



PARLIAMENT OF MALAWI



**REPORT FOR THE PARLIAMENT OF MALAWI ON THE
PROGRESS IN IMPLEMENTATION OF THE DECISIONS BY THE
52ND SADC PF PLENARY ASSEMBLY**

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REPORT FOR THE PARLIAMENT OF MALAWI ON THE PROGRESS IN IMPLEMENTATION OF THE DECISIONS BY THE 52ND SADC PF PLENARY ASSEMBLY

1.0 PROGRESS ON DECISIONS PERTAINING TO THE REGIONAL PARLIAMENTARY MODEL LAWS OVERSIGHT COMMITTEE (RPMLOC)

1.1. *URGING SADC Member States to ensure domestication and implementation of the Model Law on Elimination of Child Marriage and Protection of Children Already in Marriage and the Model Law of Gender Based Violence*

1.1.1 Child Marriages rates in Malawi are considered one of the highest in the world. In Malawi, 47 percent women are married before the of age 18¹. It is common knowledge currently that, Child marriages endanger the physical and reproductive health of the girl child, with girls under the age of 18 at a much higher risk of pregnancy related injuries such as fistulas. They contribute to high fertility and exacerbates the problem of rapid population growth. They affect many of the development goals, such as achieving universal primary education, maternal health and gender equality, amongst others.

1.1.2 Malawi has ratified the following international treaties and conventions:

- i. The African Charter on the Rights and Welfare of the Child (Charter on Rights of the Child, 1999);
- ii. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1981);
- iii. The Convention of the Rights of the Child (CRC, 1990);
- iv. The Protocol to the African Charter on Human and Peoples; Rights on the Women in Africa.

1.1.3 The National laws and policies also take into consideration and subscribe to the many regional protocols and instruments. Malawi has committed to eliminate child, early and forced marriage by 2030 in line with target 5.3 of the Sustainable Development Goals. The government submitted a Voluntary National Review at the 2020 High Level Political Forum, as it is still a challenge in the country

1.1.4 Through the National Statistical Office, the Government of Malawi has conducted the first-ever national prevalence survey on harmful

¹ <https://malawi.unfpa.org/en/topics/child-marriage-6>

practices as important evidence to inform interventions to address structural issues that impact on the implementation of child-related SDGs, sexual and reproductive health, early marriage and initiation ceremonies

- 1.1.5 These developments are following the passing of the Marriage, Divorce and Family Relations Act in 2015 (MDFRA), as well as the adoption of a constitutional amendment that raises the minimum age of marriage from 15 to 18 years, for both girls and boys by Parliament. The passing of the MDFRA (2015) was followed by orientation of various cadres, that included the Parliamentary Women’s Caucus. The amendment aligns the Constitution with the Marriage, Divorce and Family Relations Act of 2015 enacted by the Parliament.
- 1.1.6 The Government is working towards improving gender equality, violence prevention and policy framework in the country on violence against women and girls and harmful cultural practices. The initiative is supporting the review of five specific laws and policies including:
- i. The Prevention of Domestic Violence Act;
 - ii. The Marriage Divorce and Family Relations Act;
 - iii. The Child Care, Protection and Justice Act;
 - iv. The Gender Equality Act;
 - v. The Penal Code.
- 1.1.7 The review of these legal instruments is taking cognisance of the SADC Model Law on Elimination of Child Marriage and Protection of Children and other international protocols and instruments. It is expected that the review of these legal instruments engages the relevant Parliamentary Committees at certain stages of the review.

1.2. *ENCOURAGING SADC Member States to initiate budgets for funding National Parliamentary committees responsible for gender and children’s issues as well as funding for initiatives and programme aimed at addressing issues of Gender Based Violence and child marriage*

- 1.2.1 The structure of the population of Malawi suggests that there are marginally more women than men and in terms of age the youth constitute the bigger portion of the population. This situation is also true for certain SADC Countries. This situation has for the last couple of years been calling for advocacy of increased budgetary allocations towards the budget lines for the youth initiatives as well as women (Ministry of Gender). This situation has also necessitated the discussion on gender sensitive budgets in Malawi. These discussions are ongoing in Parliament and with various players as they aim at equitable distribution of resources so as to contribute to equal opportunities for all.

