

Women's MANIFESTO



A united women's voice!
ACT NOW!

MALAWI

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FOREWORD

The Women's Manifesto is a political tool for advocacy developed by the Women's Manifesto Movement (WOMAN). The Movement is composed of diverse organizations and institutions working on women and girls' rights in Malawi. The manifesto contains a united Malawian women's voice. It contains key demands which Malawian women and girls expect duty bearers to fulfil at all levels.

The Women's Manifesto has been developed out of a recognition that despite having progressive Gender Related Laws (GRL) and policies, women's and girls' issues receive inadequate attention by duty bearers. This document draws on existing materials such as the Malawi Constitution, the Malawi Growth and Development Strategy Paper, and other blue prints on gender and developmental planning. This document, therefore, seeks to remind duty bearers of their role in fulfilling women's and girls' rights.

Most of the demands contained in this manifesto are directed towards the Government of Malawi, as the principal duty bearer. Nonetheless, there are also demands directed to other duty bearers including political parties, traditional leaders, Non-Governmental Organisations and the private sector.

It is the Women's Manifesto Movement's belief that the implementation of the key demands will lead to a more focused approach in the fulfilment of women's and girls' rights.



Signed

Women's Manifesto Movement

25th March, 2019

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Abbreviations

ASM	Artisanal and Small Skill Mining
GAC	Gender Appropriate Curriculum
GBV	Gender Based Violence
GEA	Gender Equality Act
GRL	Gender Related Laws
IHS4	Integrated Household Survey
ILO	International Labour Organisation
M&E	Monitoring and Evaluation
MoEST	Ministry of Education Science and Technology
MPSR	Public Servants' Rules and Regulations
NGOs	Non-Governmental Organisations
NSO	National Statistical Office
VAW	Violence against Women
VLS	Village Loans and Savings
WEE	Women's Economic Empowerment

SUMMARY

The Women's Manifesto raises a number of demands that are aimed at addressing serious challenges that women and girls are facing in Malawi. The demands are directed towards the Government of Malawi for action, being the primary duty bearer, and also political parties, NGOs, the private sector and other relevant stakeholders. The women's demands relate to eleven thematic areas.

1. WOMEN AND EDUCATION

Several factors affect women's education, including the lack of adequate school infrastructure, inadequate funding, harassment and abuse of girls by teachers and the weak implementation of education laws and policies.

Women therefore demand that Government must:

- a. Improve school infrastructure by building more durable and quality classrooms at every 2km for primary schools and 5 km for secondary schools;
- b. Build teachers' houses and quality girls hostels;
- c. Provide sanitary facilities for girls in all schools;
- d. Increase the allocation of resources to the education sector to 20% of the National Budget or 6 % of Malawi's Gross Domestic Product (GDP);
- e. Take progressive measures to end abuse of girls by teachers and
- f. Strengthen the implementation of gendered education laws and by-laws.

2. WOMEN AND HEALTH

Inadequate financing of the health sector has negatively affected the health care system with regular shortages of essential drugs / medical supplies and lack of technologies and critical equipment. This is compounded by the lack of proper and quality infrastructure. Access to female friendly health care services is also a challenge.

Women therefore demand that the Government must:

- a. Allocate 15% of the National Budget to the health sector in line with the Abuja Declaration;
- b. Build more hospitals, clinics and waiting shelters for patients with at least one health clinic within a 5km distance in every district by 2020
- c. Provide female friendly services and
- d. Strengthen Health Advisory Committees and ensure 50-50 male – female representation in the committees

3. WOMEN AND ECONOMIC EMPOWERMENT

A number of challenges have resulted in the continued economic disempowerment of women in Malawi, including the following: weak enforcement and implementation of economic policies that

could empower women; women's lack of access to credit, training and skills development programs and inequality and discrimination in employment.

Women therefore demand that the Government must:

- a. Enforce and implement economic policies which include the operationalisation of the National Plan of Action on Economic Empowerment of Women by 2019;
- b. Establish and operationalise the Women's Fund by 2019 and the Women's Bank by 2020.
- c. Create a conducive environment which guarantees women's access to capital and skills training development;
- d. Implement policies and laws which would foster equality and end discrimination and sexual harassment in the labour market.

