Independent Reporting Mechanism

Action Plan Review: Malawi 2026–2029

Open Government Partnership

Independent Reporting Mechanism

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Section I. Overview

Malawi's third national action plan expands the country's open government agenda and aligns with Malawi Vision 2063. It continues ambitious reforms on political party financing and beneficial ownership transparency, while introducing new commitments to strengthen public participation in extractive revenue management and climate action. Despite a pause in the OGP process during a period of political transition, Malawi's OGP structures provide continuity for reignited reform efforts.

Malawi's first four-year action plan follows a period of political transition after the 2025 presidential elections. The 11 commitments fall under five thematic areas of anti-corruption, natural resource governance, fiscal openness, digital governance, and climate and environment.[1] These priorities were unanimously selected by government and civil society during co-creation[2] and align with the *Malawi 2063* vision,[3] thereby reflecting national development objectives.

This review features three commitments identified for their ambition, strong focus on open government, and a high likelihood of implementation. They propose reforms aligned with the government agenda for economic growth and anti-corruption. Commitments 1 and 3 build on progress in the previous action plan, while Commitment 5 brings a new reform into Malawi's OGP ecosystem. While other commitments, such as those on climate action and sovereign debt transparency, also address issues of national importance, a lack of information inhibited the IRM's ability to provide in-depth analysis.[4]

Commitment 1 aims to launch a public beneficial ownership register, a flagship reform in Malawi's fight against corruption and illicit financial flows. Commitment 3 seeks to strengthen the Office of the Registrar of Political Parties and make political party finance information public, which promises to reinforce fair elections. Commitment 5 promises to introduce transparent and inclusive mining agreements so that host communities benefit from mining operations.

The action plan includes several reform areas key to Malawi's economic agenda and fiscal security. This includes Commitment 6 to strengthen parliamentary oversight and transparency of domestic debt. Other commitments focus on the creation of a sovereign wealth fund, digital rights, access, and infrastructure as well as new areas of climate finance transparency and open parliament. The action plan raises the ambition in some continued reforms, such as political party

At a Glance

MEMBERSHIP

2013	**Joined OGP**

COMMITMENTS

11/11	**Open government lens**
3/11	**Substantial potential for results**

PROMISING COMMITMENTS

- Operationalization of Beneficial Ownership disclosures
- Transparency and Disclosure of Political party funding
- Adoption of Community Development Agreements in the Mining Sector

Met the minimum requirements during co-creation: No

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finance transparency. Reformers took on board IRM recommendations[5] and added milestones to strengthen continued commitments.[6]

Leadership for OGP in Malawi underwent transition following the 2025 Presidential elections. The OGP Secretariat remains under the Office of the President and Cabinet, moved from the Department of Legal Services to the Good Governance Unit. Malawi's National Steering Committee[7] and five Technical Working Groups[8] continue to manage the OGP process. Notably, this NAP continues the approach of government and civil society co-implementers for each commitment. However, it will take time for reform allies to establish trust and a sense of shared ownership. The Government of Malawi notes that the OGP Secretariat has funding and that several government departments and ministries included the OGP agenda in their work plans and budgets.[9] However, equal civil society engagement in the OGP process has previously been inhibited by limited resources and clearly defined roles and framework for collaboration.

Co-creation of the third NAP brought in new government institutions and civil society organizations (CSOs), including the Ministry of Natural Resources and Climate Change (Environmental Affairs Department) and the Malawi Confederation of Chambers of Commerce and Industry.[10] Civil society stakeholders[11] commended the expansion of CSOs engaged during co-creation and new organizations supporting implementation. These include previously underrepresented groups, such as youth organizations like Youth and Society as well as the Federation of Disability Organizations in Malawi, the Muslim community, and Catholic Charities for Justice and Peace.[12]

The action plan was initially drafted in the first half of 2025, then revised and resubmitted to OGP in 2026 following the government transition. The IRM's review of the co-creation process pertains to the initial 2025 process under the prior government. Civil society produced a review on the status of Malawi's previous action plan as well as an outcomes document following a symposium in September 2024. These documents, collating input from 45 organizations, helped to inform the action plan draft.[13] However, the final selection and drafting of commitments was a closely held process, handled by a government-hired consultant. A commitment on civic space requested by civil society was not ultimately included. Some CSOs were able to provide input at a final validation meeting. However, the draft action plan was not provided in advance, limiting participants' ability to offer informed input.[14]

Malawi did not meet the minimum requirements of the Participation and Co-Creation Standards due to the inaccessibility of the website during the period under review, absence of advanced notice to stakeholders on the co-creation process, and absence of a reasoned response to participants on how their input informed the action plan.[15] During implementation, the Secretariat and the National Steering Committee are encouraged to sustain monitoring and communication throughout implementation, including documenting and sharing progress on the Malawi OGP website, repository, and among implementers.

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[1] "Malawi National Action Plan for the Open Government Partnership 2026-2029," Open Government Partnership, 2 July 2025, https://www.opengovpartnership.org/documents/malawi-action-plan-2026-2029/.
[2] Frank-Tisu Kalowamfumbi (Malawi Open Government Secretariat), interview by the IRM, 25 July 2025.
[3] National Planning commission, *Malawi´s Vision, An Inclusively Wealthy and Self-reliant Nation: Malawi 2063*, accessed 31 August 2025, https://malawi.un.org/sites/default/files/2021-01/MW2063-%20Malawi%20Vision%202063%20Document.pdf.
[4] IRM methodology requires that in-depth commitment analysis include at least one interview with a representative from the government implementing institution and one civil society perspective. The IRM's inability to reach stakeholders for some commitments inhibited the ability to provide in-depth analysis.

