

# **A HUMAN RIGHTS PERSPECTIVE ON PRIVATIZATION POLICY AND LEGISLATION IN MALAWI**

By Danwood Mzikenge Chirwa

## **ABSTRACT**

This article critically examines the manner in which the Malawian policy and legislation on privatization was adopted, the stated objectives of privatization and the implementation of the policy and legislation against the backdrop of the principles of accountability, openness and social welfare. It demonstrates that the privatization policy was adopted hastily without public participation. Its objectives are skewed in favour of economic indicators, which have no direct relation to the issue of accessibility by the people to the privatized services. The process of privatization lacks transparency and circumvents public participation. No monitoring mechanism has been established to regulate the privatized enterprises and monitor their compliance by private service providers with their obligations. For privatization to achieve its desired objectives, it must be anchored in a policy and legislative framework that places much premium on the need to promote the welfare of the people, openness and accountability, and public participation.