

Chairperson,

I have the honour to introduce the combined second, third, fourth and fifth periodic report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women on behalf of the Malawi Government.

Allow me to introduce the other members of my delegation:-

1. Mrs. Andrina Mchiela – Principal Secretary for Gender and Social Development;
2. Hon. Trifonia Dafter, M.P. – Chairperson of the Parliamentary Committee on Community and Social Affairs, the National Assembly of Malawi;
3. Mrs. Dorothy Nyasulu – Chairperson, Malawi Human Rights Commission;
4. Mrs. Alexina Chimzimu – Director of Finance and Administration, Ministry of Education;
5. Mr. Peter Msefula – Ag. Director for Gender Affairs, Ministry of Gender and Social Development;
6. Mr. Chikosa Silungwe – Assistant Chief Law Reform Officer, Malawi Law Commission; and
7. Jane Namasasu – Deputy Director, Reproductive Health, Ministry of Health.

The Government of Malawi is committed to the elimination of all forms of discrimination against women as this is a prerequisite for

achieving the Millennium Development Goals and the Malawi Growth and Development Strategy.

Although there is neither legislative nor judicial definition of discrimination, the Malawi Constitution, in section 20 (1), prohibits discrimination of persons in any form and, in section 24 (1), prohibits discrimination against women. As a country, we have relied on these constitutional provisions to lobby and advocate for elimination of all forms of violence and discrimination against women.

Specific measures to improve the advancement of women include the review of laws that discriminate against women; in the area of education, Government has adopted the free primary education policy; the pregnancy policy which allows girls to go back to school; bursary schemes for needy children; as well as the adoption of 30% recruitment policy for female students in vocational institutions. With respect to the empowerment of women, assertiveness and leadership programmes for women and girls have been put in place, business and credit management training for women, ninety days paid maternity leave, among others. These measures have contributed to the acceleration of the attainment of equality between men and women.

To eliminate negative social and cultural norms, beliefs and practices that predispose women to increased violence and discrimination, the Government, in 2002, put in place a national strategy to combat gender-based violence. As a result of this strategy, Government, in

collaboration with NGOs and faith-based organizations, conducted awareness campaigns on women's rights and gender based violence; established victims' support units in all police stations; and facilitated formation of community action groups, community-based organizations on gender-based violence.

Chairperson,

Women representation in decision-making positions at national level as well as in foreign missions, regional and international bodies is far much below 30%. For example, there are 15.6% women in decision-making positions. In view of this, the Government, in 2005, developed gender-mainstreaming guidelines for management of human resource within the public sector to ensure representation of women. So far, sensitization seminars for policy makers in the public sector are being conducted.

In the political arena, the NGO community, with support from international donors, played a critical role in preparing women aspiring for positions of Member of Parliament through training in leadership, public speaking and campaign strategies among others. This resulted in the increase of women members of Parliament from 8.8 % in 1999 to 14% in 2004. Presently, there are 18.8% women in Cabinet.

The Constitution grants women the right to acquire and retain citizenship and nationality on equal basis with men. Currently, the

Government has, through the Law Commission, developed the necessary amendments to the laws on citizenship and nationality. Government has also initiated a National Registration Bill, 2006 which entrenches the right to nationality and citizenship of men and women in Malawi. Finally, Government is working on the development of a national policy on nationality which will generally ensure enjoyment of the constitutional provision by the citizenry.

Allow me, Chairperson, to highlight some of the new initiatives that have been put in place since June, 2004 after the submission of the Report.

The Government launched the National Gender Programme in December, 2004 to provide a comprehensive framework for the implementation of the gender agenda in Malawi. The Programme focuses on attainment of gender equality through gender mainstreaming and women empowerment. It has eight thematic areas, namely –

- a) Capacity building and institutional strengthening. This focuses on the provision of gender guidelines; creation of focal points in the public, NGO and the private sectors; and the putting in place a monitoring and evaluation system.
- b) Education. This focuses on the girl child education with respect to increasing access to quality education at all levels, bridging

the gender gap and improving the relevance and quality of education to address the needs of girls.

c) Health. This focuses on mainstreaming gender in all healthy policies and programmes in order to improve women's and girls' access to health services. Having noted that women in Malawi have borne disproportionate burdens with regard to the country's overall poor health status, the Government and its partners are implementing reproductive health programmes and provision of essential health care packages to improve women's and children's health. For instance, the MMR now stands at 984:100,000, a reduction from 1120:100,000.