[5] Independent Reporting Mechanism, "Malawi Results Report 2023-2025", Open Government Partnership, 17 July 2025, https://www.opengovpartnership.org/documents/malawi-results-report-2023-2025/.
[6] Open Government Partnership, "Malawi National Action Plan 2026-2029."
[7] "Malawi National Steering Committee," OGP Malawi, accessed 11 September 2026, https://www.ogp.gov.mw/index.php/about.
[8] "Malawi Technical Working Groups," OGP Malawi, accessed 11 September 2026, https://www.ogp.gov.mw/index.php/technical-group.
[9] Linda Kadija Kabwato (Good Governance Unit, Office of the President and Cabinet), correspondence with the IRM, 18 December 2025; Kalowamfumbi, interview.
[10] Kalowamfumbi, interview.
[11] Willy Kambwandira (Centre for Social Accountability and Transparency), interview by the IRM, 15 August 2025; Dennis Mwafulirwa (Centre for Human Rights and Rehabilitation), interview by the IRM, 20 August 2025.
[12] Kalowamfumbi, interview.
[13] "Symposium: Strengthening and Broadening CSO Participation in Open Government Partnership (OGP) In Malawi," shared with the IRM, 3 September 2025; Dennis Mwafulirwa, interview; Michael Kaiyatsa (Centre for Human Rights and Rehabilitation), interview by the IRM, 20 August 2025; Kambwandira, interview.
[14] Dennis Mwafulirwa, interview; Michael Kaiyatsa, interview; Bertha Phiri (Malawi Economic Justice Network), interview by the IRM, 28 August 2025; Yandura Chipeta (Action Aid), interview by the IRM, 22 August 2025.
[15] "OGP Participation and Co-Creation Standards," Open Government Partnership, 2021, https://www.opengovpartnership.org/ogp-participation-co-creation-standards/.

Section II. Promising Commitments

This section analyzes commitments with the most promise to achieve notable results, according to IRM assessment. Promising commitments address a policy area important to stakeholders or the national context. They must be verifiable, have an open government lens, and a modest or substantial potential for results. This review looks at challenges, opportunities, and recommendations to support implementation.

Table 1. Promising Commitments

Commitment 1 aims to make companies' beneficial ownership information public to support the fight against corruption.
Commitment 3 promises to strengthen the Office of the Registrar of Political Parties and make political party finance information public.
Commitment 5 seeks to ensure communities near mining sites benefit through legally enforced, transparent agreements with mining companies and active local participation.

Commitment 1: Beneficial Ownership Disclosure

Implementers: Companies, Registrations, and Intellectual Property Centre (CRIPC) and Malawi Economic Justice Network (MEJN)
For a complete description, see Commitment 1 of the action plan.

Context and objectives

This commitment continues Malawi's efforts towards beneficial ownership transparency.[1] Under the previous action plan, Malawi passed legislation to mandate publication of beneficial ownership information.[2] Notably, Malawi Economic Justice Network (MEJN) joins as co-implementer. Government and civil society both identified this reform as a priority to carry forward.

Beneficial ownership transparency (BOT) is a cornerstone of the fight against corruption. Disclosing information on who owns and controls companies can help reveal money laundering, conflicts of interest, improperly awarded government contracts, and tax evasion. Both the government and civil society[3] highlighted corruption as a hindrance to national development, resulting in the loss of significant revenue annually.[4] In 2025, the Transparency International Corruption Perceptions Index ranked Malawi 109 out of 180 countries, with a score of 34 out of 100[5]. Notably, the Government of Malawi is intensifying its efforts to achieve the *Malawi 2063*[6] target of substantially minimizing corruption by 2063.

The Companies, Registrations, and Intellectual Property Centre (CRIPC) was established in early 2025 as an independent agency to oversee business registration and intellectual property rights. It replaces the Department of the Registrar General (DRG), which was located within the Ministry of Justice and Constitutional Affairs.[7]

The commitment aims to upgrade and strengthen beneficial ownership (BO) regulations, institutional capacity, and enforcement. It seeks to mandate public and private enterprises, whether domestic or foreign-owned companies, corporations, and trusts operating in Malawi,[8] to

re-register and disclose their BO information. Ultimately, the commitment aims to make BO data publicly accessible, thereby allowing external audits from civil societies, journalists, academia, and other oversight institutions.

Potential for results: Substantial

Commitment 1 has substantial potential for results, given existing momentum, partner support, and the government's stated commitment to anti-corruption in the *Malawi 2063* vision. Financial backing and a recently established legal framework provide the conditions for Malawi to make beneficial ownership information available for the first time. Civil society representatives expressed cautious optimism, noting the commitment's alignment with the current administration's stated priorities. President Arthur Peter Mutharika has articulated a zero-tolerance stance on corruption.[9] Consequently, this commitment is expected to bring about a significant and sustained level of transparency. However, as with other commitments, realization will depend on sustained implementation and follow-through beyond public statements of intent.

The second OGP NAP advanced development of BOT legislation, institutional arrangements, and enforcement mechanisms.[10] Building on this, the CRIPC, MEJN, and the Anti-Corruption Technical Working Group seek to further align existing frameworks with international standards.[11] Malawi also made notable strides by developing BOT structures in public procurement, incorporating the Companies (BO) Regulations into the Malawi Business Registration System,[12] and enforcing compliance with the regulations through the Malawi Companies Registry. In March 2025, Malawi passed the Public Procurement and Disposal of Assets Act,[13] which aims to enhance transparency and accountability in public procurement. By April 2025, Malawi passed the Companies, Registration and Intellectual Property Centre Act, which further supports the mandate to collect and publish BO data.[14] Currently, the Malawi National Electronic Procurement System (MANEPS) and the Malawi Revenue Authority system are integrated with the Malawi Business Registration System,[15] supporting cross-institutional access to ownership information and increasing the likelihood of effective implementation.

Despite progress, beneficial ownership information is not yet publicly available in Malawi. Malawi had not successfully published BO data for companies engaging in public procurement, despite the existence of MANEPS.[16] The 2025 Global Data Barometer[17] indicates that Malawi scored 36 out of 100 on BO data disclosure, while the company register received a score of zero. The Registrar General and MEJN noted that progress towards publishing comprehensive live BO data was slow. They cited low registration rates among companies and the absence of sufficiently strong mechanisms to mandate compliance as key constraints.[18] This commitment aims to address these shortcomings through Milestones 2 and 4, which promise to upgrade the available digital platform to ensure the periodic publication of BO data and increase the utilization of the Public Procurement and Disposal of Assets (PPDA) Portal for transparency and oversight purposes.

