merely be moved between posts within government machinery. This should be done with immediate effect.
6. Delegates demanded that gifts, such as maize, given to the country's leadership are received in trust for the people of Malawi and their distribution should be through state and not political structures.

For Long-term (Post May 2014) Implementation

The conference resolved that the following should be part of the agenda after the May 2014 elections:

1. Continued restitution of looted or unexplained losses of public resources, at least from 2005,
2. Development of a leadership code for those wanting to serve in political and public offices,
3. Amendment of S65 and re-instatement of S64,
4. The institution of a public accountability forum, where Ministers and technical heads of ministries would give an account of the performance of their ministries in the implementation of annual plans towards the country's strategic vision,
5. Public service reform that would result in the separation of functions between political and technical functionaries and greater effectiveness of the civil service,
6. Review and implementation of the 2007 Constitutional Review Report,
7. Criminalisation of handouts for political gains,
8. Enactment of a law regulating political party funding and the conduct of political parties.

CONCLUSION

Based on the conference deliberations, PAC concludes that the past 50 years have been a net loss. There has been progress in some areas, such as freedom of expression and political space, as well as lost opportunities due to poor leadership.

To this end, PAC therefore calls upon all Malawians to vote for people with transformative leadership qualities and a developmental agenda in the forthcoming tripartite elections.

Signed by:

The Very Rev. Dr Felix Chingota

PAC Chairperson

Fr. Peter Mulomole

PAC Publicity Secretary