



PARLIAMENT OF MALAWI



**RESPONSES TO THE RESOLUTIONS PASSED BY THE 54TH SADC
PARLIAMENTARY FORUM PLENARY ASSEMBLY SESSION HELD IN
PORT LOUIS, MAURITIUS FROM 22ND TO 26TH NOVEMBER 2023**

(1)

ON THE ROLE OF PARLIAMENTS IN PROMOTING COORDINATION FOR ENHANCED DISASTER RISK REDUCTION AND RECOVERY PLANNING IN THE SADC REGION

- a) The Ministry of Natural Resources and Climate Change in Malawi leads climate change management efforts. The Ministry developed a policy to guide programs for adaptation, mitigation, and capacity building using the Green Economy approach and in the process of policy formulation, stakeholders, including civil society and youth led organizations were adequately consulted;
- b) Further to the above, the Policy has set up a coordination structure with representation from civil society, youth, faith-based organizations forming the National Technical Committee on Climate Change and Disaster Risk Management. There is also an Expert Working Group on Adaptation which includes members from the civil society and non-governmental organizations;
- c) Over the years, Ministry of Natural Resources has been formulating policy documents with the aim of providing policy direction in the implementation of climate change mitigation interventions in the country e.g. National Strategy on Climate Change Learning (2021); and
- d) Malawi pledges to reduce GHG emissions by 51% by 2040 and implement 10 strategic adaptation actions across three pillars of institutional framework, knowledge/technology/financing, and resilience for the most vulnerable with the aid of National Resilience Strategy (2017).

(2)

ON THE REPORT OF THE REGIONAL WOMEN'S PARLIAMENTARY CAUCUS FOLLOWING PUBLIC HEARINGS CONDUCTED ON 11TH OCTOBER 2023 UNDER THE THEME: "AMPLIFYING CITIZENS' VOICES IN REGIONAL INTEGRATION IN SOUTHERN AFRICA: BRIDGING THE ENGAGEMENT GAP BY BRINGING PARLIAMENT TO THE PEOPLE".

- a) The Government of Malawi through the Ministry of Information and agencies such as Malawi Communications Regulatory Authority (MACRA) are implementing various programmes including projects with the aim of closing the digital gender gap for rural women. For example, there is a project to have a Telecommunication centres with full internet connectivity in each and every constituency.

- b) The Parliament of Malawi through the Portfolio Committee on Media and Communication provides oversight to MACRA in the implementation of the said project. The Government of Malawi has anti-discrimination laws to protect vulnerable groups including epileptic women from gender-based violence and ensure equal opportunities in education and employment, among others. This contributes to their access to affordable healthcare services, including medication in government-funded facilities;
- c) In terms of encouraging and promoting women’s participation in politics and decision-making, the Parliament of Malawi in conjunction with local and international NGOs has over the years strived to remove all structural, legal and social barriers that hinder women’s participation in politics and decision-making; conducts tailor-made training programmes from time to time for women on political systems and women’s right to participation, and roles in decision making; continues to advocates for gender-sensitive leadership pathways to help bring women into political spheres; and continues supports deliberate policies to promote women in leadership and decision-making roles at all levels; and
- d) Parliament of Malawi has enacted laws with provisions that aim at curbing sexual harassment. For instance, the Gender Equality Act of 2014 provides that sexual harassment is punishable by fine or imprisonment. Further to that, the Malawi Human Rights Commission developed guidelines for reporting sexual harassment incidences in all sectors. In 2023, the Malawi Government recently developed its Public Service Workplace Specific Anti-Sexual Harassment Policy to address the issue. Parliament will continue to provide oversight in the review and validation of these laws and policies to protect human rights in the workplace.

(3)

ON THE STANDING COMMITTEE ON GENDER EQUALITY, WOMEN ADVANCEMENT AND YOUTH DEVELOPMENT FOLLOWING PUBLIC HEARINGS CONDUCTED ON 12TH OCTOBER 2023 UNDER THE THEME: “AMPLIFYING CITIZENS’ VOICES IN REGIONAL INTEGRATION IN SOUTHERN AFRICA: BRIDGING THE ENGAGEMENT GAP BY BRINGING PARLIAMENT TO THE PEOPLE”.