Milestone 1 promises to align the BO regulations of 2022[19] with other key legislation, such as the Public Procurement and Disposal of Public Assets Act[20] and the Access to Information Act.[21] The civil society organization (CSO) Technical Working Group co-chair[22] highlighted that the legal harmonization will close loopholes that may be exploited to undermine meaningful and effective BO disclosure. The Registrar General noted that the existence of standalone laws has created challenges for comprehensive data collection, as some entities exploit legal gaps to avoid BO disclosure obligations. Milestone 3 aims to build the institutional capacity and operational autonomy of the CRIPC (formerly the DRG). Enhanced capacity could better enable the CRIPC to detect tax evasion, corruption, and prevent illegal activities such as money laundering.[23]

The remaining milestones laid out under this commitment aim to support a register with comprehensive and useful BO data. Milestones 5, 6, and 7 aim to enhance security and oversight by strengthening interoperability, coordination, and collaboration among the CRIPC, the PPDA, and other oversight institutions. Milestone 6 promises to introduce sanctions for non-compliance, which is essential to deter non-cooperation. Of note is Milestone 9, which requires all companies to be re-registered. Finally, Milestone 8 aims to increase awareness and engagement among stakeholders owning and running a business in Malawi, CSOs, interest groups, international organizations, academia, corporate lawyers, lobbyists, and journalists, among others, which is important for generating public interest and participation in the reform.

This reform benefits from financial and technical support. Malawi has received $75,000 USD from the World Bank[24] and technical assistance from Open Ownership and the World Bank's Malawi Development Policy Operations I and II teams.[25] This partnership has "led to a diagnostic assessment that outlined steps for implementing BOT reforms, including evaluating existing systems for beneficial ownership data collection, reviewing the legislative framework, and assessing technical capacity-building needs".[26] The DRG[27] confirmed that the implementation will also focus on the recommendations provided through the Open Ownership Review.[28]

In May 2024, the World Bank approved an $80million USD grant under the Malawi Fiscal Governance Program for Results[29] to support the implementation of the Malawi Public Finance Management Strategy 2023–2028.[30] The Registrar General[31] noted that the Government of Malawi integrated BOT reforms in the project, with $6.5million USD specifically dedicated.[32] However, access to these funds is contingent on Malawi meeting specific results-based indicators set by the World Bank, which may affect the timing and pace of implementation.

Opportunities, challenges, and recommendations during implementation

Beneficial ownership transparency is a popular reform area among OGP African member countries. This offers opportunities to exchange learnings with countries like Kenya,[33] Nigeria, [34] and Liberia.[35] In Nigeria, public integrity institutions are already making use of their Application Programming Interfaces access to the BO register[36] to recover assets and combat anti-corruption efforts, contributing to Nigeria's removal from the Financial Action Task Force's 'grey list'.[37] In Kenya,[38] every company is required to maintain an internal BO register and file it with the Business Registration Service within strict timelines. Companies must also update any changes within 14 days. These requirements establish enforceable reporting deadlines for both initial submissions and ongoing updates, helping to ensure that BO data remains current and reliable.[39] In addition to peer-learning, the Anti-Corruption Working Group can consider the following recommendations during implementation and at the two-year midpoint during the action plan refresh:

- Prioritize harmonization of the policy, legal and regulatory frameworks so that the BOT is universally applied to all entities without exceptions or loopholes resulting from ambiguity or conflict of laws.
- Establish stable digital infrastructure (secure websites and renewed website licenses) before publishing BO data on digital portals, to alleviate the risk of restricted or inconsistent access.
- Engage data users, particularly researchers and journalists, in an advisory capacity to ensure the data is useful and easy to use.[40]
- Link compliance to meaningful sanctions to incentivize the timely reporting and updating of BO information.

Commitment 3: Transparency and disclosure of political party funding

Implementers: Office of the Registrar of Political Parties (ORPP) and Centre for Human Rights and Rehabilitation (CHRR)
For a complete description, see Commitment 3 of the action plan.

Context and objectives

Commitment 3 carries forward Malawi's aims for transparent political party financing.[41] Under the previous National Action Plan (NAP), the Office of the Registrar of Political Parties (ORPP) was established, and the Registrar of Political Parties (RPP) was appointed. Civil society advocated not only for the continuation of this commitment but also for an increase in its ambition, from building the ORPP institutional capacity to requiring the publication of financial information.[42] Consequently, the commitment promises to mandate political parties to report their sources of public and private funding. The ORPP is joined by the Centre for Human Rights and Rehabilitation (CHRR) as co-implementer. This commitment is eligible for submission to the Open Gov Challenge.[43]

Studies have found Malawians have low levels of trust in political parties, whether ruling or opposition. According to the Afrobarometer[44] 2024-2025 survey, 47% of Malawian respondents reported having "no trust at all" in the ruling party, while 45% reported distrust in opposition parties. Consequently, increasing transparency and trust in electoral politics remains a priority area.

Potential for results: Substantial

Commitment 3 holds the potential to transform the dynamics between political parties,[45] government, oversight bodies, and the public, as well as address political party finance concerns.[46] It promises to increase transparency in Malawi´s political parties' expenditure by making data available to journalists, academia, civil society, political analysts, and citizens to monitor and evaluate the expenditures and private sources of revenue. Such transparency is essential not only for fostering public trust but also for strengthening democratic processes and reducing misuse of funds or undue influence from private donors.

Milestone 1 aims for periodic publication of political party finances, audited reports, donors, and financing structures. While the 2018 Political Parties Act[47] calls for financial transparency, implementation did not start until 2024.[48] Resultantly, the 2025 Global Data Barometer[49] found that Malawi lacks publicly accessible data on political party finances. Such reporting would enable civil society, the media, and independent analysts to conduct scrutiny, thereby contributing to a more informed public, while combating corruption. The disclosure of financial data could also give taxpayers clarity on how state-funded institutions utilize their resources. The CHRR and RPP highlighted that a lack of transparency with public finances often exposes Malawian taxpayers to unregulated fraud, embezzlement, and corruption at the expense of the public good.[50] This reform could push beneficiaries to use funds responsibly, reinforced by Milestone 5 to collaborate with oversight institutions like the Anti-Corruption Bureau, CSOs, and the public.