4. WOMEN AND AGRICULTURE

Women face various challenges in the agricultural sector despite the fact that they make up 70% of agriculture labour in Malawi. It is imperative that women enjoy maximum benefits from farming.

Women therefore demand that the Government must:

- a. Increase women's access to information relating to modern farming, farm inputs, markets and skills development;
- b. Improve access to funds for women farmers, by among others establishing the Farmer's Bank by 2020;
- c. Facilitate value additions which include the provision of agro-processing machines to add value to raw materials.

5. WOMEN LEADERSHIP, POLITICS AND GOVERNANCE

There is low women representation in politics and other leadership positions in government, private sector and many areas. Men have dominated the political sphere by assuming most of the key leadership and governance positions.

Women therefore demand that:

- a. Government and political parties must improve the representation and participation of women in the area of politics by creating a violence free conducive political environment, which includes provision of financial support to female candidates during campaign and for the electoral process;
- b. Government, political parties and the private sector must improve women leadership and governance by providing equal opportunities for women in leadership positions and adopting 50-50 gender equality quotas.

6. VIOLENCE AGAINST WOMEN AND GIRLS, PEACE AND SECURITY

GBV, in all its different forms is prevalent in Malawi in varying degrees. Even though GBV is experienced by both females and males, the figures are twice as high among women compared to men.

Women therefore demand that Government must:

- a. Provide effective and efficient access to courts and support systems and services for women;
- b. Develop proper and sustainable strategies of empowering women to ensure that there is female representation and participation in conflict resolution structures in line with 40-60 or 50-50 quotas;
- c. Ministries of Gender, Local Government and Education must develop a comprehensive gendered education curriculum that targets boys and girls from an early age in order to develop positive masculinity and femininity.

7. ACCESS TO JUSTICE

Inadequate awareness about women related laws and court procedure, and inadequate human and financial resources in the courts have contributed to Women's poor access to justice in Malawi. To ensure that women have equal access to justice,

Women demand that Government must:

- a. Provide adequate and fair disbursement of financial resources on awareness raising on laws and procedures targeting both men and women;
- b. Establish a strengthened viable, effective and efficient justice system with gender sensitive personnel and;
- c. Develop mechanism to ensure that cases decided in favour of women are fully enforced.

8. SOCIAL, RELIGIOUS AND CULTURAL ISSUES

In order to ensure that social, religious and cultural structures and beliefs that continue to keep women in servitude, domination, and underrepresentation are transformed,

Women demand that the Government must:

- a. Provide legal literacy and legal services to women and men for a positive change in attitudes and perceptions about women;
- b. Enforce laws against harmful social, religious and cultural practices
- c. Develop strategies against negative social, religious and cultural beliefs and harmful practices;
- d. Train traditional and religious leaders on human rights and women's rights.

9. LAND, WATER AND NATURAL RESOURCES

To ensure that women have equitable access to land rights, clean and safe water, and natural resources management,

Women demand that Government must:

- a. Improve Women's equal access to and ownership of land, benefit and control, by updating all relevant laws that would enhance gendered use and protection of land for the benefit of women;
- b. Improve women's access to safe and clean water;
- c. increase women's participation in water governance structures;
- d. Introduce effective means of improving inclusion, transparency and accountability in mining.

10. ENVIRONMENT

Malawi is one of the 15 countries in Africa categorized as a population and climate change "hotspot" because of its rapidly growing population, water scarcity and falling food production. To ensure the protection of the environment,

Women demand that:

- a. Environmental organizations, chiefs and communities must extensively strengthen environmental laws including banning the use of thin plastics;
- b. Promotion of environmentally sustainable measures that increase climate change resilience;
- c. More women should be recruited in relief programs to protect women and that women should lead in protection clusters.