- a) In terms of changing informal and formal institutions that perpetuate gender inequality and subordinate the position of women emanating from patriarchy cultural set ups , the Government of Malawi has constitutional bodies such as the Malawi Human rights commission including the Ministry of Gender that deal with gender inequality

related matters both at national and local authority level, and to that effect the Parliament will continue to enact laws, review and validate policies that address the gender inequalities and subordination of women and girls;

- b) Further to that, the Parliament of Malawi continues to support women economic empowerment programs such as the social cash transfers being implemented by government, and all efforts that aim at reducing the dependence of women and girls as well as reducing GBV incidences.
- c) In terms of increasing the availability, accessibility, and utilization of gender-based violence essential services such as referral structures for GBV and influence governments to domesticate the SADC Model Law on Gender Based Violence, the Ministry of Gender has been training GBV service providers nationwide to prevent and respond to cases effectively; developed referral pathways for GBV survivors to access social, legal, and health services easily; conducted community awareness on GBV effects, causes, prevention, response measures, and available support services; disseminated and reviewed laws and policies that are aiming at protecting and supporting survivors of GBV; the Ministry has instituted a task-force to lead in the process of domesticating the SADC Model Law on GBV; and strengthened coordination of GBV service providers at both national, district and community levels.
- d) Malawi is still in the process of domesticating the SADC Model Law on Gender based Violence and the following activities are being done: holding meetings with stakeholders including Parliament to discuss incorporation of SADC Model law on GBV; and reviewing the National Plan to combat GBV to align it with the Model law by the Ministry of Gender;
- e) In terms of recognizing and integrating regional policies that support informal cross-border trade, and ensuring that women's contributions are valued and protected, Government is implementing the National Action Plan for Women Economic Empowerment (2016) and the 2015 National Gender Policy, which both aim to enhance women's economic empowerment and participation in economic development. The Parliament of Malawi is tasked to oversee the implementation and review of the said policies;
- f) In terms of aligning laws to protect women and youth rights to health, including age of consent for SRHR services, safe abortion, and prevention of child marriages, the Ministry of Health lobbied for safe

abortion bill with Parliament, along with other stakeholders to protect girls from health risks, and consultations are still under way at parliamentary level. Further to that, the Ministry of Health revised the age of consent for SRHR access, allowing all youth to access services regardless of age.

- g) For efforts to embrace social security initiatives for the informal sector, Malawi is implementing a number of initiatives including ¹provision of cash and/or in-kind consumption support to vulnerable people throughout their life cycles; Promotion of resilient livelihoods through tailor made packages based on individual, household, and community needs; reducing levels of vulnerability and resilience enhancement to disasters and socio-economic shocks. The following are some of the specific initiatives being implemented: Social Cash Transfer Programme which targets 10% of labor-constrained ultra-poor households (about 304,000 beneficiary households) across the country; Public Works Programme which has around 451,000 beneficiaries; and School Meals Programme which has around 3,002,661 beneficiaries in selected districts.
- h) In terms of enhancing financial literacy for women in informal cross-border trade through AfCFTA, the Government of Malawi has facilitated formation of Women Cross Boarder Traders Association; holding policy meetings with cross border traders and stakeholders to address issues affecting women traders and the Ministries of Trade and Industry, Gender, Immigration, and Customs are involved; the Ministry of Trade and Industry has put in place Trade and Industry Development Officers (TIDOs) to be assisting small scale cross border traders in border posts; and the Ministry also conducts trainings in financial literacy for business women groups and cooperatives through COMSIP cooperative Union.
- i) In terms of investing in research to understand the dynamics of the informal sector, especially concerning the roles and challenges women face, the Government of Malawi is working in collaboration with partners such as UN Women with the aim of collecting data on female cross-border traders to address issues they face at border posts ; and in collaboration with FINSCOPE, Malawi has been conducting regular surveys on the participation of women in trade in the country (Finscope Consumer Surveys)
- j) In an effort to promote women and youth networks for cross-border trade, to improve negotiation, access resources, and share knowledge, the Government through the Ministry of Trade and Industry, has formed and trained women in Cooperative Member Education for

¹ <https://www.social-protection.org/gimi/gess/ShowCountryProfile>.