Notable progress has already been made towards implementing Milestone 4, which aims to expand avenues for CSOs and public involvement in the reform. For instance, the CHRR assessed compliance risks associated with political party financing.[51] The findings were presented to the Secretaries-General and Directors of various political parties as a means of raising awareness around political party financing[52] and offering technical assistance. In 2025,

the CHRR and Chisankho Watch were advocating for the ORPP to be responsible for disbursing public funding to political parties without parliamentary interference.[53] This approach is expected to safeguard the ORPP's oversight powers and incentivize parties to respect both the institution and the Political Parties Act.

In alignment with Milestone 3, Parliament is moving forward with increasing the institutional capacity of the ORPP,[54] providing funding in the national budget,[55] and authorizing recruitment of additional staff. By September 2026, 24 of the 34 established positions had been filled, strengthening the ORPP's ability to fulfil its mandate.[56] Milestone 2 seeks to enact and enforce regulations to operationalize the 2018 Political Parties Act. The RPP noted that the ORPP was working with the National Assembly, Electoral Commission, and others to develop further regulations.[57]

The ORPP commenced enforcement of the Political Parties Act, despite its relative newness at the time of the 2025 elections,[58] including registering three additional political parties.[59] Prior to the elections, the ruling party and the largest opposition party submitted fully audited financial reports.[60] Following the elections, six parliamentary parties had disclosed their sources of private funding to the ORPP. The ORPP also began to oversee compliance with declarations of money donations within applicable thresholds and timeframes as well as the handling of private donations. The ORPP was working to strengthen compliance with regulations on use of state funds and timely submission of financial reports by parties receiving state funds.[61]

In May 2025, the Political Parties (Complaints Handling) Regulations were published in the Malawi Government Gazette Supplement, which required the ORPP to address complaints related to vote buying. The ORPP received 196 cases pertaining to the 2025 elections. Of those, five were referred to the Director of Public Prosecution, 88 were dismissed due to insufficient evidence, three were being investigated by the Registrar, and the remaining were undergoing further investigation as of September 2026.[62] The ORPP also registered 11 cases relating to 2025 by-elections, of which five investigated cases were closed, three awaited determination of the Registrar, and the remaining were ongoing. The ORPP had also drafted investigation protocol, which is intended to provide a framework for investigations.[63] These efforts demonstrate the ORPP's growing capacity to exercise its oversight role.

Opportunities, challenges, and recommendations during implementation

The ORPP, CHRR, and Anti-Corruption Working Group can consider the following recommendations during implementation and at the two-year midpoint, when Malawi will have the opportunity to refresh the action plan.

- The ORPP **can align its political financing reforms with international best practices.**[64] In particular, the United Nations Convention Against Corruption calls on States, under Article 7(3), to enhance transparency in the funding of political parties and election campaigns, including through disclosure requirements, effective oversight, and proportionate sanctions. In addition, the Venice Commission's guidelines on financing political parties and election campaigns, provides practical standards on issues such as limits on donations and expenditures, disclosure of sources of funding, independent auditing of party accounts, public access to financial information, and the enforcement powers of oversight bodies.[65] Adopting these standards would strengthen transparency, accountability, and public trust in Malawi's political financing system.
- To maintain momentum outside of election seasons, implementers could consider **continuous engagement with political parties by providing training** on the expected

regulations or methodologies for political party financing. Implementers can also provide training to **targeted groups such as journalists and civil society** on how to access and use the data.

- The absence of tangible sanctions for non-compliance may lead some political parties to ignore the regulations. To address this, implementers could **create a public database that discloses enforcement actions** taken against political parties in violation.
- The ORPP and CHRR could consider creating **a digitalized portal or database where political parties submit their comprehensive financial data for publication**. Financial expenditures could be published in a format that adheres to open data standards.[66] For example, Colombia's app allows political parties and candidates to upload standardized reports on their income and expenses, which are then uploaded onto a public online database.[67]
- **The ORPP should leverage its position as a co-founder of the newly established African Association of Political Party Regulatory Authorities**, alongside the Registrar of Political Parties (Kenya) and the Political Parties Regulation Commission (Sierra Leone), to further explore how initiatives such as their Regional Initiative for the Digitalisation of Political Party Finances can be accelerated through OGP peer learning engagements.

Commitment 5: Adoption of Community Development Agreements in the mining sector

Implementers: Ministry of Mining and Action Aid
For a complete description, see Commitment 5 of the action plan.

Context and objectives

This commitment seeks to enable communities to engage in decision-making, oversight and accountability of medium and large-scale mines through Community Development Agreements (CDAs). The reformers aim to strengthen legal protections[68] for communities affected by mining, enabling them to better benefit from the proceeds and hold companies accountable for negative impacts. Endorsed by both government and civil society,[69] the commitment introduces a new dimension to Malawi's extractive governance reforms started in previous action plans.[70]

Malawi's mining revenue, which accounts for around 1% of GDP,[71] is unevenly distributed and susceptible to corruption.[72] This commitment was prioritized to help address the uneven distribution of resources generated from the mining sector.[73] Decentralizing infrastructure development to remote mining communities is expected to help curb unemployment and poverty.[74] This reform is particularly pertinent given the Government of Malawi's intention to expand the mining sector.[75]

Potential for results: Substantial

Commitment 5 emerges at a time when rehabilitating the mining sector as a hub for foreign and domestic investment is a priority in Malawi.[76] The reform supports the Agriculture, Tourism, Mining, and Manufacturing initiative, which identifies these sectors as key drivers for boosting Malawi's domestic revenue and socio-economic growth by 2063.[77] In October 2025, President Mutharika banned the export of raw minerals to boost Malawi's mining revenue.[78] Civil society members expressed cautious optimism for implementation, noting the alignment of the reform

with the government's stated priorities. The existence of underlying legislation and initial momentum contribute to this commitment's substantial potential for results.