1.2.2 With support from the Development and Cooperating Partners, Parliament of Malawi initiated discussions around child responsive budgets. Just like the progress on Gender Responsive Budgets, parliamentarians and different other players have been advocating for equitable distribution of resources towards the children as that guarantees their future and the future of the nation. This again, is on-going as after every presentation of the National Budget, there are analyses and discussions on the line budgets for women and children, just like other line budgets of interest to various interest groups. It is from such discussions that the parliamentarians are enriched with insights regarding the need to reconsider certain line budgets. From such engagements, parliamentarians in Malawi continue to lobby for equitable allocation of resources as an effort to narrow the resource gap for gender and children.

2.0 PROGRESS ON DECISIONS PERTAINING TO THE SADC PF REGIONAL WOMEN'S PARLIAMENTARY CAUCUS

2.1. *URGING SADC member Parliaments to ensure that the SADC Gender Protocol on Gender and Development is domesticated in the respective national laws, in order to attain the 50 – 50 gender parity.*

2.1.1 Since the outset of democracy in 1994, Malawi has ratified and signed a number of international protocols that aim at strengthening the policy and legal framework for girl child and women right in the Country. These have been domesticated through laws that have been enacted through Parliament.

2.1.2 Malawi has its version of a 'national gender machinery', like many other countries, established to break the barriers against women representation in politics and to promote women interests².

2.1.3 As much as there are women leaders right from the grassroots, men still dominate the decision-making roles. Government, therefore has, in many cases been deliberately appointing capable women to various decision-making positions a development that has been raising the profile of women in the country.

2.1.4 Domesticating the SADC Protocol on Gender and Development has a bearing of helping different countries within the region to move a step further in achieving the 50-50 gender parity. Malawi will continue to take on board provisions from such international protocols in enacting and reviewing its national laws as one way of domesticating the same.

² <https://www.cmi.no/publications/5880-the-gender-machinery-women-in-malawis-central>

2.2 *IMPLORING SADC member States to put in place mechanisms to monitor and review national progress on the domestication and implementation of the SADC Protocol on Gender and Development so as to ensure that member States comply with its provisions.*

2.2.1 Malawi has a very sound legal and policy environment in as far as gender policy and legislative framework is concerned. The country has an array of laws pertaining to gender that have been enacted by parliament as well as policies that that have been adopted. These laws take into consideration the various international tools and protocols that include the SADC Protocol on Gender and Development.

2.2.2 The new Malawi Gender Assessment and Gender-Based Violence Assessment reports show that with more than 12 laws, 10 policies, and nine international or regional treaty obligations related to advance gender equality, Malawi has an enabling environment anchored in a progressive Constitution and relevant legislation³.

2.3 *ENCOURAGING SADC member Parliaments to work with Electoral Management Boards (EMBs), and other stakeholders to ensure that the electoral processes are favorable to women’s participation at all levels of the electoral process; and to collect gender disaggregated data to ensure that the SADC Region harnesses the demographic dividend of its women and youthful population.*

2.3.1 Malawi has generally strived and continue to making strides with efforts towards political inclusions of all population groups. At the Government level, there have been creation of Government Ministries with the sole mandates of advancing and entrenching the aspiration of certain population groups. Examples of such Ministries being that of Gender and Community Affairs as well as Elderly and Disability, among others.

2.3.2 The Government of Malawi through Parliament has enacted various laws and adopted policies that aim at providing greater platforms for political participation by all. Notable of such pieces of legislation are those that aim at guaranteeing rights and safety of all those who are considered marginalized like women. These provide additional a platform in which they can exercise their greater political rights and participation.

³ <https://www.worldbank.org/en/news/press-release/2022/06/09/>

2.3.3 As a deliberate effort, and as an example the Malawi Electoral Commission has been lowering the nomination fees for female candidates running in the upcoming by-election, just as it did ahead of 2014 and 2019 General Elections. The Commission dropped the registration fee for women candidates to 25 percent less than the fee for men. This gesture must be commendable if more women are to be encouraged to participate in elections.

