Tikambirane Output to Purpose Review

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OUTPUT TO PURPOSE ANNUAL REVIEW 2008
TIKAMBIRANE PROGRAMME
DFID MALAWI

NARRATIVE REPORT

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1 EXECUTIVE SUMMARY

The 2008 Output to Purpose Annual Review (OPR) of the Tikambirane Programme confirmed the broadly positive direction of the previous review, and found progress occurring across most programme components.

Achievements for 2007 – 2008 include high quality contribution to the Election Task Force which has made DFID an indispensable donor ahead of 2009 elections. The start up of direct financial aid to parliament in support of the strategic plan, and of a curriculum on budget issues for journalism students under the Canadian International Development Agency Programme on Economic Governance (CIDA PEG) Project, demonstrates a focus on sustainability and long term strategic thinking.

Results are emerging in line with purpose levels, it appears to an extent, at expected goal levels. Increased accountability and responsiveness, and some sustainable changes in practices and institutional functioning are being generated. Enhanced consultation over budget issues has led in some cases to increased pro-poor budget allocations. Development of parliamentary capacity, in particular in committee functioning, has led to enhanced oversight of government spending. Gender Equality Support Project (GESP) programming has led to government beginning to take action on gender issues.

The Tikambirane Programme approach demonstrates both strengths and limitations. It has provided a vehicle for a diverse set of modalities and concrete activities focused on key rights and accountability issues, and has shown strong risk management, relationship handling and trouble shooting approaches. It embeds DFID leadership on challenging issues crucial to deepening democracy and focusing governance on the needs of the poorest.

The overall approach and individual components continue to generate achievements and to face challenges. Work on gender under the GESP programme has been able to decrease violence at grass roots level and generate action at government level. Systematic work to address root causes of inequality, and strategic linkages between different levels of work have, However, been limited. Media work under the PEG programme has been systematic and generated increased and improved coverage on budgetary and economic issues. While the British High Commission Good Governance Fund (BHC-GGF) has funded some valuable activities, including the innovative Tikambe a Malawi programming which gave a platform for the voices of the marginalized, activities have lacked strategic focus and sustainability. The sustained work to engage civil society on budget issues by PEG has generated clear gains, contributing to a more participatory process, and a new and constructive relationship between civil society and some parliamentarians. This work can be built on and taken to another level, possibly thinking about developing increased and improved evidence based policy, in particular focused on poverty and social exclusion.

DFID’s approach to developing the strategic plan has ensured a sense of ownership among MPs and parliamentary staff, of a roadmap which has the potential to guide long term systematic work to enhance the institutional functioning of parliament. However, external constraints and specific challenges, are impeding progress. The value for money provided by direct financial support to parliament needs to be kept under review. Changes to the mechanism for implementation of the strategic plan might also be considered.

Bearing in mind the challenging pre election year ahead, and the taxing demands of Tikambirane programme management, the OPR makes a limited set of recommendations for 2008 – 2009. These are focused around addressing priority or high risk challenges presented by individual components, where some adjustment might be recommended (the performance of GGF and difficulties facing the parliamentary strategic plan implementation); sharpening the election related activity and focus within and between components; ensuring progress to date can be sustained and using stakeholder capacity and interaction to learn lessons and work out the optimal follow on.
Tikambirane implementation leaves DFID with a wealth of learning, specific gains, platforms, relationships and opportunities to build on. While the 2009 prognosis remains uncertain, and the operating context challenging, a number of factors suggest three areas of comparative advantage for DFID going forwards after 2009. These might be parliament, policy development, and strategic rights based work to build demand and voice, including a strong focus on gender, and capacity building of civil society organisations. Strategic work on media development is essential, and this report provides a suggested approach along with an in depth analysis of the challenges in respect of media capacity, access to information, and the legal and regulatory framework (Annexe A).

2 OVERVIEW OF PROGRESS 2007 – 2008

The Tikambirane Programme, launched in 2003 is DFID’s main governance programme in Malawi. It works towards accountable and responsive governance with components focused on gender equality, strengthening parliament and electoral systems and addressing media bias.

The context for governance work in Malawi remains challenging. The OPR took place during political crisis, which overwhelmed parliamentary business. Government institutions and civil society are weak, poverty is acute and gender inequality deeply entrenched.

Against this challenging backdrop, the 2008 Output to Purpose Review confirms that the broadly positive direction found by the 2007 review continued during Tikambirane’s penultimate year. Progress is occurring across the programme components, although to varying extents:

- The programme has established two new strands of work which represent innovation within the Malawian context, and demonstrate a focus on sustainability and long term strategic thinking. The start up of the curriculum on budget and economic governance at the Department of Journalism in the Polytechnic under the CIDA PEG project, and the launch of the Strategic Plan for the National Assembly, with implementation activities underway, represent increased potential to media and parliamentary sectors respectively.

- High quality contribution to planning for elections in 2009 has confirmed DFID’s key role.

- GESP has begun to address sustainability beyond the project by introducing networking approaches among partners, and activities to implement the Prevention of Domestic Violence Act have begun.

- GGF while experiencing continuing limitations is beginning funding to the Media Council of Malawi which may contribute to improving professional standards.

- Progress on alignment is indicated by CABS indicators continuing to embed and demonstrate common ownership among donors and the Government of Malawi (GoM).

Programme components continue to experience challenges and show scope for improvements, further analyzed in relevant subsections.

Several issues highlighted by the 2007 OPR have been addressed. These include: effective action taken by both DFID and PEG programme management to support MEJN and ensure its continued functioning; BHC-GGF work on access to information, and PEG work with the media committee in the National Assembly which have ceased, in line with findings from the 2007 OPR media impact assessment showing that these activities were of limited value.

Tikambirane continues to provide a vehicle for DFID to play a leading role in key accountability and governance processes. As an important donor to the elections process and to the strengthening of parliament, DFID is addressing through Tikambirane some of the most challenging aspects of governance and the political process in Malawi, recognizing
prerequisites for deepening democracy and progress towards evidence based pro poor policy making.

The OPR found that Tikambirane risk management is of a high quality, and the programme generally well managed, seconding the verdict of the National Audit Office (NAO). The NAO draft report of May 2008 commented on the clear and identifiable outputs produced by the programme across its different two components – support to parliament and to the electoral processes – which the OPR team categorized as high risk. Both involve activities acutely affected by periodic political crises. The DFID Election risk register is of high quality; maintaining analysis of risks related both to performance of the Malawi Election Commission and external political factors. Support to parliament faces external and specific challenges. The OPR noted action taken by DFID to set in place additional financial controls while a Clerk of Parliament is not in office.

3 OVERVIEW OF INDICATIVE PROGRAMME IMPACTS AND OUTCOMES

The thematic sub-sections below, specify the results of work under individual Tikambirane components. These are consolidated to provide an indicative overview of results and are summarized below into those at goal level which entail Malawians realising their rights and experiencing improved well being and, those at the purpose level - examples of governance becoming more accountable or responsive – changes in behaviour, practices, institutional functioning.

3.1 Impact/goal level

- Some pro-poor budget allocations made following civil society network engagement in the budget consultation process under PEG, may have led to increased services and well being of individuals or communities. However, impact has not been specifically tracked by PEG or Tikambirane. MEJN cited allocations made for sanitation and for support to orphanages as examples.

- GESP has been able to decrease GBV, discriminatory practices, and secure access to education at local level. However, the scale and sustainability of such achievements are unclear, due to interventions sometimes not addressing root causes, for example girls not attending schools.

3.2 Purpose/outcome level

- Through PEG work with civil society, budget processes are felt to have become more consultative and participatory and there are some improvements in allocation for poverty related expenditures.

- Parliament has developed institutional capacities – the functioning of committees has developed significantly, the committee department has been capacitated, oversight has increased – both the amount and quality of MPs scrutiny of government spending.

- A strategic plan with ownership within parliament – both among MPs and the Parliamentary Service - offers a roadmap forwards and has involved parliamentarians in reform.

- Some indications of changes to MPs perception of their role and questioning of party culture and patronage systems – attributable to various factors

- Signs of government beginning to engage on issues of women’s rights – passing and roll out of a Prevention of Domestic Violence Bill.

- Key relationships enabled and enhanced – MPs now see civil society as a source of valuable budget analysis and engage with them; Media coverage of PFM issues developed.

- Aggregation of components (PEG, GESP) shows some gains in civil society capacity.
4 THE TIKAMBIRANE PROGRAMME APPROACH

Tikambirane involves almost all different working modalities used by DFID (grant making, partnership with another donor, direct financial aid to a government institution, and support to a multilateral organisation - UNDP Trust Fund for the Elections). The programme functions as a vehicle to enable distinct governance, rights and accountability components, rather than as a single harmonized modality or approach. The programme has evolved and made major adjustments (notably dropping of the USAID component) and developed its working relationship with CIDA. The Tikambirane logframe was revised to better reflect the aims of individual programme components.