The commitment aims to strengthen and implement legislation that mandates mining companies to contribute to community investment[79] (Milestone 1). Malawi's 1981 Mines and Minerals Act, amended in 2013, first required CDAs.[80] Malawi's first formal CDA was signed in 2007 with Paladin Energy for the Kayelekera Uranium Mine.[81] However, negotiations towards further CDAs stalled. The effort was rejuvenated by the enactment of the 2023 Mines and Minerals Act under the previous action plan.

The Act requires companies to contribute 0.45% of annual gross sales revenue to the community within a 20 km radius of the mining operation. The company must support a community if they lack the capacity to negotiate a CDA, which is enforceable in court. The Act also established the Mining and Mineral Regulatory Authority (MMRA) as an independent institution to regulate the mining industry, including monitoring compliance with CDAs.[82] This commitment also aims to enact the Malawi Extractive Industries Transparency Initiative (MWEITI) Bill. While a draft Bill exists that reportedly includes mandates for transparency in the extractives sector, information on its content and status were not available.[83]

There is some initial momentum for CDAs since enactment of the 2023 Mines and Mineral Act. In 2024, a CDA was signed for Songwe Hill Rare Earth Project[84] and in 2025 Kayelekera Uranium Mine resumed operations and signed a CDA allocating 0.45% of its annual gross sales to the local communities of Karonga and Chitipa.[85] As of 2025, ongoing negotiations include the Kanyika Niobium[86] and the Chilwa Minerals[87] projects, however some communities had turned to litigation in the absence of fulfilled promises for compensation.[88] Milestones 2 and 3 seek to make sure CDAs are operating as intended by enhancing monitoring, capacity-building, and community engagement.

Civil society members have highlighted the value of CDAs, while noting concerns, such as whether women's voices were equally represented.[89] A 2025 study in Malawi assessed the effectiveness of CDAs and regulatory frameworks in five mining districts.[90] The results indicated that 72.8% of community members are unaware of the policies and regulations governing the mining sector, while 52.3% perceived that decisions within the mining sector were not transparent. A coordinator from Natural Resources Justice Network (NRJN) reinforced that most citizens are not adequately informed about mining projects, despite these projects operating in their communities.[91] Milestones 2 and 3 aim to address revenue diversion and non-compliance by establishing a transparent distribution system, where beneficiaries of CDAs can access and track the expenditure of allocated revenues.

Milestone 2 aims to change the dynamics by introducing tailored mentorship and training for community structures managing CDAs. These include raising awareness of the nature of CDAs, the benefits, and avenues for monitoring and evaluation. Civil society organizations like Action Aid and NRJN have made some initial efforts towards community awareness.[92] Government and civil society collaboration to promote community capacity to monitor CDAs and community development projects holds notable potential to translate community rights from paper into practice. The Ministry of Mining and Action Aid could prioritize establishing a system of informed and meaningful community and civil society engagement. Action Aid noted that this reform could result in beneficiaries of CDAs being informed about how the revenue can be utilized, ways to monitor community projects, and holding the authorities accountable for any irregularities.[93]

Finally, this commitment also seeks to increase monitoring and enforcement of environmental standards and regulations in mining (Milestone 4). Mining companies will be required to report on waste disposal and land management as part of their CDA agreements. This is intended to enable communities to monitor companies' waste management practices and raise concerns. Implementation of this and other milestones will require coordination between the Ministry of Mines, MMRA, Malawi Environmental Protection Agency, and civil society partners. Notably, mitigating and addressing environmental impacts can help to address tension between communities and mining operations.[94]

Opportunities, challenges, and recommendations during implementation

As the Government of Malawi aims to expand the mining industry, this commitment is core to fairly distributing economic benefits and mitigating negative impacts. While a strong legal framework is in place, a potential challenge is limited financial, human, and technical resources at the Ministry of Mines and other relevant agencies.[95] Close collaboration will be key to efficiently using resources and harmonizing efforts towards shared objectives. Beyond establishing collaborative ways-of-working, implementers can take the following into consideration:

- The Ministry of Mining and Action Aid could consider **publishing the CDAs in vernacular languages** and **work with local and traditional leaders** to strengthen community awareness and understanding.
- The Ministry of Mining **could deploy mining officers in district councils** that administer CDAs locally. This can give local people a sense of ownership over their projects and allow for direct engagement with the beneficiaries.
- **Civil society can assist in facilitating consultations** with communities on development projects and consider opportunities to provide channels for citizens to report and escalate issues of non-compliance and corruption.
- The Government of Malawi can **make environmental impact assessment reports, pollution permits, and data on pollutant releases publicly available** to the local communities.
- There is opportunity to **exchange experiences with Nigeria**, which is currently implementing the 2021 Petroleum Industries Act through OGP commitments. In Nigeria, civil society and government are working together to establish Host Community Development Trusts. Community forums were held that deliberately sought to include women and focused on communicating the amount due to communities.[96]

Other commitments

Commitment 2: Promote transparency in public procurement processes

Commitment 2 proposes a variety of important activities in the fight against corruption. Despite its valuable objectives, this commitment is not featured in this report as the likelihood of implementation was uncertain at the time of assessment. Its aims include aligning existing legislations with open contracting standards, such as amending the Corrupt Practices Act[97] to incorporate private sector lifestyle audits and enforcement of lifestyle audits across both the public and private sectors. While laudable, it is not clear whether these audits would be made public. It also seeks to clarify and strengthen the roles of the Public Procurement and Disposal of Assets Authority, the Anti-Corruption Bureau, the Malawi Revenue Authority, and other relevant bodies. Finally, this commitment seeks to enact the Whistleblower Act. Some progress was

achieved under the second NAP, with the Anti-Corruption Bureau and the Malawi Law Commission taking the lead in drafting the Act and engaged institutions in developing corruption reporting mechanisms.[98] At the time of the review, the IRM was unable to find information on the progress made towards developing the Whistleblower Law. Implementers can take advantage of the midpoint action plan refresh to amend the commitment so that the title, objectives, and milestones are aligned. Likewise, implementers can ensure necessary institutions are engaged and efforts focused on the objectives that balance ambition with feasibility.