2.4 CALLING UPON SADC member Parliamentarians to work with law enforcement agencies in their respective countries in order to combat election-motivated violence, and other electoral malpractices that prevent women from participating in politics, and hence to make the political space safe for women to participate in effectively.

2.4.1 Election is where citizens are legally empowered to choose those who will run the affairs of the state in a given period. Such elections are supposed to be competitive, free and fair both substantively and procedurally. Usually, elections are moderated by a constitution that emphasizes the protection of the rights and freedoms of individuals, which places constraints on the leaders and on the extent to which the will of the majority can be exercised against the rights of minorities.

2.4.2 It can further be argued that rising electoral violence in Africa including Malawi is closely connected with the neo-patrimonial character (**system of social hierarchy where patrons use state resources to secure the loyalty of clients in the general population**) of the African states, the nature of contestation for power, the weak institutionalization of democratic architectures, including political parties and election management bodies⁴. These, prevent common women from participating in elections, hence the need for engagement with security agents.

2.4.3 The notion of violence-free elections is contained in the term ‘free and fair’ elections, which serves as a benchmark for determining the legitimacy of elections. Five main types of strategies can be identified as having a combatting effect on electoral violence and would encourage more women in the election processes as follows: -

- i. Presence of monitors can be instrumental in preventing electoral violence through naming and shaming mechanisms and by creating awareness of tensions building up;
- ii. Mediation can be carried out in high-tension situations to solve an ongoing election-related dispute;

⁴ <https://times.mw/strategies-to-prevent-and-manage-electoral-violence/> (Not authoritative as it is a media article)

- iii. Legal framework and institutional design provides the basis for combating impunity and for creating conditions discouraging violence;
- iv. Law enforcement highlights the deterring function of security forces;
- v. Voter-focused strategies emphasize the importance of long-term prevention through the cultivation of democratic norms and tolerance in society at large.

2.5 EMPHASISING that SADC member Parliaments should strengthen their oversight role in the budget process so as to ensure accountability and transparency in the allocation of resources. In this vein, further CALL UPON SADC member Parliaments to also undertake gender impact analysis of budgets in their respective parliaments and develop mechanisms and methods for developing gender sensitive budgets, so that the budget formulation and implementation processes are engendered.

2.5.1 Gender sensitive budgeting is an approach designed to mainstream the gender dimension into all stages of the budget cycle. Budgets are one of the most influential tools for organizations because without funds, policies or programmes cannot be implemented. They influence the overall objectives of a project and reflect the strategic priorities by the organization.

2.5.2 Malawi is committed to advancing the rights of its citizens and in particular women who have been historically disadvantaged in many aspects which include access to resources for the development of their livelihoods. As early as 2004, the Ministry responsible for Gender, in collaboration with the Ministry of Finance, developed guidelines on gender-responsive budgeting in the public sector. These guidelines were shared with the Ministry of Finance for application in guiding different sectors in budget formulation processes. However, the Ministry of Finance has hardly utilized the guidelines to encourage sectors to integrate gender in their budgets.

2.5.3 In the recent years, the Ministry of Gender has continued to conduct gender-responsive budgeting orientations for Parliamentary Committees on Finance, Community and Social Affairs and the Women's Caucus. These have provided more insights on the subject matter, a development that has enriched the lobbying for more resources during the budget debates in the Plenary.

2.6 IMPLORING SADC member States to develop legislation common to all political parties in their respective countries, to encourage

compliance with gender parity in the top leadership of their party structures, and in the nomination of candidates.

2.6.1 Malawi has enacted and developed different laws and policies respectively, that aimed at advancing women empowerment and gender equality. These tools are aligned to international, continental and regional frameworks to gender equality and women empowerment.

2.6.2 These include the Covenant on Civil and Political Rights, Convention on the Elimination of all forms of Discrimination Against Women (1987), Beijing Declaration and Platform for Action adopted at the Fourth World Conference on Women (1995), Convention on the Rights of Persons with Disabilities and the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa or the "Maputo Protocol"⁵. In SADC, it is party to the SADC Protocol on Gender and Development. Malawi has developed and revised its policies to align with these frameworks.