The programme approach demonstrates a number of strengths and advantages:

- Strong management, trouble shooting, risk and relationship handling.
- Working at different levels – for example at the grass roots level with GESP, parliamentary level with PEG and direct financial aid.
- A focus on relevant and concrete outputs, which address crucial accountability and rights challenges, and selection of well designed and focused CIDA initiatives.
- Some innovative and strategic approaches – PEG civil society and parliamentary interface, introducing direct support to parliament.
- Some evaluation alignment with CIDA – for example 2007 OPR conducted together with CIDA review.
- CIDA reports that DFID has provided financial contributions which have enabled the GESP and PEG projects to work at scale and brought additional thinking and learning.

4.1 Some challenges and lessons learnt

- There has been limited M&E and impact assessment of Tikambirane as a programme at an impact/goal level, due in part to the extensive administrative and oversight responsibilities, and limited tracking of impacts, understood in the sense of sustainable changes in human well being, under specific project components.
- The programme involves different mechanisms for support to civil society – rather than sustained capacity building support to civil society or media development.
- Stakeholders could understand more about other programme components other than their own, and the overall Tikambirane Programme.
- Interfaces and synergies between programme components and with other DFID programmes could have been developed more. For example, the grass roots learning from GESP could have been used more in thinking about approaches to gender mainstreaming of budget work under PEG, and media work developed to reinforce other programme components. Tikambirane focus could have been tailored more to areas of DFID priority such as health and education.
- An overall Tikambirane identity has not been strongly developed - the programme had a relatively low profile among stakeholders, in comparison to the Transform programme.
- Gender could have been mainstreamed more effectively across programme components.
- Deeper analysis of poverty, vulnerability and social exclusion could have informed some programme components, and poverty issues been given greater focus in different activities.
- By supporting existing CIDA projects, while ensuring involvement with high quality interventions, there are limits to the extent to which DFID can intervene to shape project direction and activities.
• Some aspects of project design and strategic approach could have been stronger across project components, including the focus on addressing root causes, stakeholder and power analysis, and facilitating platforms linking different levels of work (GESP).

• Building demand at grass roots and supporting the poorest to organize to claim their rights was not a specific cross cutting aim of the programme. However, more thought could have been given to this, and to complementing institutional and supply side work with demand side approaches.

• Adaptability might be seen as relatively limited. PEG has used a consistent approach to bringing civil society and parliament together, which might have adapted more as networks gained knowledge and skills. GGF has not sought to develop and improve its grant making approach.

• Sustainability is high in some activities and components, but limited in some other respects.

• The programme involves extensive management and administrative responsibilities. Due to the number of distinct and complex components, there are large numbers of reports to review, many stakeholder relationships to manage and heavy administrative responsibilities for DFID. This has constrained opportunities to assess impacts and create linkages between components.

5 2008 - 2009 CHALLENGES

Given the external constraints – the build up towards 2009 elections makes heavy demands on the DFID team - this OPR makes a limited number of recommendations for the final year. Those related to the overall programme management and approach are given in this subsection, and those related to specific thematic components are given in thematic subsections.

It is suggested that the final year focus might be on addressing priority or high risk challenges, sharpening the election related potential of different components, ensuring progress to date can be sustained and built on and using stakeholder capacity and interaction to learn lessons and work out the optimal follow on, rather than on significant changes in approach.

Stakeholders highlighted a number of challenges for Tikambirane in its final year:

• Maximising election readiness and opportunities across programme components, and finding ways to link programme components to advance election related goals. Tikambirane’s different components offer access to almost all election stakeholders.

• Managing the demands created by political difficulties and election related work.

• Planning for readiness to work effectively after 2009 elections, and with the new parliament.

• Ensuring time for Tikambirane staff to learn lessons, involve stakeholders in thinking about the next phase, and visit projects on the ground to understand results.

• Finding a manageable, limited and practical way to pilot an improved gender budgeting approach.

• Embedding relationships and processes so that strengths and opportunities can be sustained and built on.

• Addressing challenges to implementation of the Parliamentary Strategic Plan, and to the BHC-GGF approach.

5.1 Recommendations 2008 – 2009

• Consider an informal working group among Tikambirane programme and component management and other key stakeholders or partners, to address how election
opportunities can be maximized, including through linkages between components, learn lessons from programme implementation, and consult on post 2009 follow on.

- Consider some additional Tikambirane capacity or administrative support to enable lesson learning, participatory assessment and planning for follow on during the final year.

6 SUPPORT TO PARLIAMENT

The Tikambirane programme provides two mechanisms to strengthen and support parliament. CIDA PEG, with DFID support, has worked to develop capacity for economic governance and parliamentary oversight of government budgeting and spending, through technical assistance to parliamentary committees, research capacity, training, and establishing civil society submissions to an interface with parliament. DFID has begun to address the wider systemic and institutional capacity building needs of parliament through development of a strategic plan. Following review of parliament’s financial systems, DFID has moved to a direct financial aid modality to support implementation of the strategic plan.

The OPR was constrained in its review of these two complex interventions due to the early departure from the team of the Parliamentary Expert owing to scheduling difficulties, and by the events in parliament (continuing controversy stemming from section 65 of the Constitution).

6.1 Progress and highlights 2007 – 2008

- Launch of the strategic plan in September 2007 culminated from sustained efforts by both PEG and DFID staff and technical experts. The strategic plan has ownership among both MPs and parliamentary staff. Activities to support the strategic plan are underway (beginning before the launch). It represents a potential vehicle for long term reform owned by National Assembly stakeholders.

- Work to develop the functioning of committees continues to have results with a range of activities by committee members to scrutinize issues relevant to poverty and social protection.

- Civil society work to engage with parliament on budget issues continued during the year, with PEG working with an increased number of networks following MEJN difficulties. This included SOCAM consultation over the 2008 - 2009 budget. Malawi Health Equity Network (MHEN) reported work with PEG had raised the profile of health issues and of the network. MHEN also conducted health budget analyses and were supported to conduct a national Health Forum and Advocacy.

- Building on previous interventions, the Ministry of Finance conducted pre budget consultation for the first time before the 2008 – 2009 budget.

- Following the difficulties experienced by MEJN, both DFID and PEG management have stepped in to ensure MEJN’s continued functioning. DFID provided financial support, and PEG is now supporting an organisational review of MEJN, who expressed appreciation of what management described as “100% support”.

- PEG has supported development of a civil society parliamentary task force under the Human Rights Consultative Committee, aimed to coordinate civil society work with parliament.

- Terms of reference have been agreed for the Office of Budget Analysis in Parliament.

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1 Attribution of results to any one actor providing support and technical assistance to parliament is not clear-cut. Some results reflect efforts by DFID and others, including the recently ended SUNY programme. External factors also drive change – smaller parliamentary majorities in the last elections have led to a sense of greater leverage for constituents over MPs.
6.2 Results Emerging

- PEG supported MPs to conduct oversight work on the ground. This was extremely valuable and contributed to some change in MP’s perception of their role.
- PEG has helped to changed MPs perception of civil society, as a constructive partner, rather than only a source of criticism. MPs now approach CSOs, for example MHEN, for advice and explanation of budget issues. Committees such as the PC on Agriculture and Food security, and on health are now open to and take on board ideas of civil society.
- Partners report an increased public interest in budget analysis and health issues. Increased public trust now exists between government ministries, departments and civil society, including district and national health offices and the Ministry of Finance.
- There is an improved quality of contribution to budget debates by MPs.
- There is improved capacity in Parliamentary Service Commission in terms of transparency, accountability and reporting.
- A more consultative budget process and increased transparency now exists.
- Some improvement in pro poor budgeting is present: MEJN highlighted increases in poverty and social protection related expenditures – though impacts weren’t tracked.

6.3 Challenges

- Fundamental constraints affect the overall effective institutional functioning of parliament. Political parties tend to function as platforms for power, rather than for policies. Parliament is constrained by the nature of electoral competition with the three main parties dominated by their leaders, only one of whom sits in parliament. While committees have come to function more effectively, outside of budget debates, the plenary has often been incapacitated by political impasses. Parliamentary proceedings in the session underway during the OPR had little relevance to lives and livelihoods of constituents and accountability and responsiveness of MPs to their constituents remain low. Very little legislation has been brought forward. The challenge of improving the overall institutional functioning of parliament therefore remains, and intervention needs to ensure root causes are addressed.

- The issue of DSA rates for MPs remains unresolved.

- Committee capacity for oversight has been increased. The challenge is now to build on this to increase committee technical knowledge and the contribution to sound policy and delivery on key issues. There appears to be a margin for improved poverty and social exclusion focus in the work of committees. The engagement of the public with parliament needs to be increased.

- Research capacity remains limited. Of 19 research interns, only 2 have been hired. Increased capacity might include focus on poverty, vulnerability, social exclusion and gender issues.

