

MALAWI HUMAN RIGHTS COMMISSION

MALAWI HUMAN RIGHTS SUPPORT PROJECT (MHRSP)

MINUTES OF THE FIRST BOARD MEETING OF THE MALAWI HUMAN RIGHTS SUPPORT PROJECT HELD ON 2ND JULY, 2013 AT SUNBIRD CAPITAL HOTEL

MEMBERS PRESENT:

1. Commissioner Reverend Dr. Zaccheus Kawalala (MHRC)
2. Commissioner Marshal Chilenga (MHRC)
3. Mr Pacharo Kayira (MoJCA)
4. The Honourable Ombudsman, Justice Tujilane Chizumila (Rtd) (OoO)

SECRETARIAT MEMBERS PRESENT:

1. Mrs. Grace Malera (Executive Secretary - MHRC)
2. Mr E.E. Lodzeni (Executive Secretary - OoO)
3. Mr Aggrey Mwale (Director of Corporate Services / Project Manager – MHRC)

IN ATTENDANCE:

1. Ms Mia Seppo (UNDP Resident Representative/ UN Resident Coordinator)
2. Mr. Clemence Alfazema

APOLOGIES:

1. Ambassador Sophie Kalinde (MHRC Chairperson)

1.0 OPENING OF THE MEETING

- 1.1 The meeting was called to order at 2:33 pm by the Executive Secretary, Malawi Human Rights Commission, who introduced all the members present. She welcomed all members to the meeting and in particular expressed gratitude to the UNDP Resident Representative for her interest in the project as demonstrated by her personally attending the 1st Board meeting.
- 1.2 She indicated that she was conducting the proceedings of the meeting as the Committee was yet to elect a Chairperson.
- 1.3 She further communicated to the meeting that the Chairperson of the Human Rights Commission (the Commission), Ambassador Sophie Asimenye Kalinde was not able to attend the meeting because she was invited to Zimbabwe to attend a forum that was organized by the Zimbabwe Human Rights Commission.
- 1.4 She also indicated that it was expected that the Solicitor General would attend the meeting as it was the Board's first meeting, however she was unable to attend the meeting because she was outside the country, attending to an equally important meeting.

2.0 OPENING PRAYER:

- 2.1 Commissioner Reverend Dr. Zaccheus Kawalala offered the opening prayer.

3.0 OPENING REMARKS BY MHRC

- 3.1 Commissioner Reverend Dr. Zaccheus Kawalala, on behalf of Ambassador Sophie Asimenye Kalinde, gave opening remarks for the meeting. He expressed the gratitude of the Commission and the other project partners to UNDP for funding the project and in a special way welcomed the UNDP Resident Representative to the meeting.

4.0 REMARKS BY UN RESIDENT REPRESENTATIVE

- 4.1 The UN Resident Representative expressed her delight to be present at the first Board Meeting of the MHRSP. She assured the members of her support.
- 4.2 She emphasized the importance of holding quarterly Board Meetings that would ensure the enhancement of the policy direction of the project.

- 4.3 She pointed out that UN is committed and keen to support vulnerable groups through funding of the project. She further emphasized that the first Board meeting of the year is very important as the Board approves work plans, assesses achievements and addresses issues of prioritization of activities.
- 4.4 She further alluded to the complexity of implementing the project in so far as having three key institutions working together and complementing each other. She pointed out the need to bring awareness to duty bearers of their responsibilities on issues of state party reporting and Universal Periodic Reviews (UPR).
- 4.5 She also highlighted the issue of development of an engagement strategy through a highly consultative process that should ensure involvement of Non-Governmental Organizations (NGOs).
- 4.6 She encouraged the Board to embark on the formulation process within the Sector Wide Approach (SWAP) and pointed out that the Democratic Governance SWAP was signed with the Solicitor General three weeks before the meeting. She reiterated the need to strengthen democracy. She also emphasized on the timeliness of the project as it is being implemented during the election year, and emphasized the key role that the project's implementing partner and responsible partners have to play during the elections.
- 4.7 In closing her remarks, she urged members to have open discussions and pointed out that on behalf of UNDP she was pleased to be part of the project.

5.0 ADOPTION OF THE AGENDA

- 5.1 The agenda was adopted as proposed by Mr. P. Kayira and seconded by the Honourable Ombudsman, Justice Tujilane Chizumila (Rtd).

6.0 APPOINTMENT OF CHAIRPERSON

- 6.1 Members appointed Commissioner Reverend Dr. Zacc Kawalala to be the Board's Chairperson by consensus. Immediately thereafter, Commissioner Kawalala presided over the conduct of the meeting. He thanked all the members for entrusting him with the responsibility to lead the Board.

7.0 CONSIDERATION AND ADOPTION OF TERMS OF REFERENCE FOR THE PROJECT BOARD

- 7.1 Members went through the draft Terms of Reference (TORs) for the Board and proposed the following changes:
- a) responsibilities of the Board should be in number form and not in bullet form;
 - b) construction of sentences in the Board's responsibilities should be revised; and,
 - c) an additional responsibility was included to read "Do anything that maybe necessary to attain the project objectives".