2.7. DIRECTING the SADC – PF Secretariat to organize periodical forums that will allow parliamentarians to continually engage with their citizens on various thematic areas, in order to encourage their participation in issues that affect them, and also, for expert input that will enrich the work of parliaments in the region.

2.7.1 Members of Parliament in discharging of their representation role, do interact with various population groups from which they generate issues that are brought to Parliament for consideration and decision making. The periodicals forums, as provided by this resolution, provide platforms that encourage discussions on various issues affecting the various population groups concerned. Such discussion Forums offer Members and other participants an informal forum to familiarize themselves with current issues of interest that would help them to participate effectively in parliamentary meetings.

2.7.2 In the Parliament of Malawi, Caucuses, in a way, constitute Discussion Forums as they encourage discussions on various thematic areas of national interest. For instance, there are such caucuses as Population, TB, and the Malawi Parliamentary Conservation Caucus (MPCC). The Youth Caucus has been on the cards for sometimes, and it is yet to be instituted.

2.7.3 In line with this resolutions, national parliaments should therefore consider doing more on encouraging creation of forums even on informal

⁵ https://www.sardc.net/books/BI/factsheets/SGDM_Factsheet_Malawi.pdf

basis, so as to encourage meaningful and honest discussion on national development matters. These forums have a bearing of giving the citizens an opportunity to participating and influencing decisions that are made by the parliaments.

2.8 ENCOURAGING SADC member States to work with civil society organizations and other stakeholders, to engage the youth, particularly young women, including young women living with disability, on Sexual and Reproductive Health (SRH) issues, and harmful cultural practices that have the potential to limit their meaningful participation in governance structures, and in other areas that affect their lives.

2.8.1 Young people face challenges in accessing family planning yet it is even more difficult for people with disabilities. Young people with disabilities face many challenges in seeking SRHR information and are at greater risk of discrimination and exposure to HIV.

2.8.2 There have been progressive policies and the presence of youth in some policymaking structures indicating substantial headway in Malawi. However, underlying structural and societal factors circumscribe young people's lived experiences of participation. The youth living with disabilities suffer more from this.

2.8.3 Despite recent progress in involving young people in SRH policymaking, notable gaps remain between policy and practice. Recognizing and integrating young people in all stages of SRH policymaking is critical to catalyzing the social and political changes necessary to ensure their reproductive health and well-being.

2.8.4 In Malawi, Youth-friendly health services are largely funded primarily by donors, leading to inequitable distribution of services and fragmented implementation. Thus, the youth in other geographical areas are unable to access SRH services. As parliaments, there is a need to bemoan the gaps that are existing is providing this essential service to our youth, who are the future of our nations and the region.

3.0 PROGRESS ON DECISIONS PERTAINING TO THE STANDING COMMITTEE ON TRADE, INDUSTRY, FINANCE AND INVESTMENT

3.1 CALLING UPON SADC countries to explore joint initiatives and research with other countries of the region in order to scale up production of condoms and close up the prevailing annual deficiency

of 3 billion condoms in Sub-Sahara Africa and improve access to condoms.

3.1.1 Malawi does not currently have the condom strategy after the expiry of the previous one in 2020. The agreement is that HIV prevention strategy should have the condom strategy embedded in it. The Government is now doing last mile distribution where there is targeting of places where condoms are not usually available and districts with high burden. We are training distributors to increase access as well as coverage. In terms of production we are doing the Total Market Approach where it involves the public distribution, socially marketed as well as commercial marketed condoms.

3.2 URGING SADC States to build competitive and resilient pharmaceutical value chains to guarantee commodity security given the current status of most SADC countries being net importers of medical and pharmaceutical products and the risk it places on the health of the regional population

3.2.1 The Ministry of Industry and Trade engaged Central Medical Stores Trust (CMST), Ministry of Finance and Pharmaceutical and Medicines Regulatory Authority and the Ministry of Health to ensure that certain products are manufactured locally. CMST plays a pivotal role in interfacing suppliers to the public sector. However, major challenges in medicines manufacturing has been foreign exchange scarcity which affects importation of raw materials and other manufacturing related challenges such as energy supply over the years.