them to have a collective voice on lobbying for markets and access to financial services;

- k) The Government of Malawi is taking steps to establish mechanisms for cooperation, coordination, and data management with neighboring countries to prevent trafficking and support child victims and some of the initiatives on this include: Malawi being part of the SADC and AU's Horn of Africa Initiative to fight trafficking and share best practices; collaboration with neighboring countries to fight trafficking; there is a National Task Force on Trafficking in Persons with regional representatives for coordination and information sharing; In addition, Malawi has conducted joint operations with neighboring countries to rescue victims and arrest traffickers and efforts to train law enforcement agencies , social workers, and judicial officials to handle trafficking cases. Further to that, Malawi is working towards establishing specialized services for child victims, including counseling, rehabilitation, and compensation; and Malawi is working in partnership with international organizations like the United Nations Office on Drugs and Crime (UNODC) and the International Organization for Migration (IOM) to access technical assistance and resources.

- l) In an effort to train and build capacity for community structures and civil society organizations (CSOs) with the purpose of enhancing the prevention of Trafficking in Persons (TIP), the Government of Malawi has been undertaking the following: gathering of intelligence information by law enforcement agencies intelligence on suspected trafficking hotspots and routes; monitoring of high-risk regions to identify potential trafficking activities; conducting outreach programs to raise awareness and gather information from communities on potential trafficking cases; working in partnership with non-governmental organizations (NGOs) that work with vulnerable populations to identify and pursue potential trafficking cases; collaborating with neighboring countries and global groups to share anti-trafficking intelligence and strategies; conducting research and analysis to identify trends and patterns in child trafficking destinations; and training law enforcement workers, social workers, and judicial officials on handling of trafficking related cases.

- m) In terms of increasing resources for people with disabilities, remove physical barriers, provide virtual participation opportunities, visual aids, and sign language, the Parliament of Malawi will continue to enact and review laws as well as support policies that promote inclusivity and accessibility, e.g. the enactment of the Disability Act;

- n) In an effort to promote policy that positively discriminates the women or girls and youth to access vocational training, the Malawi Government has put in place policies that prioritize women, girls, and youth to access vocational training with scholarships and gender-responsive curricula. The aim is to reduce disparities, and empower them economically; and
- o) In terms of proposing laws for youth and women's safety, health, and education to spark discussions on topics like abortion, forced marriages, and female genital mutilation, Malawi recently passed laws to protect youth and women, prevent child marriages and female genital mutilation, and ensure access to health services. These laws aim to promote gender equality, human rights, and the well-being of women and youth. For example, in 2021, despite the legal restrictions on abortion, the ruling by the High Court provided for abortion rights to women in case of danger.

(4)

ON THE REPORT OF THE STANDING COMMITTEE ON HUMAN AND SOCIAL DEVELOPMENT AFTER PUBLIC HEARINGS ON OCTOBER 13, 2023: "AMPLIFYING CITIZENS' VOICES IN REGIONAL INTEGRATION IN SOUTHERN AFRICA: BRIDGING THE ENGAGEMENT GAP BY BRINGING PARLIAMENT TO THE PEOPLE"

- a) Climate change is a major challenge risking sustainable development goals in Malawi with increasing intensity and unpredictable climatic shocks and over the years the country has witnessed a number of climatic related disasters including the occurrence of tropical cyclones and in order to mitigate the impacts of such disasters, the Government of Malawi is implementing the following initiatives: **National Forestry and tree planting season to improve vegetative cover**, the national tree planting day is held yearly in December, with the president leading the event. The government's goal is to restore 4.5 million hectares of forests and landscapes in the country; **National Contingency Plan (NCP)**: Malawi's government formulated the 2021-2022 National Contingency Plan to protect citizens from disasters and reduce risk. It outlines response procedures for specific hazards based on identified risks and weather forecasts. The country will continue to monitor and update the contingency plans to effectively respond to emergencies and protect its citizens.