- The Parliamentary Task Force under the COG has not always proved an effective forum for donor coordination on parliamentary support. DFID is now supporting two mechanisms for improving the functioning of parliament – the PEG programme and direct financial support to the strategic plan. It appeared that these had not been entirely harmonized at the working level. In some cases it seemed that the two implementation modalities had reinforced one another – for example, over the launch of the strategic plan. However, it was noted that PEG was working to a different results and monitoring framework to the strategic plan, and some degree of mutual scepticism seemed to be present between PEG management and TA to the strategic plan. It was also noted that some stakeholders disagreed over the action needed to
address challenges, for example, over whether standing orders needed to be revised to increase public attendance at parliament.

6.4 Implementing the Strategic Plan

- Implementation of the Strategic Plan and of DFID direct budget support to parliament has been affected by the situation of the Clerk of Parliament, who is currently on leave following proceedings against her by members of the house. Her future remains unclear, although a Presidential "pardon" allowed her contested return while this report was being written.

- Several stakeholders felt that challenges to the implementation of the strategic plan went beyond the situation of the current Clerk of Parliament, raising the need to revisit the question of the mechanism for implementation. This requires review beyond what the OPR was able to provide. Such views stemmed from a feeling that the current mechanism might lack sufficient political leverage or connection to MPs to tackle some challenging political aspects of the plan. The need for an analysis of relevant stakeholder and power relations to work out an appropriate mechanism was raised.

- Suggestions for an alternative approach included involving the office of the deputy speaker, or considering a working group under the reform committee. The team was unable to discuss how the mechanism for financial control and ensuring appropriate use of DFID funds might be affected by such considerations. DFID has taken measures to ensure strong oversight of its funds and has restricted the way in which the funds can be spent, for example, not allowing funds to be used for overseas trips.

- Implementation of the strategic plan is perhaps leaning towards an activity, rather than impact focus, and the development of the technical capacities of parliament, rather than impacting on some of the deeper, underlying or root causes, and the political functioning of the house. The value of training is reduced late in the life of parliament. The risk of technical inputs which have limited impact on the overall institutional functioning of parliament and its effectiveness is present.

- Some prioritisation of the Strategic Plan objectives might be considered. Discussion indicated a strong consensus that the priority for change was securing the independence and autonomy of the house from executive dominance, and related need for the calendar for plenary not to be subject to executive determination. This is an area which suggests the need for consensus building at a relatively high level. This is a challenge in an environment where compromise and consensus has been elusive. Negotiation skills for parliamentarians and mediation skills for those involved in technical assistance might have value in future.

- The value for money provided by direct financial aid in support of the strategic plan, and the comparative value of a project technical assistance approach versus direct financial aid, needs to be kept under review. It is early to comment on the effectiveness of the direct financial aid approach. Donors recognized the advantages of a long term strategic approach and ownership by GoM offered by direct aid, and confidence is indicated by Norway coming on board. The strategic plan and direct budget support has the potential for a longer-term, deeper transformation of parliament. However, effective implementation is currently severely impeded by a combination of external factors, and limitations in the mechanism for implementation. Rethinking the implementation mechanism might optimize potential. Views were mixed on whether parliamentary support by donors should move entirely towards direct financial aid. A hybrid approach with some project technical assistance and direct financial aid was suggested by some. Project based technical assistance can target areas of need in a focused way.
• The value of the constituency fund was also questioned by one expert, who felt that it potentially strengthened the possibility for patronage rather than evidence based approaches to poverty reduction and development.

• Committee functioning has strongly benefited from parliamentary support programmes. However, it was reported by a leading parliamentarian that release of funds for committee work was being impeded by the current arrangement where requests for individual sittings and hearings have to be made.

6.5 CIDA PEG

• Having supported both civil society organisations and MPs to increase their capacities, PEG management can enhance the sustainability of its work by ensuring that, where possible, civil society network partners lead processes and gather stakeholders for consultation. It was also felt that PEG might step back a little, hearing requests from parliamentarians and encourage approaches to the Committee Department instead. PEG can maintain consultation which proactively identifies areas of need, but encourage stakeholders to work through structures and channels with clearly identified mechanisms, and then provide financial and technical support.

• PEG reporting, and logframe focuses more on process, than on impact. While concrete results in rights and access to services may be a long term goal, the focus on impact might have more weight.

• Civil society networks involved articulated a strong need for long term capacity building support beyond what donors currently offer. Some expressed frustration at donors wanting them to handle funds and carry out work, when basic organisational capacity support has been lacking, and also at the practice of supporting international NGOs to do work in areas where local NGOs might develop skills.

• PEG work to engage civil society and parliamentarians in constructive PFM approaches needs to be sustained, and developed to another level. This might involve increased depth and innovation in policy work, particularly focusing on poverty and social exclusion, increasing emphasis on delivery and results of budget work, and enhanced public engagement, in particular from those lacking voice.

• Civil society coordination among the networks involved in budget consultation remains a challenge. It is understood that in the past MEJN provided this role. Though DFID intervention has enabled MEJN to continue to function, it is now not coordinating other networks and the work of the HRCC civil society task force appears to lack some momentum, with PEG having limited resources to support coordination.

• Attempts to initiate gender budgeting approaches, which have involved interventions by both CIDA PEG and Technical Assistance to the Clerk of Parliament seem not to have taken off. It appears that the right stakeholders may not have been involved, and the potential for using learning from within the GESP project have not been maximized. A practical approach beginning with discussion between GESP gender networks and PEG supported networks, aimed at piloting gender budgeting in one sector this year might be considered.

6.6 Recommendations 2008 – 2009

6.6.1 DFID

• Consider revisiting arrangements for strategic plan implementation.

• Consider prioritizing aspects of strategic plan rather than working on all fronts.
6.6.2 CIDA PEG

- Maximize final year opportunities for networks to lead processes and learn lessons and to work out what kind of mechanism and approach for policy and budget consultation would be best to build on work to date.

7 STRENGTHENING ELECTORAL SYSTEMS

The OPR review of election issues focused on the role of DFID as a donor supporting election preparation and key challenges to prospects for free and fair elections in 2009 highlighted by those involved.

DFID appears to have maximized its contribution, and is recognized as playing a key role in donor support for the 2009 Malawi general elections. Strong appreciation for DFID’s contribution came from both MEC and co-donors. DFID’s support combines significant funding with incisive input to donor coordination through the Election Task Force (ETF) under the Committee on Governance (COG). DFID has to some extent emerged as a de facto lead donor, working to ensure that the preparation process moves forwards. While the prognosis for E2009 remains uncertain, if free and fair(er than 2004) elections take place, DFID can take its share of the credit.

International support to elections generally, and to the Malawi Electoral Commission specifically, has been hampered by the way in which the combined support mechanism – contribution via a UNDP trust fund, has functioned. UNDP is reported to have caused lengthy procurement delays, and provided limited direction and leadership to process where key decisions have to be made against an unforgiving election calendar. DFID and other donors are therefore working against considerable constraints.

Meaningful assessment of whether electoral systems have been strengthened, will only be possible after the 2009 elections. The technical capacities of MEC increased in certain respects, though the MEC strategic plan has not been comprehensively addressed. The MEC is now consolidated in one building. Information technology provision has created a network linking headquarters and the field. The Head of the MEC reports that systems for accounting and financial transparency are improved. An improved technical performance, with regard to voter registration, and tabulation is present, is likely if no further delays to roll out of voter registration occur. The high level of technical complexity and of the voter registration system chosen was raised as an issue.

Commissioners are now in place and regarded as more credible and technically competent. However, this important step forward has been marred by a controversial appointments process seen to have lacked consultation.

There are clearly challenges to the objective of ensuring strengthened electoral processes. Due to the delays and limitations in implementing the strategic plan for between ballot box strengthening and in specific preparations for 2009 elections, while time remains to get in shape in time, there is now little or none to spare.

Improved technical capacities for voter registration and tabulation will in themselves enhance trust and the perception of MEC impartiality. However, in the context of what is likely to be an intensely competitive, zero sum fight between political forces with everything to loose, the MEC can expect significant challenge to its credibility and impartiality. Election observation reports from 2004 by domestic and international observers highlighted several issues affecting the fairness of elections, including media bias and vote buying/influencing and misuse of state resources. The question of whether MEC will be able to maintain the perception of impartiality, and increase its effectiveness, including through effective complaints mechanisms in addressing such issues remains to be seen.

Donor capacity, including DFID, has, of necessity, been strongly focused on budget finalisation and trouble shooting difficulties stemming from Trust Funds faltering progress. It was thought to be important that MEC focuses now on the most important priority challenges, given the anticipated challenges, and now limited time.
Key roles and mechanisms remain to be decided, in particular with regard to voter education and domestic observation. The responsibility and mechanism for organising voter education remains to be finalized, as does the monitoring of voter education activities carried out by civil society. The role to be played by the National Institute for Civic Education, a body with ambiguous legal status supported by the EC also remains unclear. There appears to be no strong coordination among civil society organisations, although a network structure (MESN) does exist. Both voter education and domestic observation activities represent an opportunity for civil society to improve coordination.