d) HIV and AIDS. This focuses on mainstreaming gender in HIV and AIDS programmes, behaviour change communication, and elimination of harmful socio-cultural practices. Women and girls, are mostly infected and affected by HIV and AIDS pandemic. In this respect, Government has ensured women's access to ART such that 60% of women access ART than men.

e) Agriculture, food and nutrition security. This focuses on increasing women's access to land, credit, capital and inputs for ensuring food and nutrition security at the household level. The majority of women are employed in the agriculture sector. For example, 85% of the population live off the land and 75% are women. Further, women's access to the factors of production is

equally negligible resulting into high levels of poverty among women and household food insecurity.

The Law Commission has finalized the review of land laws in Malawi to entrench parity in access to and ownership of land between men and women, and landholders and the landless.

f) Natural resources and the environment. This focuses on mainstreaming of gender in management of natural resources and the environment.

g) Poverty and economic empowerment. This focuses on provision of entrepreneurial skills, credit, appropriate technology, and access to markets for women entrepreneurs. In this vein, Government has facilitated the launch of the Federation of the National Associations of Women in Business Malawi Chapter (FEMCOM) in December 2004. This is an umbrella organization bringing together ten women business association and reaching approximately 50,000 women entrepreneurs. It is a forum for the exchange of ideas and experience among women entrepreneurs.

The Labour Relations Act and Employment Act provides for non-discrimination on the basis of sex, collective bargaining and institutionalized industrial relations. However, women's access to formal employment remains low as women are largely employed in the informal sector.

h)Governance and human rights. This focuses on domestication of international instruments, women's participation in politics and decision-making levels, gender-based law reform, increased legal literacy and reduction of gender-based violence.

I am happy to report that our Parliament during its April, 2006 sitting passed the Prevention of Domestic Violence Act to ensure that women and children are protected from domestic violence.

The Law Commission has finalized and presented to Cabinet and Parliament its recommendations and draft bill on the law of succession the Deceased Estates (Wills, Inheritance and Protection) Bills; and the laws on marriage and divorce (the Marriage, Divorce and Family Relations Bill). Parliament may consider the two Bills during its next sitting. The Law Commission is currently working on the development of a Gender Equality Statute.

Awareness on human rights, generally, and in particular women's rights and child rights, HIV/AIDS and gender has been created among women and men in both rural and urban areas. Consequently, there is increased reporting on violence and discrimination against women and children.

The Government has initiated a Policy on the elderly to protect their rights; more especially women.

The Government is in the process of establishing shelters for victimized women and children in all regions of Malawi. Currently one shelter in Lilongwe, the Capital, has been opened to provide rehabilitation and economic empowerment services to the victimized women and children.

Government facilitated the formation of the African Network of Women Ministers and Parliamentarians Malawi Chapter in 2005. The network focuses on advocacy and lobbying on women's issues in Parliament as well as among the local communities.

Chairperson, despite these achievements, Malawi still faces a number of challenges in the fight against violence and discrimination against women and children. These include:

- a) Persistent prevalence of stereotypical attitudes, negative cultural norms, beliefs and practices which undermine women's potential and advancement;
- b) Inadequate capacity of service providers both in the public, private and civil society organizations; and
- c) Limited resources to scale up best practices in disseminating, promoting and protecting women's and children's human rights and economic and social empowerment of women.

Chairperson, in conclusion, in order for Malawi to competently deal with violence and discrimination against women and children in order to promote gender equality and increased women's participation in decision making positions at all levels, there is need for a coordinated and concerted action among Government, civil society and development partners. In this regard, Government recognizes that there is need for technical and financial assistance to:

- Support the girl-child education and women's training at all levels.
- Develop and strengthen institutional and human resource capacity of service providing organizations in order to enhance women's and children's advancement and human rights promotion and protection.
- Facilitate review of existing legislations and enact new ones on the basis of human rights and gender equality.
- Lobby and advocate for elimination of negative cultural norms, beliefs and practices and stereotype attitudes that keep women and girl-children in subordinate and vulnerable positions in society.

Chairperson and distinguished experts, I thank your Committee for your attention.

STATEMENT

BY

**HON. JOYCE BANDA, MP., MINISTER OF GENDER,
CHILD WELFARE AND COMMUNITY SERVICES**

TO THE

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UNITED NATIONS CEDAW COMMITTEE**

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New York

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