

Data Sheet

USAID Mission:	Malawi
Program Title:	Increased Constitutionalism and Advocacy
Pillar:	Democracy, Conflict and Humanitarian Assistance
Strategic Objective:	612-007
Status:	Continuing
Proposed FY 2003 Obligation:	\$808,000 DA
Prior Year Unobligated:	\$75,000 DA
Proposed FY 2004 Obligation:	\$755,000 DA
Year of Initial Obligation:	FY 2001
Estimated Completion Date:	FY 2006

Summary: USAID's democracy and governance (DG) program supports citizen participation in public life. Good governance and accountability for scarce government resources are more likely to be achieved with increased and better-informed citizen participation. This strategic objective further encourages democratic consolidation by strengthening state institutions to make them more responsive, and by increasing citizens' involvement in governance so that their rights are protected. The D/G program focuses on: improving access to justice through training community-based educators, who in turn educate and advise rural people; increasing civic advocacy through training and enhanced information dissemination at the grassroots level; increasing citizen participation; and technical assistance to improve the responsiveness of accountability institutions. USAID increased access to justice in Malawi by introducing alternative dispute resolution (ADR) techniques and training in four districts. USAID funds training of traditional authorities in civic education who play a key role in local dispute management in rural areas. Trained mediators resolve issues from land disputes to domestic violence at the village level. Citizens influence the policy process, feeding private sector and non-governmental views into the budgeting process, advocating on constitutional issues of freedom of association and expression, and expressing views on extending the presidential term limit. Public debates on constitutional and economic issues increase opportunities for citizen input and for critiques of the policy process.

Inputs, Outputs, Activities:

FY 2003 Program:

Access to justice (\$270,000 DA). USAID will increase access to justice for Malawi's mainly rural, largely illiterate population, through funding the expansion of rural paralegal services to six more districts, increasing threefold a program of education and assistance on legal and constitutional rights. Women are a major focus of the training and assistance; their inferior status in society is exemplified by the common practice of "property grabbing," which gives the relatives of a deceased husband full rights over matrimonial property, to the exclusion of the surviving wife and children. The formal legal system does not allow this practice and USAID-funded paralegals make a concrete difference by explaining the law and resolving conflicts between widows and relatives. In FY 2002, over a four-month period, the Center for Advice, Research and Education on Rights (CARER) helped 61 women resolve this issue with their relatives in areas where no lawyers are available. The scale of the HIV/AIDS crisis in Malawi underlines the critical need for this type of assistance. Over the reporting period, USAID funding assisted 1,901 clients, of whom 52% were women. A total of 800 cases were resolved through the use of ADR. USAID funds trained 68 chiefs in human and constitutional rights and 382 volunteer community based educators gave advice and information to citizens in their villages on a daily basis. Principal contractor/grantee: Center for Advice, Research and Education on Rights (CARER).

In the formal court system, USAID increases operational efficiency through support for an automated case tracking system, court time-keeping and distribution of the latest judgments and guidelines. Given the inefficient use of court time generally, these reforms significantly contribute towards increased accountability and efficiency in the system, and increase access to justice. Activities are undertaken with other donors, notably the United Kingdom.

Advocacy and civic education (\$218,000 DA). Through local partners, USAID provides civic education on the role of state institutions and democracy in every village in Malawi. This approach complements the activity with Story Workshop Educational Trust using a hugely popular soap opera on the national radio station. Radio is an important channel of communication, given the high levels of illiteracy and majority rural population. Principal contractors and grantees: Church of Central Africa Presbyterian Livingstonia Synod, Story Workshop Educational Trust, and Public Affairs Committee.

Improved responsiveness of state accountability institutions (\$320,000 DA). The USAID program educates rural communities on how to access democratic institutions that reinforce rural Malawians rights as citizens. These institutions are: the Human Rights Commission, the Office of the Ombudsman and the Anti-Corruption Bureau, and focuses on the critical interface between civil society and the parliament. At least 50% of parliamentary committees and four key civil society networks (health, agriculture and food security, education and budget monitoring) are strengthening their management controls and outreach ability. Citizens can now begin to inform and monitor the policy-making process as well as policy implementation. USAID leveraged a large parliamentary and civil society strengthening program for a small amount of funds through a joint funding arrangement with the British Department for International Development (DfID), and the Danish Government. Principal grantee: National Democratic Institute.

FY 2004 Program:

Access to justice (\$275,000 DA). USAID plans to expand rural paralegal services to six more districts, providing paralegal services to 57% of the nation's districts, including all the major urban centers. Women will remain a major focus of the program. Assistance will support improvements to the efficiency of the formal court system. Principal contractors and grantees: CARER, the High Court.

Advocacy and civic education (\$290,000 DA). USAID plans to continue rural advocacy and civic education training to promote increased citizen participation in public life. Local partners, through established grassroots networks and the national radio, will provide information to all citizens with a focus on constitutional rights and duties, including participation in elections. Local, parliamentary and presidential elections will take place in May 2004, and civic education will play a crucial role in ensuring a successful electoral process. Principal grantees will be the Public Affairs Committee and Story Workshop.

Improved responsiveness of state accountability institutions (\$190,000 DA). USAID will continue to strengthen parliamentary committees to improve the oversight and efficiency of parliament. Principal grantees will be NDI and the Church of Central Africa Presbyterian Livingstonia Synod.

Performance and Results: USAID's activities made significant progress in FY 2002. The role of parliamentary committees in reviewing and reporting on new legislation has been institutionalized. Unprecedented challenges by committees to executive branch plans are now routine in certain sectors. This opens the way to greatly improved legislation and national budgeting through informed civil society and professional input, as well as entrenching a national oversight and accountability mechanism. Civil society had input into the policy process on 18 occasions during the reporting period. With USAID funding, a total of 1,901 poor Malawians (52% women) had cases resolved. USAID funds trained and supported the network of 382 volunteer community-based educators in three districts, which helped many more people to resolve problems. The presence of trained volunteers at the village level means that free advice and information is available to rural people on a daily basis. USAID funded training of 108 chiefs, religious and local opinion leaders in human rights and the Constitution; and sponsored 10 public debates, broadcast nationally, on topical issues including the national budget and constitutional amendments, thereby broadening and deepening the quality of public participation.

By program completion, 13,000 rural Malawians will have had their cases concluded through alternate disputes resolution. Malawians will know their rights and be able to participate in the overall process of governance; the court system will operate more efficiently and judicial delays will be reduced. Rural Malawians, especially women, will have access to alternative dispute resolution; and an effective

committee system in Parliament will incorporate civil society input into the political decision making processes.

US Financing in Thousands of Dollars

Malawi

	DA	ESF
612-007 Increased Constitutionalism and Advocacy		
Through September 30, 2001		
Obligations	1,200	0
Expenditures	0	0
Unliquidated	1,200	0
Fiscal Year 2002		
Obligations	755	500
Expenditures	111	0
Through September 30, 2002		
Obligations	1,955	500
Expenditures	111	0
Unliquidated	1,844	500
Prior Year Unobligated Funds		
Obligations	75	0
Planned Fiscal Year 2003 NOA		
Obligations	808	0
Total Planned Fiscal Year 2003		
Obligations	883	0
Proposed Fiscal Year 2004 NOA		
Obligations	755	0
Future Obligations	0	0
Est. Total Cost	3,593	500