It is understood that for the 2004 elections, the former USAID contractor, MSI provided coordination and support for domestic election observation, under the Tikambirane Programme. The MSI approach was criticized in the 2005 OPR report for over-reliance on international expertise and other issues. However, the need for a donor approach which favours and supports coordination amongst civil society organisations was stressed by PAC (Public Affairs Committee), a key CSO provider.

Discussion highlighted the need for a Malawian led approach, using existing expertise to monitor voter education provision by civil society, avoiding expensive international expertise. The emphasis to date has rightly been on MEC institutional and technical capacity building. Voter education provision by civil society may need to be complemented by additional Tikambirane finance with UNDP funding an approved locally credible organisation to train civil society. Tikambirane funds could be used in this way without additional management costs for a new stream of election activity.

Domestic observation practices and examples of strong coordination in the wider African region have developed since 2004, and it might be worth finding a way to exploit these. The value of the parallel tally approach apparently used in 2004 might be assessed, according to such learning. Strong coordination can add weight to the value of civil society observation.

A need for election stakeholder consultation opportunities and a process where key actors, MEC, political parties, civil society, could meet to ensure communication, build understanding and pre-empt tension emerged during discussion.

Room for an increased focus on gender issues and women's participation was indicated. MEC has no designated focal point on gender issues, though issues are addressed in its draft strategy on civic and voter education. Effective approaches need an analysis of barriers to women's participation. The election process offers a range of opportunities to ensure women's participation and a gender perspective, both in election systems (as MEC staff etc) and in the political process. A gender focal point in domestic or international observer teams can address in depth the barriers to women's participation.

Media monitoring of election related coverage remains a key challenge. The elections of 2004 were marred by biased state media coverage. Monitoring by Malawi Communications Regulatory Authority (MACRA) did not lead to effective action. Therefore some form of additional monitoring by civil society might be considered.

The intention to significantly reform and strengthen the MEC between E2004 and E2009 has been realized only to a limited extent. Preparation for E2009 has for the time being subsumed the broader strategic plan. With regard to the question of whether the MEC will be a strengthened, capacitated more functional entity for the long term, less dependent on external technical assistance, some factors indicate this may happen, depending partly on the 2009 process.

The challenges therefore do not end with elections in 2009. Firstly, the question of deferred local elections has to be addressed, and secondly, the longer term capacity building of MEC. Costs and technical preparations needed for local elections will be much reduced if the voter register proves sound in 2009. There is a window of opportunity after general elections to get set up for local elections and encourage an approach which builds MEC capacity. Improved between ballot box strengthening next time round seems also to require changes to the UN support mechanism.
Demands on DFID therefore look set to remain high, though will hopefully diminish somewhat once the budget is completely finalised. The Election Task Force under the COG has not been functioning well as a forum for joint planning and addressing challenges. However, UNDP has suggested an additional, smaller and more focused taskforce made up specifically of contributors to the trust fund. It is hoped that this group may provide more focused decision-making capability and will complement the ongoing information sharing role of the ETF.

7.1 Recommendations 2008 – 2009

- Consider Focal Points on gender and civic education in the Election Task Force and a donor approach which encourages and supports strong civil society coordination and ensures good practice on domestic observation is incorporated.
- Support opportunities for election stakeholder discussion which can provide opportunities to pre-empt tension.

8 GENDER

In scope and conceptual definition, GESP offered good possibilities for partners to pursue an agenda of change and capacity building that is appropriate to local context and capable of reaching the poorest of poor women and other vulnerable social groups. On the whole, there is adherence of the GESP programme Tikambirane purpose and output number three. This is evident from different activities at the ground level. Yet, some major challenges and issues remain unaddressed. Addressing them will be key for the success of any programme on women’s empowerment. Some of them are as follows:

8.1 Thematic focus

In order to address women’s rights and gender issues in an integrated manner GESP focused on five priorities: Gender based violence, Education, Health, Water and Sanitation, Political Participation. Each GESP CSO partner worked on “one or two” thematic areas. CSOs at the local level have made good progress on thematic areas with most on agreed timelines. However, CSOs addressing “one or two thematic areas” implies implementation according to sectors. Without focusing on the systemic causes and the connectivity of the thematic areas of gender inequity, there will not be an integrated and comprehensive attack on gender discrimination and denial of women’s rights. Thus deeper understanding of themes and their connectivity is important. In the next phase, one may like to consider moving away from rigid thematic focus, to a more integrated approach.

8.2 Linking projects to strategic advocacy on women’s rights issues

The GESP programme worked in a small projects mode through different subprojects. Observations in the field and discussions at CSO levels suggest many positive outcomes in locations where projects have been implemented. Numbers of cases of violence reported by a number of subprojects were reduced. For example, village Ngindekimo in Karonga reduced cases from 10 to 2 per month. 353 girls and 63 boys were re-admitted back to different secondary schools following dissemination of the revised procedures, a process started in February 2007. Evidence of change in anti-women and girls cultural norms and attitudes of local leaders and men is present. In Ntcheu the Mourning period reduced from 1 year to 1 month. There is evidence of men being more aware of women’s issues and building solidarity. However, what needs to be seen is how these activities at local level have translated into transforming local level governing institutions with regard to women’s empowerment. Also there is need to see how changes at the individual level have translated into strong and collective processes.

Poverty and powerlessness are the results of larger structures and processes, which are sustained systemically by laws and public policies originating at the district, national and global levels. So, while working at the local level there is a need to engage in national level policy advocacy. This can be done by working more strategically at the district level and linking with broader networks of national and international rights organisations. This also calls
for building capacities of not just the CSOs but also the networks. These findings on the
limitations of GESP seem to suggest the need for an approach in future which goes beyond
responsive grant making, to include strong capacity to facilitate platforms and input support
on policy issues.

8.3 Translating awareness building into women’s empowerment

The most important contribution of the GESP programme has been in creating an enabling
environment through capacity building and information providing. However, simple information
campaigns need to translate into concrete and tangible benefits which will truly empower
women into accessing their rights and entitlements. For example, in areas visited,
communities and girls are made aware of the readmission policy. However, they continue to
face structural barriers such as payment of fees, pupil:teacher ratio, lack of child care
facilities. These issues have policy level implications and thus require strategic engagement
with the district level education committee and officials. At the moment there exist individual
cases of good relations mostly at a personal level with officials. GESP was not designed to
work at this strategic level, and this is something which the DFID education programme
addresses. There is also some evidence of CSO’s pressurizing government officials and
political functionaries to extend benefits meant for the women and girls. However, for greater
impact there is need for more systematic and sustained dialogue with the government at the
different levels. This is possible by creating spaces and platforms to carry the voice of poor
and marginalised women from the local up to the district and national level.

8.4 Building capacity of women and organisations working with people with
disability.

Through individual subprojects GESP has reached out to people with disability. For example,
it supported the Montfort College Learning Difficulties Programme. The support has helped to
broaden the focus to all learners with learning difficulties. Through awareness and capacity
building process, it has helped empowering the parents of children with disabilities, increase
the number of trained teachers and increase facilities and resources for supporting girls and
boys with disability. In the project period, enrolment of girls with disability has increased by
64% and boys 56%. A number these children have been mainstreamed.

The programme worked to build capacities of organisations working on women’s issues. Over
the last one year GESP focused on building capacity of civil society groups with particular
focus on advocacy and M&E. However, it does not seem to be supporting many women
headed organisations. Also, the issue of disability does not seem to have been systematically
mainstreamed across the different subprojects.

8.5 Building partnerships and networks

The programme has focused on building relations and partnership with media and
government. Realising the importance of collective power and the need to scale up impact
over the last one year the CSOs have initiated the process of joint implementation of
programme and exchange of skills between different subprojects. It has initiated the process
of mutual learning and sharing. However, on the whole the partnerships largely remain
confined within the CSO sector. It has yet to link up with national level networks and
organisations. To make substantial impact and generate demand on women’s rights there is a
need to build a critical social mass by a) building partnerships with a range of different civil
society actors including networks at the different levels such as CONGOMA, NGO network on
education, health, gender, etc b) subprojects expanding the areas of work horizontally
through strategic networking at the local level.

8.6 Women’s rights issues in Government policies and judicial processes.

Over the last one year, GESP has continued their attempt to engage with the Ministry of
Women and Child Development, and Ministries of Justice, Health and Education. This has
resulted in several actions on issues of gender equality. Some of them being: Launching of
the documentation and monitoring gender-based violence tool; National level gender policy
reviewed based on inputs from the wider stakeholder has been produced; systematic rolling out of the domestic violence act; rolling out of the road map on maternal health in districts with very high maternal deaths, rolling out of the readmission policy. As of now, the process appears to be rather top down. That is largely GESP interacting with the ministry rather than the different civil society organisations. A more bottom up approach needs to be evolved. Also, more participatory methodologies community monitoring, budgeting, planning linking community women, civil society and the government.