Commitment 4: Sovereign Wealth Fund (SWF)

This commitment aligns with the *Malawi 2063 First 10-Year Implementation Plan (MIP-1)* which envisions the mining sector as key driver to a manufacturing and industrial based-economy and spurred conversations around the development of a SWF. In May 2025, government officials, civil society representatives, private sector leaders, and academics gathered in Lilongwe to discuss the creation of the SWF.[99] Creation of a SWF was also included in the 2025-26 Mid-Year Budget Review Statement presented in November 2025.[100] President Mutharika also highlighted the fund in his February 2026 State of the Nation Address. The OGP Secretariat reports that a Feasibility Study, which includes the topic of good governance of the fund, was validated by government and non-government mining stakeholders in March 2026.[101] Reformers are encouraged to consider opportunities to incorporate good governance, accountability, and transparency into SWF design, such as those outlined in the Santiago Principles.[102] In this way, the Ministry of Finance and Economic Affairs and civil society partners can use the midpoint refresh process to strengthen the commitment's open government lens and potential for results.

Commitment 6: Domestic Debt Procedures for Contracting and Utilization

This commitment seeks to strengthen transparency and parliamentary oversight of domestic borrowing and use. The International Monetary Fund categorizes Malawi in 'debt distress,'[103] with the majority (65%) of Malawi's recent debt borrowed domestically.[104] This reform builds on the previous action plan, which sought to increase parliamentary oversight of public debt management. It is eligible for submission to the Open Gov Challenge.[105] The commitment is currently assessed as having a modest potential for results as most milestones focus on increasing transparency, an important initial step. **It may prove more ambitious if implementation institutionalizes channels for public and parliamentary participation and accountability in domestic debt management.** The commitment and an initial workplan was drafted in consultation with the Debt and Aid Department in the Ministry of Finance. Following the change of government, the Ministry was in the process of appointing a new focal point for the commitment as of July 2026, who would then need to be oriented and finalize the implementation workplan.[106]

The government of Malawi has taken initial steps towards greater public debt transparency, but public information on domestically held debt shows a notable gap.[107] Civil society has called for ensuring domestic loans are held to the same oversight and transparency standards as international loans.[108] In 2025, neither parliament nor any committees reviewed borrowing plans, the MTDS, or implementation reports, and no debt management official testified.[109] Therefore, this commitment's aim to ensure adequate information, capacity, and procedures to reinforce parliament's role in debt management addresses a key need. Civil society has also called for parliament to hold public hearings for all significant loan bills with opportunity for public input.[110] However, access to sufficient and timely information for parliamentarians and the public is needed for meaningful discussion. Moreover, there is an absence of procedures to ensure public feedback provided is considered.[111] Other OGP members on the continent, such as Ghana and

Kenya, are advancing public debt transparency through OGP commitments.[112] OGP members that publish data on public debt in their National Treasury Portals include The Philippines, Brazil, and Colombia.[113]

Commitment 7: Open Parliament

Notably, this commitment brings Malawi's parliament into the OGP process. It aims to increase access to information about parliament, including expanding outreach through radio, social media, and open parliament days. It also seeks to provide parliamentary information in local languages, braille and sign language. Notably, the commitment aims to develop an interactive portal where the public can view and comment on bills, motions, and other legislative documents. Malawi currently has an internal Parliamentary Information System for parliamentarians to access real-time information and vote electronically.[114] While parliament's public website allows citizens to view and comment on draft bills, this process is hampered by inconsistent availability of information, lack of real-time bill tracking, and occasional use of urgency provisions to circumvent the 28-day window.[115] Under the African Integrity Indictors, Malawi scores 50 out of 100 points for public access to legislative process and documents, reflecting that that legislative openness exists on paper but implementation remains a challenge.[116] While the parliament of Malawi publishes some information it is inconsistent, for instance voting records are not published and the official Hansard is published inconsistently, and parliament is less accessible to those outside the capital.[117] This commitment could achieve significant results if implementation goes beyond publication and dissemination of information to also enable citizens to better influence parliamentary decision-making through online and in-person channels.

Commitment 8: Promoting Digital Literacy, Rights and Inclusion

This commitment includes a set of complementary reforms to increase Malawians' digital access, inclusion, literacy, rights, and awareness of online government services and platforms. It calls for reviewing digital governance laws to strengthen digital rights protection, including enacting laws relating to emerging technology, such as artificial intelligence. The civil society co-lead for this commitment, Section 30, notes that civil society concerns since 2025 have centred on surveillance tools, SIM-related data practices, online expression, and whether the Malawi Communications Regulatory Authority can act as both communications regulator and data-protection authority.[118] The commitment also foresees the adoption of policies to make internet and online services more accessible and full implementation of the 2024 Data Protection Act. Pending implementation steps for the Act include drafting regulations, establishing the independence of the data-protection authority, public awareness, and access to remedies.[119] This reform is considered modest, in part, due to limited information on the laws and amendments under consideration as well as the government digital platforms being sensitized to the public. It could achieve notable results should implementation strengthen and institutionalize digital rights and Malawian's ability to use digital tools to participate in government decision-making, hold the government to account, and/or access government information online. This reform is being implemented through a collaborative approach including organizations representing youth and disability communities as well as digital rights organizations.[120]

Commitment 9: Enhancing Utilization of e-Government Systems

Co-implemented by the Department of E-Government and Digital Rights Coalition, this commitment seeks to strengthen digital government infrastructure, capacity, and compliance. As currently written, this commitment primarily focuses on internal government reforms, and it is unclear to what extent it will directly strengthen government transparency, public accountability

or civic participation. However, the commitment includes an aim for updated, operational, and expanded e-government platforms to increase public access to government services and information. This reform could achieve open government results if implementation enables the public to participate in government decision-making, hold government to account, or access government-held information online – for example enabling the public to provide feedback or complaints on government services.

Commitment 10: Access to Public Data/Information through e-Government Platforms

This commitment aims to increase online access to information, data, and services by strengthening websites and portals across government institutions as well as establishing a centralized and maintained portal for key information. Co-implemented by the Department of E-Government and Section 30, it aims to establish and enforce policies on the frequency and content of online publication expected across government institutions. According to Section 30, these efforts aim to strengthen implementation of Malawi's Access to Information Law.[121] While few details are provided, the commitment mentions development of a central online location for government laws, policies, and updates and digitization of local council systems. This commitment could lead to significant open government results if it establishes results in sustained and systematic publication of information across government.