The amended TORs are attached in **Appendix 1**.

8.0 BRIEF PRESENTATION OF THE OVERVIEW OF THE PROJECT BY SECRETARIAT

The Executive Secretary of the Commission presented the overview of the project and the following were comments from the members:

- 8.1 The Ombudsman wanted clarification as to why her office was not shown distinctively in the Project Organizational structure. It was clarified that the OoO was part of the Project Board.
- 8.2 The meeting was also informed that modalities for the transfer of funds to MoJCA would be discussed between the Ministry and the Commission in a separate meeting.
- 8.3 The meeting also sought clarification as to why Malawi Human Rights Consultative Committee (MHRCC) was specifically mentioned as part of the Project Board.
- 8.4 It was pointed out that the main Project Document makes reference to this CSO as HRCC participated in the negotiation process of the project.
- 8.5 The UNDP representative advised the meeting that it was up to the Board at this stage to agree on whether or not CSO's would be on the Board. The Board resolved that CSO's should not form part of the Board but they should be fully involved in the project.

9.0 PRESENTATION OF THE QUARTERLY PROGRESS REPORT FOR APRIL TO JUNE 2013 BY PROJECT MANAGER

- 9.1 The Project Manager presented the quarterly report for April to June, 2013. The report's highlights centered on the following activities that have been implemented and those that were still in progress:
- 9.1.1 conducting a study on gender and human rights;
 - 9.1.2 developing Terms of Reference for the Consultancy for formulation of the National Action Plan for the Protection and Promotion of Human Rights in Malawi;
 - 9.1.3 carrying out an envisioning exercise of the Commission to clarify its role and approaches to promote and protect human rights;
 - 9.1.4 investigating 47 complaints of human rights violation;
 - 9.1.5 conducting public interest litigation in areas of systemic human rights violation;
 - 9.1.6 attending regional/international Human Rights meetings;
 - 9.1.7 supporting training and monitoring of Primary Head Teachers on human rights education through Malawi institute of Education;
 - 9.1.8 conducting public awareness sensitization meetings including Human Rights Day commemoration; and,
 - 9.1.10 maintaining motor vehicles and procuring office equipment and materials for office running.
- 9.2 The Executive Secretary of the Office of the Ombudsman also presented the quarterly progress report. He reported that the OoO had undertaken two activities vis, conducting on-spot investigations and carrying out training in monitoring and evaluation at Malawi Institute of Management.
- 9.3 MoJCA reported that the Ministry had been slow in implementing activities and undertook that the Ministry would be instituting a permanent task force to look into state party reporting and UPR, processes, which are the Ministries key activities under the project.

10.0 DISCUSSION OF THE PROGRESS REPORTS

- 10.1 The Resident Representative advised the Board to ensure that the Project activities are relevant to the aspirations of the vulnerable groups. She also wanted to understand on the study on gender and human rights and

the linkage with the process of developing the National Action Plan. It was clarified that the results of the study would feed into the National Action Plan (NAP) on human rights since one of the requirements of the NAP is that it should be gender responsive.

- 10.2 The Board was also requested to look into the relevance of the old NAP that expired in 2011 so that the new NAP is formulated based on broader consultations. Engagement of a consultant was encouraged in order to accelerate the activity.

The meeting agreed that the Commission should meet in the week beginning 8th July, 2013, to finalize preliminary work on a concept paper and roadmap on the formulation of the NAP. Thereafter the concept paper would be shared to a wider group of relevant stakeholders that will play a role in the formulation of the NAP.

- 10.3 The Board advised Secretariat to indicate the activities that were set to be implemented in each quarter regardless of whether the activities took place or not.
- 10.4 The Board requested secretariat to consolidate quarterly work plans (QWP) for the Commission, OoO and MoJCA. Thereafter it was resolved that Secretariat should circulate the QWP to all members through email by 12th July, 2013.

11.0 CALENDAR FOR BOARD MEETINGS

- 11.1 The Board adopted the calendar for Board Meetings with the next meeting scheduled for 10th October, 2013 as shown in **Appendix 2**.

12.0 ANY OTHER BUSINESS


- 12.1 UNDP was grateful that the Board met to start steering the project and indicated that this would relieve the load from UNDP.
- 12.2 The Ombudsman sought clarification as to why UNDP was not supporting the maintenance of their vehicles. It was clarified that Office of the Ombudsman could still request for funding under the Office Running sub activity.

13.0 CLOSING REMARKS

The Chairperson thanked all the members, UNDP and Secretariat for their active participation in the meeting.

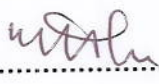
14.0 CLOSING PRAYER

Mr. Pacharo Kayira offered the closing prayer at 4.32 pm.

Signed: 

Chairperson

Date : 17th October, 2013

Signed: 

Secretary

Date : 17th October, 2013