In view of the 2009 elections, GESP in collaboration with other partners has initiated the process of developing strategies to improve and enhance women’s participation in the political process. GESP is particularly working with the Pan African Educators Network (PACENET).

It has initiated the process of capacity building of aspiring women leaders. This will help increase the number of women candidates in the coming elections; engage in voters registration and civic education on women’s issues, advocate on maternal health.

8.7 Recommendations 2008 – 2009

- Build linkages with the national level networks, the subprojects and other groups– using 2009 elections as an opportunity.
- Track application of the different training programmes, such as M&E advocacy.
- Focus on Sustainability and Broad Based Ownership – Strengthen community level forums and organisations, the National Task Team, the strategic working between different subprojects, linkages between local level CSOs and Government structures – district and national

9 MEDIA

The objective of the Tikambirane Programme media component is to support balanced and more competent reporting by state and private media. Media output activities have been running from 2003 through the CIDA PEG and the Good Governance Fund (GGF) managed by the British High Commission (BHC). The CIDA PEG component focuses on improving media capacity to report on budgetary and PFM issues, while the GGF provides grants for diverse media activities, and a limited number of non-media civil society human rights initiatives.

9.1 Progress and Highlights 2007 – 2008

CIDA PEG media training activities continued during the year and were enhanced by the introduction of a course on budget and economic issues at the department of journalism at the polytechnic. The curriculum start up culminates design and preparation activities over some time by PEG and the polytechnic. Training for media professionals is provided by PEG to both business correspondents and current affairs editors. The PEG support for the media committee in parliament, which the 2007 OPR media impact assessment found to have limited value has ceased.

The GGF is currently funding three media and one non-media projects since the 2007 OPR. The media projects consist of the Media Training on Economic Reporting funded by the GGF through CIDA-PEG, the Media Council of Malawi Capacity Building Project and Transworld Radio Democracy Governance and Elections Project, while the Access to Justice Project under the Centre for Legal Assistance (CELA) is the only non-media project under current support. The three new grants have been made to media organisations since the 2007 OPR. The GGF has now funded a total of 10 projects under the Tikambirane programme. Further support to Capital Radio following the successful Tikambe a Malawi programming is anticipated, with Capital Radio currently reviewing and designing planned activities. Work on the right to information is no longer being undertaken by the GGF. The 2007 OPR found that BHC work on the issue was duplicating that of other stakeholders and not providing added value.
Provision of BHC-GGF support to the Media Council of Malawi enabled its revival in 2007 following its collapse almost a decade ago. Among others, the GGF supported a constitutional review conference that took place between October and December 2006. BHC-GGF has committed substantial support to MCM, with an initial one-year funding support capacity building. The activities under this project include strengthening of the constitutional capacity to execute professional and ethical oversight of the media as well as enhancing long-term sustainability of MCM. Funding for this project has recently been released and activities are yet to start.

DFID is now reviewing GGF grant proposals and signing individual grant letters. Some issues have arisen related to GGF’s scrutiny of grantee financial management capacities, which had lead to one grantee being unable to account for expenditure of funds effectively.

The GGF is also in discussion over specific election related media activities. It plans to provide training to journalists on election issues through MEC, and is also considering work with MACRA related to monitoring of election coverage.

9.2 Review of impacts of Tikambirane Media work

The 2007 OPR Tikambirane Media Impact Assessment Study carried out by the media expert provided an extensive review of the strategic approach and results of Tikambirane Programme media activities. Amongst the high impact activities are the CIDA-PEG training of journalists in economic reporting which resulted in increased coverage and understating of economic issues by the trained journalists and the Tikambe a Malawi Radio Programme which saw marginalised communities hold elected officials to account and the MCM project which saw the formation as well as implementation of long-term sustainability activities. The impact assessment found that positive results were being generated by a number of activities:

- The most notable, significant impact created by the GGF supported Free Speech Malawi Project was the enhancing of the institutional and professional capacity of Lilongwe Press Club. Although Public Debates were deemed to have come to an end by the end of 2007, no assessment has been conducted.

- BHC-GGF support to NAMISA WPFD celebrations, in general and the NAMISA Awards, in particular, has had a significant positive impact on individual and institutional media standards in the country.

- BHC-GGF input into Capital Radio’s Tikambe aMalawi had significant impact on the lives of marginalised communities. Meanwhile, new terms of Reference are being worked out for a new phase of the project.

- CIDA PEGs media work has made a strong contribution to financial journalism and coverage of economic issues. Its approach has been relatively systematic and geared towards sustainability, and its reach has been considerable. Virtually all media outputs have been targeted by training (for business correspondents).

- Following a number of courses held for business and current affairs editors, it is the impression of CIDA-PEG that the reporting trend in economic governance has improved. In particular, CIDA-PEG, believes there has been a shift in Front page Story from political dominance to economic perspective on key issues. Meanwhile, the Polytechnic, has started implementation of a new curriculum incorporating business and economics beginning from year one of the four-year degree course.

- Activities were contributing to examples of accountability. In Mwanza District, where several families that were being evicted from their traditional land after it had been appropriated by a business man were saved from the ordeal after they had expressed their concerns on the radio programme in the presence of their traditional leaders whom they accused of selling them out.

- In Chikwawa District, an NGO is said to have come to the rescue of a man who had his land appropriated by a large conglomerate without proper compensation after his
issue was raised in a Tikambe aMalawi Discussion. The NGO is said to have
provided legal representation to the man and the playing field has since been levelled
for a fair resolution of the matter. While these are examples of accountability at only
local level, they suggest some lessons for developing approaches to hold the
powerful to account at higher levels.

9.3 Challenges
The 2008 OPR confirmed continuing limitations in the strategic approach and implementation
of media activities:

- The media objective of the Tikambirane programme appears to be too narrow and
  insufficient to address the significant limitations and challenges in the media
  landscape in Malawi. While this was beyond the remit of the Tikambirane programme
  alone, the nature of these underlying challenges indicate the need for a more holistic
  and strategic media development programme.

- The activities undertaken under the programme seem, somehow, disjointed
  embracing a wide range of media activities that, although, appear to be logically
  connected to the media, are not, as a unit, derivative of the programme objective.

- The GGF has tended to provide only short term support where longer term activities
  are needed. This has resulted in anxiety amongst collaborating partners leading to
  poor planning.

- More attention overall might have been paid to carefully designed collaboration with
  other organisations

- While some activities under the media output of Tikambirane have had clear impacts,
  the contribution of the output to the overall purpose has not been significant.
  Individual activities were not sufficient in enabling the output to make adequate
  contributions to the overall purpose of Tikambirane.

- The output objective of balance and professional media falls short of addressing the
  root causes of Malawi’s media challenges of poor access, lack of professionalism and
  poor legal framework. If anything, the objective only attempts to address lack of
  professionalism to which credit must be made in view of CIDA-PEG training activities
  and implementation of a new teaching curriculum at the school of journalism as well
  as the substantial support being made by BHC-GGF to support the MCM strategic
  plan. Further, even in its narrow sense, the activities under this output never covered
  the element of blatant bias by the state media.

- Tikambirane relies on third party platforms. While there seem to be a vigorous and
  single-minded effort by CIDA-PEG, apparently because the project already had
  similar objectives within its own programme, the same does not seem to apply to
  BHC-GGF. As opposed to CIDA-PEG, BHC-GGF is not a project with staff trained
  and dedicated to project management. This has posed challenges as BHC-GGF has
  tended to be selective as to what activities it wished to work on depending on its
  priorities. In the final analysis, Tikambirane media output has been operating on an
  opportunistic basis.

- Due to some administrative issues, the grant mechanism has resulted in delays and
  uncertainty of project implementation due to delayed release of funding as well as
  short-term orientation of projects that could otherwise be suited for long term funding.
  Apart from the CIDA-PEG media training, all activities under the project have been
  run on 12-month life-span with no guarantee for extension. Almost all projects have
  suffered from delayed release of finding.

**Effective work on media issues needs to address the underlying problems of the media
landscape and lack of access to information.** As a tool for both 2008 – 2009 planning, and
developing the post 2009 approach, the media expert has provided under the OPR a
comprehensive analysis of media challenges in Malawi (Annexe B). These can be summarized as follows:

Currently it is difficult for the media to create space for freedom of expression to enable Malawi to attain acceptable levels of good governance and accountability. Firstly, the **prevailing poor media access** entails that the media is unable to disseminate to majority of Malawians, most of whom have no other access to information. At the same time, poor access of the media by the public also entails that the **majority of Malawians have a very limited platform on which to express their opinion regarding their aspirations and frustrations.** Poverty and gender inequality inhibit access to media in a number of respects. Secondly, **professional challenges including poor training and poor regulatory instruments for the media** means that media will continue to struggle in providing quality services to the very few that the current media landscape is able to service. Thirdly, the existence of **oppressive and insufficient laws as well as the absence of necessary legal instruments** relating to the freedoms of the press and expression curtails the full potential of the media and the public in exercising their freedoms as provided in the constitution.