Commitment 11: Open and Accountable Climate Action

This reform's potential lies in its aim to go beyond transparency on climate finance, data, and projects to also establishing processes for public participation in climate policymaking. It aligns with Malawi's 2063 aim for Environmental Sustainability through harmonized policies, stronger data systems, and public participation. It benefits from partner support including the United Nations, the World Bank, and regional bodies. The milestones are designed to strengthen public oversight to ensure funds are used effectively and smooth access to climate funding. A limited amount of information available at the time of IRM assessment, contributed to this commitment's assessment as modest. This commitment may prove to have a greater potential to achieve results as more information becomes available.

Milestone 1 promises to fully develop and implement the Monitoring, Reporting, and Verification (MRV) system to enhance transparency in climate action. Milestone 2 calls for the development and launch of a Climate Finance Dashboard to track both domestic and international funding sources. A fully operational dashboard that is actively used by journalists, academia, CSOs, and oversight agencies by the end of the implementation period would be indicative of significant early results. The commitment also creates opportunities for citizen and civil society participation in climate policy processes. Milestone 3 focuses on adopting stakeholder engagement guidelines for NDC reviews and climate policy updates, as well as publishing feedback reports with official government responses. Malawi could exchange lessons from OGP members such as Kenya, which is also implementing a Community Engagement on Climate Finance Transparency commitment.[122]

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Section III. Methodology

This product is a concise, independent, technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process. The IRM highlights commitments that have the highest potential for results, represent a high priority for country stakeholders, acknowledged as a priority in the national open government context, or a combination of these factors. The IRM products provided during a national action plan cycle include:

- **Co-Creation Brief:** A concise brief that highlights lessons from previous IRM reports to support a country's OGP process, action plan design, and overall learning.
- **Action Plan Review:** A technical review of the characteristics of the action plan and the strengths and challenges the IRM identifies to inform a stronger implementation process.
- **Midterm Review:** A review for four-year action plans after a refresh at the midpoint. The review assesses new or significantly amended commitments in the refreshed action plan, compliance with OGP rules, and an informal update on implementation progress.
- **Results Report:** An overall implementation assessment that focuses on policy-level results and how changes happen. It also checks compliance with OGP rules and informs accountability and longer-term learning.

In the Action Plan Review, the IRM reviews commitments using three indicators:

1. Verifiability: The IRM determines whether a commitment is verifiable as written in the action plan. The indicator is assessed as:

- **Yes/No:** Are the stated objectives and proposed actions sufficiently clear and include objectively verifiable activities to assess implementation?
- Commitments that are not verifiable are considered not reviewable, and no further assessment is carried out.

2. Open Government Lens: The IRM determines if the commitment relates to the open government values of transparency, civic participation, and/or public accountability as defined by the Open Government Declaration and the OGP Articles of Governance. Based on a close reading of the commitment text, the indicator is assessed as:

- **Yes/No:** Does the commitment set out to make a policy area, institution, or decision-making process more transparent, participatory, or accountable to the public?

The following questions for each OGP value may be used as a reference to identify the specific open government lens in commitment analysis:

- **Transparency:** Will the government disclose more information, improve the legal or institutional frameworks to guarantee the right to information, improve the quality of the information disclosed to the public, or improve the transparency of government decision-making processes or institutions?
- **Civic Participation:** Will the government create or improve opportunities, processes, or mechanisms for the public to inform, influence or co-create policies, laws and/or decisions? Will the government create, enable, or improve participatory mechanisms for minorities, marginalized or underrepresented groups?

  Will the government improve the enabling environment for civil society (which may include NGO laws, funding mechanisms, taxation, reporting requirements, et cetera)? Will the government improve legal, policy, institutional or practical conditions related to civic space such as freedom of expression, association and peaceful assembly that would

facilitate participation in the public sphere? Will the government take measures which counter mis- and disinformation, especially online, to ensure people have access to reliable and factual information (which may include digital and media literacy campaigns, fact-checking or fostering an independent news media ecosystem)?

- **Public Accountability:** Will the government create or improve opportunities to hold officials answerable for their actions? Will the government enable legal, policy, or institutional frameworks to foster accountability of public officials?

3. Potential for Results: The IRM analyzes the expected results and potential that would be verified in the IRM Results Report after implementation. Potential for results is an early indication of the commitment's possibility to yield meaningful results based on its articulation in the action plan in contrast with the state of play in the respective policy area. The indicator is assessed as:

- **Unclear:** The commitment is aimed at continuing ongoing practices in line with existing legislation, requirements, or policies without indication of the added value or enhanced open government approach in contrast with existing practice.
- **Modest:** A positive but standalone initiative or change to processes, practices, or policies. The commitment does not generate binding or institutionalized changes across government or institutions that govern a policy area. Examples are tools (e.g., websites) or data release, training, or pilot projects.
- **Substantial:** A possible game changer for practices, policies, or institutions that govern a policy area, public sector, or the relationship between citizens and state. The commitment generates binding and institutionalized changes across government.

This review focuses its analysis on promising commitments. Promising commitments are verifiable, have an open government lens, and at least a modest potential for results. Promising commitments may also be a priority for national stakeholders or for the particular context. The IRM may cluster commitments with a common policy objective or that contribute to the same reform or policy issue. The potential for results of clustered commitments is reviewed as a whole.

This review was prepared by the IRM in collaboration with Blessmore Nhikiti as researcher and Dr. Elijah Ambasa as external expert reviewer. During the internal review process, the IRM verifies the accuracy of findings and collects further input through peer review, OGP Support Unit feedback as needed, interviews and validation with country stakeholders, an external expert review, and oversight by IRM's International Experts Panel (IEP).[1] The IRM methodology, product quality, and review process are overseen by the IEP.[2] The report was prepared in accordance with the IRM Procedures Manual and guidance on artificial intelligence. For more information contact the IRM at irm@opengovernmentpartnership.org.