11. Marginalized and Vulnerable Groups, the Elderly, and People with Disabilities

In order to end the economic challenges women with disabilities, elderly women, rural women and girls in Malawi face, the Government must:

- a. Introduce and facilitate efficient and effective support systems, which include having in place appropriate infrastructures in private and public places;
- b. Increase funding to the Ministry of Gender and also provide necessary social welfare support to the elderly including other vulnerable groups especially children and people living with disabilities;
- c. Ensure that all ministries and civil society organisations engage and include the marginalized and vulnerable groups, the elderly, and people living with disabilities in political and developmental activities.
- d. Offer security and social protection to women with albinism.

A. INTRODUCTION

This Women's Manifesto is a living political document. The Manifesto outlines issues of concern to Malawian women and girls. It further makes demands for addressing identified critical issues. The need for this manifesto arose as a response to the inadequate action by Government and other duty bearers to comprehensively address concerns affecting women in all sectors of the Malawian society. It takes into account the historical disadvantage that Malawian women have suffered in accessing meaningful political, social and economic development. Further, the Manifesto concretizes the issues affecting women and girls and draws attention to the women's needs and factors that would enable women to actively participate in matters affecting their lives and equally benefit from the country's development programs. This Manifesto is therefore aimed at expressing and making known women's voices, rights and aspirations. It provides a stimulus for the achievement of gender equality and sustainable national development critical for upholding the rights and dignity of women and girls.

This Manifesto will work as a tool for demanding accountability from duty bearers and a basis for women to demand action where duty bearers are complacent in their duties. It would therefore ensure that state and non-state actors are more accountable. The key issues of concern and the demands are located within the human rights and women rights context espoused in the laws of Malawi and in international and regional agreements that Malawi is a signatory to.

This Manifesto was developed through a participatory and consultative process with women. The development process allowed women to articulate their concerns and needs and how best they can be solved. The process enabled solidarity and collective thinking among women from various backgrounds and professions. It also built upon women's experiences as documented by various research documents carried out in Malawi. The process took cognizance of the fact that women are not a homogenous group and ensured that different categories of women were consulted. It ensured that young women, older women, women with disabilities, rural women, and urban women were consulted so that the Women's Manifesto is a true representation of all Malawian women and that it is owned by a broad constituency of women. The issues tackled in this Manifesto range from women's education, access to justice, participation in politics, access to resources critical for making a living, women's health, particularly, the unacceptably high rates of maternal mortality, land ownership, natural resources management and sustaining the environment. Other concerns in this Manifesto include early marriages, harmful and discriminatory social practices against women often justified in the name of culture, and violence against women. Challenges that women with disabilities, women with albinism, the widowed, aged women and single mothers face are also addressed in this document. In highlighting the challenges, the focus is on making demands for urgent action by the duty bearers.

B. BACKGROUND

The development of the Women's Manifesto was led by a Task Force and involved the following processes:

- ✚ Development of a concept note
- ✚ Literature review on women's issues in Malawi
- ✚ Consultation of women in rural and peri-urban areas
- ✚ Online survey with predominantly urban women
- ✚ Consolidation of women's voices
- ✚ Discussion of the emerging issues at a Women's Assembly
- ✚ Identification of key manifesto issues and demands by the Women's Assembly
- ✚ Drafting and validation of the Women's Manifesto and its production

C. SITUATIONAL OVERVIEW

This Women's Manifesto covers eleven themes based on the following contextual realities:

a. Women and Education

Education and training for women and girls is a powerful tool for social, economic and political empowerment. It provides women with knowledge, skills and self-confidence which they need in order to seek social, political and economic opportunities.¹ However, there is a high level of illiteracy in Malawi especially among women and girls. As of 2017, 66% of women were literate compared to 81% men.² Of these 90% of people in urban areas are literate compared to 68% in rural areas. One of the principles of national policy under the Malawi Constitution is that the State shall adopt policies and legislation aimed at providing adequate resources to the education sector.³ However, the education system in Malawi is marred with poor infrastructure and lack of adequate resources.