- b) There are both local and international organizations that are working in collaboration with Malawi government with aim of addressing climate change related issues. For example, UNICEF supports youth led organizations in raising awareness on climate change interventions in the country to amplify youth voices; and Government through the department of climate change is implementing Climate Resilience in Malawi (CRIM) Project in some selected local authorities with support from Flanders Government and UNDP. The project aims to help communities adapt to climate change and improve local authority's ability to manage climate shocks.
- c) In terms of reviewing and repealing of laws that criminalize key populations, the Laws of Malawi still criminalize consensual same-sex relationships under the Penal Code (Cap: 7:01).
- d) In terms of reviewing the education curricula in view of most curricula being relics of the colonial legacy and out of sync with the demands of the modern world, the Malawi Government through the Malawi Institute of Education is reviewing education curricula to remove colonial biases, update historical narratives, include 21st-century skills, and promote diversity and inclusivity. Further to that Government through Parliament has been approving increased funding for smart education, with budgets of MK650 million in 2022/23, MK1.87 billion in 2023/24, and MK2.18 billion in 2024/25. See table below for more details; In addition, the Malawi Government (MoE) is implementing the Building Education Foundation Through Innovation (BEFIT) project which is tablet based teaching and learning. In the 2023/24 financial year 68,000 tablets were distributed to 500 primary schools which were also installed with solar energy for tablet based learning; and the total estimated cost for 2023/24 was US\$20 million. an additional 500 primary schools are targeted in 2024/25 fiscal year.
- e) In an effort to devise strategies of attracting and retaining skilled education professionals, the Malawi Government through Public universities have competitive and open promotion without limits on professor numbers. University salaries are higher than civil service; professional development opportunities when one is working at the university since it is expected that every university lecturer should have a PhD; academic freedom for Higher Education staff; flexible work schedules for lecturers to conduct research;

(5)

ON THE REPORT OF THE STANDING COMMITTEE ON TRADE, INDUSTRY, FINANCE AND INVESTMENT FOLLOWING PUBLIC HEARINGS CONDUCTED ON 17TH OCTOBER 2023 UNDER THE

THEME: *“Amplifying Citizens’ Voices In Regional Integration In Southern Africa: Bridging The Engagement Gap By Bringing Parliament To The People”.*

- a) Malawi has made notable progress in implementing access to information laws to promote transparency and encourage citizen engagement in governance with the introduction of the Access to Information Act. This legislation was approved by the Parliament of Malawi in December 2016 and was formally implemented on September 30, 2020, following the government's issuance of the required regulations;
- b) Malawi has actively participated in international forums and coalitions advocating for stronger coordination between multilateral, bilateral, and private creditors. This includes pushing for comprehensive debt relief measures that address the needs of countries facing or at risk of debt distress;
- c) Malawi engages in international discussions and negotiations on debt relief, including those facilitated by the United Nations, the International Monetary Fund (IMF), and the World Bank. The country often aligns with other low-income countries to amplify their collective voice on these issues; and
- d) Malawi supports the reform of the Common Framework for Debt Treatments beyond the Debt Service Suspension Initiative (DSSI) to make it more efficient, transparent, and inclusive. This includes calls for streamlined processes, clearer guidelines, and broader participation from both creditor and debtor countries.

(6)

ON THE REPORT OF THE STANDING COMMITTEE ON FOOD, AGRICULTURE AND NATURAL RESOURCES FOLLOWING PUBLIC HEARINGS CONDUCTED ON 18TH OCTOBER 2023 UNDER THE THEME: *“Amplifying Citizens’ Voices in Regional Integration in Southern Africa: Bridging The Engagement Gap by Bringing Parliament to The People”.*

- a) Malawi has integrated gender considerations into its national policies and strategies. The National Gender Policy (2015) explicitly addresses the need for gender equality in all sectors, including climate change. The National Climate Change Management Policy (2016) and the Malawi Growth and Development Strategy (MGDS III) emphasise the importance of gender equity in climate change mitigation and adaptation efforts;