[1] "International Experts Panel," Open Government Partnership, accessed 15 July 2024, https://www.opengovpartnership.org/about/who-we-are/international-experts-panel.
[2] For more information, see: "Overview – Independent Reporting Mechanism," Open Government Partnership, accessed 15 July 2024, https://www.opengovpartnership.org/irm-guidance-overview.

Annex I. Commitment Data[1]

Commitment 1: Operationalization of Beneficial Ownership Disclosures.

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

Commitment 2: Transparency in Public Procurement Process

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 3: Transparency and Disclosures of Political Party Funding

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

Commitment 4: Establishment of a Sovereign Wealth Fund

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 5: Community Development Agreements in Mining

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Substantial

Commitment 6: Domestic Debt Procedures for Contracting and Utilization

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 7: Open Parliament

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 8: Promoting Digital Literacy, Rights and Inclusion

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 9: Enhancing Utilisation of e-Government Systems

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Unclear

Commitment 10: Access to Public Data/Information through e-Government Platforms

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

Commitment 11: Open and Accountable Climate Action

- Verifiable: Yes
- Does it have an open government lens? Yes
- Potential for results: Modest

[1] Editorial note: For commitments that are clustered, the assessment of potential for results is conducted at the cluster level, not individual commitments. Commitment short titles may have been edited for brevity. For the complete text of commitments, please see: https://www.opengovpartnership.org/documents/malawi-action-plan-2026-2029/

Annex II. Action Plan Co-Creation

The IRM uses the OGP Participation and Co-Creations Standards to assess countries' participatory practices throughout the action plan cycle.[1] Countries are encouraged to aim for the full ambition of the standards and to meet the minimum requirements.[2]

Table 2. Compliance with Minimum Requirements

Minimum requirement	Met?
1.1 Space for dialogue: Malawi's National Steering Committee (NSC)[3] meets quarterly to assess OGP-related matters,[4] including assessing progress made in the Technical Working Groups (TWGs). Its terms of reference were adopted in 2023, and members are required to adhere to these rules[5]. These rules are available online, although the website is often unreachable.	Yes
2.1 OGP website: The OGP in Malawi has a designated website. However, the website was not accessible during the co-creation process. At the time of review, the latest NAP was not yet uploaded to the website.[6]	No
2.2 Repository: The website is used as a repository for OGP in Malawi.[7] While the website included information on the previous action plan, it did not contain information on the current action plan during the co-creation period.	No
3.1 Advanced notice: At the time of review, a co-creation timeline and overview of opportunities to participate were not available on the website. The consultant responsible for drafting part of the NAP consulted 20 government and non-governmental organizations.[8] Some consulted members[9] confirmed that the consultant reached out at least two weeks before the start of the co-creation process.[10]	No
3.2 Outreach: The OGP Secretariat reached out to civil societies via email and an orientation meeting of the new NSC and TWGs members[11] took place.	Yes
3.3 Feedback mechanism: The consultant responsible for drafting part of the NAP consulted 20 government and non-governmental organizations.[12] Likewise, civil society organizations (CSOs) also organized a Symposium to gather input from a range of CSOs.[13] They confirmed that the recommendations provided in the symposium and outcome document[14] produced were incorporated into the NAP.	Yes
4.1 Reasoned response: The first NAP draft was presented to stakeholders during a Validation meeting.[15] After the presentation, attendees discussed commitments in groups and gave feedback.[16] However, neither the NSC nor Secretariat provided a response to participants on how contributions were considered during development of the action plan.[17]	No
5.1 Open implementation: The IRM will assess whether meetings were held with civil society stakeholders to present implementation progress and enable civil society to provide comments at least twice a year.	Not applicable

Malawi is encouraged to undertake a collaborative approach to designing and updating future commitments. For this and the previous action plan, drafting was closely held with input primarily collected at the very beginning and end of the process. Moving forward, the OGP Secretariat and NSC can establish a co-creation timeline in advance. This co-creation plan could begin with broader consultations to gather suggested reforms and later shift to targeted discussions among experts to enhance commitments. A more iterative approach can help to ensure that government and nongovernment actors necessary for implementation have a sense of ownership and clarity of commitments.

[1] "OGP Participation and Co-Creation Standards," Open Government Partnership, 2021, https://www.opengovpartnership.org/ogp-participation-co-creation-standards/.
[2] "IRM Guidelines for the Assessment of Minimum Requirements," Independent Reporting Mechanism, 2022, https://www.opengovpartnership.org/wp-content/uploads/2022/05/IRM-Guidelines-for-Assessment-of-Minimum-Requirements_20220531_EN.pdf.
[3] "Malawi National Steering Committee," OGP Malawi, accessed 11 September 2026, https://www.ogp.gov.mw/index.php/about.
[4] "Orientation of the National Steering Committee and Technical Working Groups on Implementation of the Malawi Open Government Partnership National Action," shared with the IRM, 10 September 2025.
[5] Frank-Tisu Kalowamfumbi (Malawi Open Government Secretariat), interview by the IRM, 25 July 2025.
[6] OGP Malawi, accessed 15 September 2026, https://www.ogp.gov.mw/index.php.
[7] OGP Malawi.
[8] "OGP NAP Consulted Institutions," shared with the IRM, 15 August 2025.
[9] Michael Kaiyatsa (Centre for Human Rights and Rehabilitation), interview by the IRM, 20 August 2025; Dennis Mwafulirwa (Centre for Human Rights and Rehabilitation), interview by the IRM, 20 August 2025.
[10] Willy Kambwandira (Centre for Social Accountability and Transparency), interview by the IRM, 15 August 2025
[11] "Orientation of the National Steering Committee and Technical Working Groups," shared.
[12] "OGP NAP Consulted Institutions," shared with the IRM researcher, 15 August 2025.
[13] Mwafulirwa, interview.
[14] "Symposium: Strengthening and Broadening CSO Participation in Open Government Partnership (OGP) In Malawi," shared with the IRM, 3 September 2025.
[15] "OGP NAP Finalization Meeting," shared with the IRM, 15 August 2025.
[16] Bertha Phiri (Malawi Economic Justice Network), interview by the IRM, 28 August 2025.
[17] Kaiyatsa, Interview.