3.2.2 Malawi has been implementing the Buy Malawi Strategy (BMS) since 2013 and this strategy was expected to benefit the country with the supply of affordable and ever-available pharmaceutical supplies. But, despite giving the Pharmaceutical Manufacturers of Malawi a high supply percentage to Central Medical Stores Trust (CMST), the supply chain has remained a very long one, with most of the raw materials (about 70 percent) being imported. This resulted in the 'Buy Malawi Strategy' being expensive for both CMST and district health offices. In spite of these challenges, it remains the ultimate desire of the nation to have the strategy implemented to its success, hence there is a need to:

- i. Continue the encouraging the establishment and growth of local pharmaceutical manufacturing companies by providing incentives, technical support, and regulatory facilitation to promote domestic production of essential medicines.
- ii. Removing existing hurdles and encouraging government entities, healthcare institutions, and other relevant stakeholders to prioritize

the procurement of locally manufactured pharmaceutical products whenever possible.

- iii. Facilitating market access for locally manufactured pharmaceutical products in regional and international markets. This could involve exploring trade agreements, partnerships, and regulatory harmonization to enhance export opportunities for local pharmaceutical companies.

3.3 ENCOURAGING SADC Parliamentary Forum in collaboration with SADC Secretariat and SADC Governments to aggressively advocate for operationalization of the proposed health finance hub in order to accelerate efforts towards sustainable regional health commodity security and universal health coverage through sustainable health financing.

3.3.1 Malawi has been implementing the Health Sector Strategic Plan III (HSSP III) (2023 -2030). The Strategic Plan outlines the objectives, strategies and activities needed to build upon progress during implementation of the Health Sector Strategic Plan II (HSSP II) and accelerate Malawi's progress in achieving Malawi's Universal Health Coverage (UHC) targets by 2030

3.3.2 The HSSP III is motivated by Malawi's agenda 2063's of self-reliance and outlines how the health sector will contribute to the human capital development and mindset-change pillars of the vision. In spite of the challenges being faced, the health sector continues to register notable progress across impact level performance measures.

3.3.3 Despite such progress, however, significant gaps in population health, service delivery and health systems building blocks remain, and require addressing in order to meet (UHC) goals by 2030, and is understood, however, that resources for health care delivery are inadequate in Malawi and probably other SADC Countries, a situation that is demanding a lasting solution. These challenges bring in an idea of a Regional Health Financing Hub.

3.3.4 Among others, Regional Health Financing Hub within the SADC Region would help to fill in the health resource gaps being experiences by the Member countries and ultimately play a key role in driving resource mobilization efforts, strengthening resource allocation efficiency, policy development, and knowledge sharing⁶.

3.4 In light of the growing population of young people, CALL UPON SADC Member States to ensure that there was full and meaningful

⁶ <https://www.nepad.org/news/alm-regional-health-financing-hubs-strengthening-health-systems-southern-africa/>

engagement of young people in all discussions pertaining to the regionalization and domestication of the African Continental Free Trade Agreement (AfCFTA).

- 3.4.1 The She Trades initiative supported by German Corporation for International Cooperation and implemented by International Trade Centre (ITC) has targeted 90 members of COMESA Federation for Women in Business (COMFWB) and National Association of Business Women (NABW) Malawi comprising women and youth for sensitization and awareness campaigns.
- 3.4.2 The project aims to make the AfCFTA more inclusive and enable women entrepreneurs to benefit from regional trade opportunities. On the other hand, the Ministry through GIZ support has targeted 79 youth and women owned Small Medium Enterprises (SMEs) for sensitization and awareness campaigns on available trade financing tools. The GIZ AfCFTA Support Programme also supported 25 youth and women owned SMEs to participate in the 57th edition of the Maputo Trade Fair.

3.5 IMPLORING SADC governments to put in place concrete measures as well as a mix of interventions that directly address cross border trade challenges such as infrastructure, security and cumbersome trade requirements which have direct impact on the cost of trade.