The OPR suggests DFID consultation with GGF to focus the remaining activities and grant making towards clearly defined objectives taking into consideration as far as possible the analysis of the underlying weaknesses in the media landscape and access to information.

Additional capacity might need to be considered, or the DFID team enhancing activities through outsourcing and proactively calling for submissions in certain areas. An initial vetting of the management and financial capacity of grantee organisations might be advised. A range of activities targeting elections, including commissioning an independent production company to develop radio programming encouraging debate around issues and platforms for the views of constituents, in particular women and marginalized communities might be considered. Some link up with other Tikambirane components, or civil society initiatives beyond the programme such as the civil society manifesto might also be suggested. An analysis of radio listenership might be undertaken as a further baseline for planning activities this year.

### 9.4 Recommendations 2008 – 2009

- DFID should consider developing focused objectives to direct GGF grant making and activities in the final year.
- Consider targeted work to support issue based media coverage and public engagement in advance of the 2009 elections, linked to other components of Tikambirane on gender, work of Parliamentary Committees and accountability.
- Consider strategic publication of media monitoring reports as currently produced by MACRA to in order to expose state bias and exert pressure on management to comply with ethics.

### 10 DONOR ALIGNMENT

Tikambirane aims to encourage better alignment of political governance support by development partners with GoM according to NEPAD, Paris Declaration principles and indicators.

Donors highlighted **some progress during the year** with the development of indicators related to political governance; alignment of donor agendas and monitoring frameworks with those of the GoM; and with harmonisation of donor work on governance issues. DFIDs contribution was viewed positively, with strong contribution to Election and Parliamentary Task Forces, to the Committee on Governance (COG), and development of CABS PAF indicators noted.

DFID engagement on political governance has become much more strategic, particularly over the ongoing political impasse with sensitive meetings held with the Speaker and leaders of all political parties, often enhanced by contacts and credibility first established through the Tikambirane and other programmes. The elections risk register shows a more comprehensive
analysis and monitoring of the broad complex of political contestation and approaches to mitigate unfair political competition. The consultants were not given access to restricted records relating to these meetings

**Common Approach to Budgetary Support (CABS) indicators** agreed in the Performance Agreement Framework finalised in May 2007, include indicators on political governance. DFID has supported the introduction of a number of gender and women’s rights related indicators, based on the African Gender Development Index Indicators.

CABS PAF indicators were reported as building **increased consensus and usage** among donors, and providing a useful tool for reviewing progress on governance. They represent a lengthy process of negotiation with the GoM, and have ownership from the GoM side. Aligning CABS indicators with the MGDS (Malawi Growth and Development Strategy) indicator framework will take time, though there are some areas of common indicators.

The CABS PAF indicators generally have the virtue of being concrete, and specific, and a framework with ownership from GoM. Human rights measures. However, both ESCR and CPR are limited. Revision of indicators requires a lengthy negotiation process, and aiming for more rights based measures may not be realistic. CABS indicators include those linked to programmes and institutional strategic plans (e.g. ACB), providing a programmatic element.

The extent to which the process of direct budget support and monitoring under PAF indicators will serve to impact strongly on poverty, and on political governance remains to be seen. Though crucial to partnership with GoM, macro-economic stabilisation and providing advances according to the Paris Declaration Principles, they may remain a relatively blunt instrument for reaching the poorest and most vulnerable. DFID emphasized however, the range of its interventions relevant to poverty and accountability including the PEA.

The COG (Committee on Governance) was generally felt to have value for donors as a focused governance forum, though its functioning could be improved. The COG terms of reference have been revised and agreed this year. Time is needed to let the new ToR work. The frequency of rotation of Chairs for both COG and HOMs, and the feeling that the quarterly arrangement might be too short, was raised as an issue. Donors also referred to the inherent tension between the political and development approaches present under the COG mechanism. Governance coordination structures have to address difficult technical issues such as the still unresolved stalemate over DSA issues in parliament, and the question of the position on the holding of local elections.

It seems that on substantive issues, for example the priority to be given to the holding of local elections, donors have may have differences but less so than before, indicating that there is progress towards harmonisation. COG task forces relevant to Tikambirane (Media, Parliament, Elections) were felt to be variable in their effectiveness. While generally fulfilling the function of avoiding duplication, they might be less effective in providing a forum where real consensus could be generated on strategic approaches, or in consistently ensuring relevant information distribution.

Demand side work and working to support poor people to organise and claim rights and resources is vital to improving governance, but is not currently addressed through any coordination forum the team were made aware of.

It was also noted by DFID experts that multilateral organisations can subvert the attempt to harmonize on governance issues - in particular, the World Banks unwillingness to acknowledge the political consequences of certain engagements.

In summary, the limited OPR look at alignment and harmonisation on political governance indicates some way to go to developing a streamlined framework for measuring and harmonizing on political governance issues, and for aligning with the GoM, although progress is being made. Governance indicator sets and measures still remain somewhat fragmented.

The review suggests that the frequency of COG and HOMs rotation, and the usefulness of COG task forces might be kept under review.
11 2009 ONWARDS – THE NEXT PHASE

DFID Malawi requested the OPR team to consider what follow on to the Tikambirane programme would be appropriate from 2009 onwards. This is a question needing continuing consideration which can take advantage of the experience of the many stakeholders working on the programme over the final year. Some broad directions are suggested below.

Tikambirane has created some specific platforms and gains which should be sustained and built on:

- The PEG work to date on budget consultation might provide the basis to develop increased and improved evidence based policies focused on the needs of the poorest and marginalized. This could be done by developing the PEG approach, or by integrating a policy and governance programme focus into a broader DFID rights mechanism as outlined below.

- Civil society should be supported to continue and upgrade the consultation between civil society and members of GoM over policy and budget issues. Directions for development suggested include increasing the voice of marginalized communities in the process; increasing the tracking of the delivery and impacts of allocated expenditures; and increasing the focus on analysis of poverty and social exclusion.

- The mechanism and process in the phase after PEG ends might be developed through discussion with networks, and be led increasingly by civil society with targeted support. A sustainable mechanism for consultation and dialogue over key policy issues, to which donors might provide technical support, for example on research practices, or specific thematic issues might be considered.

- CSOs or networks might be encouraged to increase the role of marginalized communities by: supporting analysis of issues of social exclusion and gender within their areas of specialisation; offering grants and involvement to those CSOs which have constituencies among marginalized groups; facilitating coordination among different CSOs, including those working on issues of exclusion and at the grass roots; offering technical expertise to CSOs in researching on poverty and social exclusion; offering small seed funds with less stringent reporting requirements or training on proposal writing to grass roots organisations with limited technical capacity.

- Future media work on budget and economic issues might look at incentives for coverage of accountability and effective pro poor policy and service delivery.

- Support to parliament faces an uncertain pre election year. This suggests careful consideration over the next year to develop the most effective approach possible for harmonized donor support to the new parliament, and implementation of the strategic plan.

11.1 A strategic approach to media development

Future media work requires a systematic media development programme designed to address limitations in access, legal frameworks, and develop independent media capacity.

In the short term, the population needs to be enabled to access by bringing the media to the people:

- Support to community based programming and broadcasting.
- Support to community based print distribution systems- bulletin boards, media.
- Conduct listenership survey to help with immediate and future programme placements.

A long term approach to media development and access to media is needed as follows:

a) Public access to media:

- support efforts that will result in cost effective access or acquiring of media facilities.
• Support advocacy for removal of tariffs on media gadgets powered by alternative energy e.g solar powered radio sets.
• Mainstream listener clubs for all Tikambirane follow on activities that involve community or public feedback. Other donors must be encouraged to do the same.

b) Media Access to marginalised communities:
• DFID must consider supporting infrastructure development to enable media reach out to marginalised communities. This can be done through a fund that can.
• Establish a terrestrial or satellite broadcasting signal backbone that would extend transmission to areas marginalised by distance and topography.
• Establish a printing press that will enable professionals establish professional publications and create job for the saturated media market especially for young reporter. It must be noted that banks almost never fund such media ventures as they are considered high risk.
• **Increased support to the private media** through funding of community and national media establishment could also act as an **equalisation process to overcome state media lack of balance**.

c) Legislative Reform:
• Advocacy activities for legal reform in the media must be supported, possibly by calling on proposals for advocacy work in the area.

11.2 Where does DFID’s comparative advantage lie?
Follow on work after Tikambirane depends in part on the intentions of other donors, including CIDA. Review of the existing Tikambirane components suggests that **DFID’s greatest comparative advantage** might lie in (i) leadership as a donor to parliament, (ii) supporting increased capacity for **evidence based policy** making work among civil society and on (iii) **developing a sustainable approach to supporting demand side work by civil society focused on rights, gender and poverty issues**. Policy work could be done under a broad rights based trust fund approach or by building the CIDA PEG approach to working on the budget. Ideally election support would become a less substantive and demanding area of work, if improvements to the trust fund mechanism could be made. Strategic media work is essential – and could be addressed by DFID.