- b) Malawi has developed a Gender Action Plan for Climate Change to ensure that climate policies and programs are inclusive and consider the needs and contributions of both women and men. This plan aligns with the objectives of the Lima Work Programme on Gender under the UNFCCC;
- c) Various projects and programs are now gender-responsive. For instance, the Enhancing Community Resilience Program (ECRP) among others include components that specifically target the empowerment of women and vulnerable groups in climate resilience activities;
- d) Malawi's updated Nationally Determine Contributions (NDCs) (submitted in 2021) reflect a commitment to integrating gender considerations into its climate actions. The NDCs outline specific targets and actions for reducing greenhouse gas emissions and enhancing climate resilience while ensuring gender inclusivity;
- e) The Department of Environmental Affairs coordinates climate action in Malawi and ensures that gender perspectives are incorporated into climate policies and programs. This department works closely with the Ministry of Gender, Children, Disability, and Social Welfare to ensure alignment with national gender policies;
- f) Malawi has been involved in various international climate finance mechanisms that support gender-responsive climate actions. For example, projects funded by the Green Climate Fund (GCF) and the Global Environment Facility (GEF) include components that promote gender equality and empower women;
- g) Malawi Renewable Energy Strategy (2017-2030) outlines the country's vision to increase the use of renewable energy sources such as solar, wind, and biomass. It sets ambitious targets for renewable energy adoption and aims to improve energy access for rural and low-income communities;
- h) Malawi has implemented various solar power projects to provide off-grid energy solutions to rural communities. For instance, solar home systems and solar mini-grids are being deployed to offer affordable and clean energy to households and small businesses;
- i) Malawi collaborates with international organizations and donors, such as the World Bank, the African Development Bank (AfDB), and the United Nations Development Programme (UNDP), to secure funding and technical assistance for renewable energy projects. In addition,

Malawi has accessed funding from the Green Climate Fund (GCF) to support climate-resilient infrastructure and renewable energy projects that benefit low-income communities;

- j) The Malawi Government through Malawi University of Science and Technology (MUST) engages in research on climate change impacts, including security risks, and collaborates with other institutions and international organizations; and the National Commission for Science and Technology (NCST) supports climate research projects and promotes the use of scientific data in policymaking.

(7)

ON THE REPORT OF THE REGIONAL PARLIAMENTARY MODEL LAWS OVERSIGHT COMMITTEE RPMLOC UNDER THE THEME: *“Garnering Insight into the Pace of Signature and Ratification of SADC Protocols”.*

- a) In an effort to smoothen the process of ratification and domestication of SADC Protocols and Model Laws to ensure the harmonization of laws and enhance regional cooperation in addressing issues of mutual interest in the SADC region and to ensure that adequate funds are allocated to programmes, activities or sectors that relate to the same, the Government of Malawi through the Ministry of Justice has established structures within the Ministry that are responsible for following up on regional protocols and ensure that adequate resources are allocated and appropriated for ratification and domestication of the same. Further to that, the Parliament of Malawi through the Committees of Legal Affairs, and International relations provides oversight on the process for ratification and domestication of the regional protocols and agreements.
- b) In terms of the SADC PF Transformation agreements, the Government of Malawi was amongst the first to sign the agreement for transforming the Forum into SADC Parliament

(8)

ON THE REPORT OF THE STANDING COMMITTEE ON DEMOCRATISATION, GOVERNANCE, AND HUMAN RIGHTS FOLLOWING PUBLIC HEARINGS CONDUCTED ON 16TH OCTOBER 2023 UNDER THE THEME: *“Amplifying Citizens Voices in Regional Integration in Southern Africa; Bridging the Engagement Gap by Bringing Parliament to the People”.*

- a) In an effort to put in place measures aimed at encouraging and facilitating youth participation in electoral processes by creating

policies and frameworks that reflect the needs and concerns of young people, amplifying their voices through the organized platforms for engagement, and making electoral fees affordable for young people to enable their participation, the Government of Malawi has put in place mechanisms aimed at registering all youths above the age of 16 so that those who have attained the age of 18 and above should be able to register and participate in the elections. Further to that, the Malawi Electoral Commission which is the Election Management Body for the country has put in place a number of initiatives aimed at raising awareness on election related matters;

- b) Due to budgetary constraints, over the years the Parliament of Malawi has been unable to allocate resources for Election Observation Missions thereby making it difficult to deploy Members of Parliament to participate in election observation in the region; and
- c) The Parliament of Malawi has a constitutional obligation to oversee the functioning of the Anti-Corruption Bureau (ACB) which is the supreme body tasked with the role of preventing and fighting corruption in the country, and Parliament through its portfolio committees such as Legal affairs, and budget ensure that the ACB is allocated and funded with adequate resources for its operations.