- 3.5.1 The Government through the Ministry of Trade and Industry with support from the COMESA and the World Bank have embarked on establishment of One Stop Border Posts (OSBP) at a border post shared with Zambia and several border posts shared with Mozambique as one way of implementing the Simplified Trade Regime (STR).
- 3.5.2 The twin border posts for the two neighbouring countries share one building to reduce number of stops a cross border trader makes before crossing into the neighbouring country. This involves real-time data sharing concerning the cross border traders and facilitates other services such as Phytosanitary and health Labs facilities for traders to obtain SPS clearances and conduct animal screening at the border exit to ease export trade.
- 3.5.3 The OSBPs are being implemented at Mchinji OSBP, Mwanza OSBP, Dedza OSBP, Songwe OSBP, Muloza OSBP and Chiponde OSBP. Another STR initiative under implementation is the Coordinated Border Management (CBM) Model implementation which was piloted at Mwanza Border Post. The initiative is going to streamline agencies at the border reducing the border agencies from 13 to five. Following successful piloting the initiative was to be launched soon for full implementation and possible replication to other border sites.

- 3.5.4 The Government has established Trade Information Desk Officers (TIDOs) at the border posts to facilitate information sharing and provide on the spot assistance to cross border traders.
- 3.5.5 Another initiative that the Government is in the process of implementing is the National Single Window (NSW) which will establish an online platform which will house all institutions required to obtain export clearances both public and private including financial institutions, the Malawi Revenue Authority (MRA), Ministry of Agriculture for SPS clearance and Ministry of Trade and Industry for licenses. The NSW will reduce cost and time related to obtaining export clearances because the exporter will apply and pay for export clearances transparently with real-time information sharing for the agencies on the platform.

3.6. ENCOURAGING Member States to intensify the flow and exchange of information among traders in order to eliminate unnecessary delays at border posts. Further, urge SADC government to enhance elimination and reporting mechanisms for non-tariff barriers at regional level.

- 3.6.1 Malawi has been enhancing physical infrastructure at border points and along transport corridors which are helping to address challenges related to logistics and transit. Establishment of one-border posts and joint border management between bordering countries could reduce delays and streamline cross-border trade. Therefore, upgrading customs procedures and adopting modern customs systems can improve efficiency and transparency in cross-border trade. Malawi has been modernizing its customs infrastructure and implementing electronic customs clearance systems.
- 3.6.2 There have been sound collaboration with neighboring countries on border management to help address challenges at border points. This is in addition to the cooperative frameworks, joint border committees, and information-sharing mechanisms to enhance coordination and streamline cross-border trade processes.
- 3.6.3 There have been efforts to implement trade facilitation measures to simplify and streamline cross-border trade. This include improving customs procedures, and enhancing coordination between regulatory agencies to expedite the movement of goods across borders.
- 3.6.4 Relevant Parliamentary Committees continue to undertake oversight of these developments that are hinging on the security and trade aspects of the country.

3.7 DIRECTING the SADC PF secretariat to collaborate with the SADC Secretariat and other regional partners in sensitizing citizens and Parliamentarians regarding the Revised SADC Protocol on Gender and Development (2016) and related key issues on gender-responsive legislation, policies and programmes, SADC Vision 2050 SADC and Regional Indicative Strategic Development Plan (RISDP) 2020-2030.

- 3.7.1 Consistent with the Protocol on Gender and Development, Malawi has in place a number legal and policy instruments in place like; the Gender Equality Act and Prevention of Domestic Violence Act. Gender inequality, social norms and discrimination against women constitute violence against women and girls in Malawi. Accordingly, implementing these Acts remain an opportunity to change attitudes and stereotypes that perpetuate discriminatory practices against women.
- 3.7.2 The new Malawi Gender Assessment and Gender-Based Violence Assessment reports show that with more than 12 laws, 10 policies, and nine international or regional treaty obligations related to advance gender equality, Malawi has an enabling environment anchored in a progressive Constitution and relevant legislation⁷. However, low and fragmented allocation of resources to support the implementation of existing laws, policies, and programmes, continues to constrain efforts to close the remaining gender gaps and prevent GBV.
- 3.7.3 As much as different players are managing to sensitize the key players like the Members of Parliament, the same is not easily achieved on the citizens as the depth of such a venture require more resources. Therefore, SADC PF and indeed SADC as regional bodies should consider continue to look into these matters and be at the forefront in coordinating avenues that would lead into sensitization of the citizens.