11.3 Possible areas of focus and suggested approach for DFID
The aims and approach of any continued DFID programme on governance, accountability and democratic consolidation needs to be based on analysis of root causes of political crisis, exclusion, and weaknesses in accountability, democratic processes and evidence based policy making.

Stakeholder discussion suggested some key challenges, gaps and issues which need to be addressed by future programming on governance issues:

• High quality and sustained support to civil society and media organisational and capacity development.
• Supporting and empowering the poorest to organise and claim their rights. Voice and demand side work was generally agreed as a key priority. It is happening, but not with consistent or long term support.
• Analysis and research to underpin design and advocacy, including understanding of human rights dimensions of poverty.
• Stakeholder and power analysis in project and programme design.
• Design of interventions which address root and underlying causes of poverty and exclusion.
• Facilitation of platforms and linkages - claiming rights and resources and accountability from government requires work at different levels.
• Maximisation of technical expertise from within the region – rather than more expensive European or North American inputs.
• Supply side work complemented by demand side opportunities.
• Increased work to address political party issues.

The operating context has changed since the Transform programme experienced difficulties. DFID’s established profile in Malawi, and the learning internationally within DFID on supporting civil society rights based work create an opportunity for a larger strategic human rights programme, with a strong gender equality focus.

DFID experience **internationally provides a number of different approaches to supporting rights based work on accountability with a strong pro-poor focus.** For example, the Manusher Jonno Foundation in Bangladesh operates through grant making, but with a very high degree of thematic strategic planning, support to coordination and civil society capacity building. ENCIS in Sierra Leone works differently, through a project structure which seeks to support dialogue between civil society and government, focused around the PRS. Such approaches may be strongly focused on building demand but also do supply side work through supporting and skillling civil society to work on policy and governance issues. Good practice from such approaches seems to provide a number of advantages:

• Strong convening power in building effective platforms between stakeholders, facilitating coordination among CSOs and getting government involved with CSOs.
• Strong M&E which challenges grantees and partners to make a difference to people’s lives.
• Proactive seeking of proposals on identified areas of need, including policy and governance issues, and focusing on marginalized groups and building voice among excluded communities.
• Thematic programmes with clear strategic objectives.
• Providing long term grants – up to 3 or 5 years.
• If well supported by technical assistance and sound implementing partners, relatively limited demands on DFID.
• Quantum shifts in CSO capacities through organisational development support including financial management training, and skills training on rights and governance issues.
• Strong on sustainability and locally led.
• Ability to generate new groups, mobilisation and structures at grass roots among the most marginalized communities.
• Creating linkages and cross learning between CSOs.
• Transition of grantees and partners from service delivery to rights based approaches.
• Concentrate learning on capacity building and excellence in project design.

**A future programme in Malawi** might operate as a fund, soliciting applications from a wide range of CSOs and networks which give priority to social mobilisation, rights and advocacy work. These could include grassroots membership groups, NGOs, NGO apex organisations, professional bodies, trade unions, rights groups, lobbying and policy research bodies and the private sector. The focus of the programme should be on increasing social mobilisation, strategic networking and policy advocacy from the local up to the national level. A strong implementation unit could be proactive in seeking proposals to support on specific issues, and
on working with grantees to reshape proposals. A substantial fund should be ring fenced for comprehensive organisational building, which should be offered to networks and individual organisations. This could include specific approaches to developing the capacity of grass roots or community organisations with limited experience of writing proposals.

CSO Policy work on key poverty issues might also be supported through such a fund, with money ring fenced for strategic research work on policy and governance issues.

Any future programme might identify strategic interventions and coherence that address areas of demand side accountability and responsiveness, complementing the more supply side of DFID’s Performance, Evidence and Accountability (PEA) programme, which also includes community based monitoring;
ANNEXE A: MEDIA ANALYSIS

12 MALAWI MEDIA LANDSCAPE

The Malawi Media landscape has experienced tremendous movements since the country moved from autocracy to democracy in the early 1990s. Since its independence in 1964, the country’s print media comprised a single commercial title, *The Daily Times* and its sister weekend publication, *The Malawi News* while the electronic media was another one-horse stable in the name of the, then, single-channel, *Malawi Broadcasting Corporation (MBC)*. Semi-commercial publications were mainly published by the Roman Catholic Church. These were, *The African*, later renamed *Odini Newspaper* which was published monthly and sold through Catholic Parishes at a heavily subsidised cover price as well as *Moni Magazine* which was also published monthly but sold through a wider distribution network below cost. The government had its own stable of free publications comprising, *This Is Malawi*, a free quarterly, upmarket, English Magazine, and *Boma Lathu*, a free, Chichewa newsletter targeting the rural masses and distributed mainly to chiefs who were encouraged to pass it on to their subjects. Later, *Quest Magazine* became the first independent magazine to hit the market, operating mainly as a tourist magazine. From 1964, the status quo remained unchanged for 40 years until 1994 when the media sector exploded following political change from autocracy to democracy in the early 1990s.

12.1.1 Print media

At the onset of agitation for political change in 1992, a couple of dissident publications, notably, *The Malawi Democrat*, started appearing on the streets, initially distributed clandestinely until after a successful referendum on multiparty politics in 1993, when several privately-owned newspapers appeared on the streets. So huge was the influx of newspapers on the streets at that time that it is estimated that close to 30 newspaper titles were published between 1993 and 2004. However, the newspaper market boom was a short-lived bubble as the majority of the publications collapsed by the end of the millennium due to market forces and other factors. By 2004, *The Daily Times* and *The Nation* became the dominant publications on the market with a few other publications appearing erratically, especially during election period. *The Daily Times* stable has since expanded to include, apart from *The Malawi News*, a Sunday edition known as *Sunday Times* while the Nation newspapers include *Saturday Nation* and *Nation on Sunday*. The current Malawi print media landscape can, therefore, be summarised as follows:

![Figure 1: Print Media - 1964 to 2007](image)

As shown in Figure 1, there was a surge in number of titles on the market during the first ten years of democratic dispensation but the figures fell sharply by the end of the decade, almost returning to the pre-democracy status.

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12.1.2 Electronic media

While the newspaper boom started immediately after the referendum, the same in electronic media had to wait up until 1998 when the MBC Act was replaced by the Communications Act which was to remove the MBC as the sole broadcaster and provide for other players on the telecommunications sector that included regulation of postal, telecommunication and broadcasting services. Since then, a total of 19 radio stations have been established in the country with MBC adding another channel in 1997. Others include privately owned stations like Capital Radio, Power 101, MJ FM, Zodiac, Radio Maria, Radio Alinafe, Radio Islam, Radio Tigabane, Transworld Radio, Channel for All Nations and Star Radio. The state also created Television Malawi (TVM) as a stand-alone station, independent from MBC. TVM has remained a lone operator in the country. Below is a summary of the electronic media landscape in Malawi since 1964:

![Radio - 1964 to 2007](image)

**Figure 2: Radio – 1964 to 2007**

As can be seen in Figure 2, Radio landscape has experienced a belated but steady growth with figures still showing an upward trend with little or no turnover or shutdowns reported, so far. The television landscape, however, has stagnated.

13 CURRENT MEDIA CONSTRAINTS

While the steady proliferation of the media during this period has led to increased freedom of expression in general, the media’s contribution towards enhancing good governance and accountability has been limited by several factors. In their *Democracy Report for Malawi*, a comprehensive study of Malawi’s ten years of Democracy (1994-2004), covering key thematic areas including the media, Chirwa, Kanyongolo and Patel (2004), posit that media’s contribution towards democratic development in Malawi has been hampered by poor access, lack of professional capacity as well as poor legal framework, among other factors.

13.1 Media Access

Poverty, they argue, is by far, one of the biggest obstacles to public access to both electronic and print media.

13.1.1 Print Media

The circulation of the *Daily Times* and *The Nation* hovers between 12,000 and 15,000 copies per title with higher circulation figures attainable only on their weekend titles, particularly, the
Saturday editions that can rise up to 50,000 when running a hot, cover story. This is still insignificant in a country of 14 million people about half of which can read and write. According to Chirwa et al, poverty is the main obstacle to public access to newspapers as the cover cost of US$0.50 per copy in a country where most people earn less than US$1 a day, is beyond the reach of most people including the majority of workers who rely on borrowing from others (and in some cases photocopying).

13.1.2 Electronic Media

According to the 2004 Malawi Integrated Household Survey (MIHS) Report, only 3.7 households owning a television set. Although figures for radio ownership in the same report appear better at 54.5%, Chirwa, Kanyongolo and Patel argue that the figures do not, necessarily, represent actual degree of access because the cost of batteries and electricity for the radios is prohibitive for the majority of Malawians.