3.8 IMPLORING SADC PF, in collaboration with national Parliaments and the civil society, to scale up monitoring mechanisms and ensure that respective SADC governments design and implement trade policies that promote inclusive development such as gender mainstreaming.

- 3.8.1 Malawi has a National Trade Policy in place, which was adopted in 2016. The goal of the National Trade Policy is to make Malawi a globally competitive export-oriented economy, generating higher and sustainable livelihoods through trade that recognizes the role of MSMEs and the vulnerable groups⁸. Women constitute a vulnerable population in many cases and Malawi is not an exception. Hence the need to consider monitoring of gender mainstreaming in trade activities in promotion of

⁷ <https://www.worldbank.org/en/news/press-release/2022/06/09/>

⁸ <https://mitc.mw/trade/images/Malawi-Trade-Policy.pdf>

inclusive development. Thus, the National Trade Policy takes on board tenets of the National Gender Policy for inclusivity purposes.

- 3.8.2 Within the context of trade liberalization, which is considered to have the ultimate bearing of increasing productivity and development of physical and human capital, women can be the winners or losers. Their multiple responsibilities and gender-related constraints, such as a lack of access to productive inputs and resources, can mean that they are not able to seize the opportunities provided by trade expansion to the same level as men.
- 3.8.3 Despite this, their entrepreneurial spirit has made them particularly active in various sectors in the countries of the SADC Region. Thus, with proper monitoring, Governments can design and implement appropriate empowerment and policies for them to contribute significantly to economic growth and development of their jurisdictions.
- 3.8.4 Enhancing women's access to financial services and credit is crucial for their participation and success in trade. Other than the existing numerous microfinance institutions, the Government of Malawi established and allowed the establishment of special institutions to be providing financial support to entrepreneurs and traders that include women. This has also meant collaborating with financial institutions provide targeted financial services and capacity-building programs.
- 3.8.5 The Government facilitate women's access to domestic and international markets by creating platforms, networks, and market linkages. This include organizing trade fairs, exhibitions, and these promote women-owned businesses and products. Additionally, the government can provide information and support services on export promotion and market access requirements.
- 3.8.6 Government and indeed parliamentarians have been encouraging creation of networks and support systems for women in trade to facilitate knowledge-sharing, collaboration, and peer support. There are numerous women groups in Malawi that are operating within the confines of the law of relevant policies, and parliamentarians will continue to encourage such groupings to exist.

3.9 CALLING UPON SADC Member States to aggressively build capacities in value addition and mineral beneficiation to minimize economic costs as a result of exporting unfinished products and in turn capitalize on the intrinsic benefits such as employment opportunities, development of related industries among others.

- 3.9.1 In terms of policy and regulatory framework, Malawi has a Mines and Minerals Act which aims at regulating the development of mineral resources in the country through adherence to sustainable development principles so as to benefit the economy and promote the economic growth

of the country, protect and improve the welfare of the citizens, provide an attractive and conducive environment for investment in the mining sector, manage environmental impacts for the benefit of all present and future generations of Malawians, among others⁹. Malawi also has a Mining and Mineral Policy which operationalizes the Act

- 3.9.2 Recent development as led by the Presidential Address in May 2021 indicated a new era in mining development of Malawi. The President highlighted that the Malawi Mining industry was unregulated and benefitting the exploitative external traders at the expense of Malawians. Accordingly, the Mining Regulatory Authority has been established to regulate the mining industry.
- 3.9.3 The Malawi's policy and regulatory framework also provides for the value value-addition tenets of the mineral products. This is because, much of the mineral deposits that are being extracted are exported or sometimes smuggled out the country in raw state and this negatively affect the revenue realized from the same.
- 3.9.4 Malawi is working towards developing the mining sector by catalyzing private sector investment, holding equity interests in mineral extraction and conducting beneficiation and mineral value addition activities, among other important roles.

⁹ <https://leap.unep.org/countries/mw/national-legislation/mines-and-minerals-act-no-8-2018>