13.1.3 Language and the media

Public access to media is also hampered by language barriers (Chirwa et al, 2005) with most radio broadcasts mostly done in English and Chichewa. Similarly, the country’s main newspapers, The Daily Times and The Nation only publish in English with Chichewa supplements published only in their Saturday editions of Malawi News and Saturday Nation, respectively, while the recently introduced Sunday Times and Nation on Sunday are published, exclusively, in English although plans are underway to introduce Chichewa supplements in both papers.

13.2 Professionalism

Lack of professionalism is also another factor that has hampered media contributions towards good governance especially where it comes to holding elected leaders accountable to their electorate. In particular, Chirwa et al, argue that the media played a relatively limited role in investigating and reporting abuse and corruption in comparison to other institutions of good governance like the Anti Corruption Bureau and The Malawi Human Rights Commission, among others. According to the report, the role of the electronic media in this regard was, particularly, insignificant, saying MBC and Television Malawi almost never played any role. However, print media is believed to have, historically, engaged in some successful investigative journalism.

Nevertheless, Chirwa, Kanyongolo and Patel (2004) suggest that, overall, poor investigative skills led to insufficient coverage of corruption and abuse of power. Additionally, lack of blatant disregard to professionalism due to absence of regulating body also eroded some of the gains by the media leading to a lot of public mistrust towards it.

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3 In the absence an Audit Bureau of Circulation publications tend to exaggerate their circulation figures, although these figures are based on inside information.
4 MIHS 2004 pegs literacy rate at 54.7 with population projected at 14 million
5 Malawi Democracy Report
6 It was the print media that investigated stories such as those related to irregular importation of millions of Kwacha worth of school notebooks from British company Fieldyork; the government’s use of non-franchise holders to import Land Rover vehicles; the purchase of expensive Mercedes Benz limousines for government ministers in times of austerity; the leakage of school certificate examination papers from Malawi National Examination Board; the irregular awarding of contracts to some foreign corporations for the supply of identity cards; the various internal power struggles within the UDF AD MCP; tribalism, regionalism and racism in some corporations; organised corporate tax evasion and fraud; and many others. (Chirwa, Kanyongolo, Patel: Democracy Report for Malawi)
13.3 Legal framework

13.3.1 Anti-media laws

The constitution of Malawi expressly guarantees media freedom in its constitution under Section 367, subject to Section 44, which is the general limitation clause on all rights and freedoms guaranteed under the Bill of Rights. Despite these seemingly good intentions, Malawi maintains on its statute book, a number of laws that not only unduly restrict media freedom, but in some instances confer arbitrary powers on the authorities to ban or take other action against the media (Balule and Kanjjii 2004).

These include the notorious Official Secrets Act, 1913 which regulates the disclosure of official state information. The provision generally prohibits a person from disclosing any official information to which he/she has had access owing to his/her holding, or having held, office under the government. The provision basically prohibits public servants or former public servants from disclosing official information without prior permission. Contravention of this provision constitutes a misdemeanour and upon conviction, one will be liable to a fine of up to £50 (K15,000) or imprisonment for a term not exceeding two years or both.

Similarly, the provisions of the National Security Act also enforce a culture of secrecy in the public service making it very difficult for media practitioners to obtain information from public servants which seriously erodes the media’s ability to play its watchdog function and hinders the dissemination of important information to the public.

A number of similar repressive laws fall under The Penal Code (Cap. 7:01), the basic criminal code of the country which creates a number of offences that are incompatible with the enjoyment of media freedom. These include Section 46 of the penal code, namely, publication contrary to the public interest which empowers the minister of justice to ban the publication or importation of any publication that in his/her discretion is contrary to the public interest. As can be noted, the expression, the public interest, is not defined, thereby, giving the minister very wide discretionary powers that may be easily abused to ban publications that are critical of the government.

Another law worth mentioning here, for its wide application by the one party state against dissident politicians especially during the run to democratic change in the early 1990s is Sedition which falls under Section 51 of the laws of Malawi. The provision of this section prohibits the publication of seditious matter. Sedition is defined in Section 50 (1) and includes any matter that:

> would bring into hatred or contempt or incite disaffection against the person of the president, or government; incite the subjects of the president to procure the alteration, otherwise than by lawful means, of any other matter in the Republic of Malawi; bring into hatred or contempt or to incite disaffection against the administration of justice; raise discontent or disaffection against the subjects of the president; and promote feelings of ill-will and hostility between different classes of the population.

It is legitimate for a government to enact a law that prohibits the publication of matter that would undermine the constitutional order of the country. The offence of sedition is intended to perform this function. However, the definition of sedition in section 51 is very wide and

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7 Section 37 of the Malawi Constitution states: The press shall have the right to report and publish freely, within Malawi and abroad, and to be accorded the fullest possible facilities for access to public information.

8 The relevant portions of the general limitation clause read: (2) Without prejudice to subsection (1), no restrictions or limitations may be placed on the exercise of any rights and freedoms provided for in this Constitution other than those prescribed by law, which are reasonable, recognized by international human rights standards and necessary in an open and democratic society. (3) Laws prescribing restrictions or limitations shall not negate the essential content of the right or freedom in question, shall be of general application.
subjective and can be easily used to silence legitimate criticisms against the president and his/her government.

Also related to this law is Section 60 – Publication of false news. In terms of this provision, it is a misdemeanour to publish any false statement, rumour or report that is likely to cause fear or alarm among the public or disturb the public peace. The main objection to this provision is that it is subjective and vague. The determination of whether a publication is likely to cause fear and alarm depends on the discretion of the prosecuting authorities. The matter is further compounded by the fact that the concepts of fear, alarm or the disturbance of the public peace are inherently subjective and can be abused by a government to harass publications that it does not like.

13.3.2 Inadequate Laws

Apart from archaic, anti-media laws, the legal framework also does a disservice to the media through provisions of legal instruments that are, otherwise, well intended but inadequate to meet their purpose.

The major culprit in this category is the Communication Act 1998, which is aimed at enhancing public broadcasting, among others, fails to sufficiently provide for the independence of the Malawi Regulatory Authority (MACRA) by giving appointing powers in the hands of the state president and the minister of information who are members of the ruling party at any given time. According to Section 7(1) of the Communications Act (1998), The President shall appoint members of the Malawi Communications Regulatory Authority. Further under Section 8(1) The President shall appoint one of the members of the Authority as Chairman while under Section 9(1) The Minister shall, on the recommendation of the Authority, appoint the Director General of the Authority, who shall be responsible for the direction of and supervision over the work and staff of the Authority. The appointing powers of the president also extend to the appointment of the MBC board under Section 90(1) and its chair. The board, in turn appoints the Director General under Section 92(1).

Further, in terms of Section 6, MACRA shall consist of a chairperson and six members together with two ex-officio members being the secretary to the president and the cabinet and the secretary for information. In short, by allowing the president to appoint the board and its chair, allowing the minister to have appointing authority over the head of the management of the authority, as well as the presence of the two-ex-officio members, the Communications Act merely serves to further erode the lack of independence of state broadcasters as they will only play to the whim of the ruling party. This is contrary to Section 4 (3) which provides that MACRA shall be independent in the performance of its functions. Consequently, this leaves the broadcasters, MBC and TVM, at the mercy of the head of state and the ruling regime, resulting in unbiased reporting.

13.3.3 Absent Laws

The third aspect of legal framework concerns the absence of laws that are necessary for the enhancement of key freedoms relating to opinion, the press and expression. In this regard, Access to Information, provided under Section 37 of the Constitution subject to an Act of Parliament, is yet to be enacted. The Act would compel the state through designated officers, to provide, on request, public information to any member of the general public within a given period or provide valid reasons as provided in the Act as to why that cannot be done failure of which the officer becomes liable to criminal prosecution. Access to public information is vital for democratic dispensation as it makes the state and elected officials more accountable to citizenry thereby enhancing good governance. However, in the absence of the Act, accessing public information is problematic for both the media and the public, making reporting and media investigations, a major challenge for the media.

13.4 Summary and implications of challenges for Malawi

From the aforesaid, it is clear that it is difficult for the media to create space for freedom of expression, to enable Malawi to attain acceptable levels of good governance and
accountability under these circumstances. Firstly, the prevailing poor media access entails that the media is unable to disseminate to majority of Malawians, most of whom have no other access to information. At the same time, poor access of the media by the public also entails that the majority of Malawians have a very limited platform on which to express their opinion regarding their aspirations and frustrations. Secondly, professional challenges including poor training and poor regulatory instruments for the media means that media will struggling in providing quality services to the very few that the current media landscape is able to service. Thirdly, the existence of oppressive and insufficient laws as well as the absence of necessary legal instruments relating to the freedoms of the press and expression curtails the full potential of the media and the public in exercising their freedoms as provided in the constitution.

It is therefore, clear that until a media strategy that addresses such challenges is put in place, the full potential of the media and the public in enhancing good governance and accountability will be difficult to realize.