b. Women and Health

In Malawi, a number of issues affect women's health. These include maternal health, HIV/AIDS, reproductive health, and access to health care. It is recorded that for every 100,000 live births in Malawi, 807 mothers die as a result of pregnancy and childbirth related causes. The HIV prevalence rate in Malawi translates to an estimated one million Malawians living with HIV, about

¹Malawi Law Commission, *Report of the Law Commission on the Development of the Gender Equality Act*, Malawi Law Commission Report No23 (Malawi Law Commission; Lilongwe, 2011) p. 74

²NSO, *Fourth Integrated Household Survey (IHS4) Main Report*(2017). Available at http://www.nsomalawi.mw/images/stories/data_on_line/economics/ihs/IHS4%20REPORT.pdf

³ Section 13(j) Constitution of the Republic of Malawi.

18.8 % of the population, 58 % of whom are girls and women.⁴Section 13(c) of the Constitution provides that the state shall actively promote the welfare and development of the people of Malawi by progressively adopting and implementing policies and legislation aimed at achieving adequate health care, commensurate with the health needs of Malawian society and international standards of health care. However, access to quality health services remains a serious problem in the country especially for women and girls.

c. Women Economic Empowerment and Access to Resources

Women's economic empowerment (WEE) and access to resources entails women's capacity to access and control the means to make a living on a sustainable and long term basis, and receiving the material benefits of this access and control. A number of tools can help women to be economically empowered and one such tool is access to productive resources such as property, labour and business. There is need for viable access to capital and government supported WEE initiatives like facilitating cooperatives and women in entrepreneurship and tender-preneurship opportunities. Through establishments of cooperatives, women can economically empower themselves. However, as it stands currently, the law on the formation of such cooperatives makes this difficult because it has set up a long process for a cooperative to be registered. Further, most women are illiterate on financial management and as a result most decisions regarding the use of finances at household level and how to run and manage businesses are made by men. This erodes women's control over their businesses.⁵

d. Land, Water and Natural Resources

Generally, the majority of women in Malawi do not have the financial muscle to purchase land of their own, therefore, they depend on family inheritance. As families grow, land becomes insufficient to cater for everyone's needs. Although the newly enacted land laws seem promising to cater for some of these concerns, practicality on the ground is farfetched. For instance, under the newly enacted Customary Land Act, customary land will now be registered as customary estates and held as private land.⁶However, private ownership of customary estate likely to be dominated by males despite the law guaranteeing equal treatment and representation of women in customary land committees. This will result largely from long standing cultural beliefs that have negatively affected attitudes and perceptions on women and ownership of land.

⁴Malawi Multiple Indicator Cluster Survey(2006). Available at <https://www.k4health.org/sites/default/files/MISC%20Report.pdf>; Integrated Household Survey 4 (n 2).

⁵Malawi Law Commission, *Report of the Law Commission on the Development of the Gender Equality Act*(n 1) 98

⁶Section 5(2)(b) of Customary Land Act, 2016

e. Access to Justice

Women's access to justice remains a great challenge in Malawi. The vast majority of people are unable to enforce their rights because they cannot access formal justice delivery institutions, including the courts.⁷ There are inadequate courts structures especially in rural areas and most of them have few competent staff to provide access to justice services for women. The problem is compounded by limited access to legal aid services. Furthermore, customary laws predominantly reinforce unequal gender relations, compounding the discrimination that women face by public and private institutions. Many statutory laws which comprise subsidiary legislation to the Constitution continue to discriminate against women. These include laws on inheritance, and divorce which also reinforce the oppression of women.

f. Women leadership, Politics and Governance

Women continue to be underrepresented in leadership, politics and governance as compared to their male counterparts. For instance, in politics in the 2014 Parliamentary elections only 32 made it to parliament representing only 12% of those who participated. This translated into 16.5% representation of women, as opposed to 22% in 2009. Women participation in the presidential elections has also been very low. For example, in the 2014 elections only 2 out of 12 presidential candidates were women; and in 2019 tripartite elections only one woman presented her nomination papers for the presidency. The representation of women in local councils has also been minimal. In the 2014 elections, 56 out of the 419 women candidates were elected (13.4 %). Most women lack political support from political parties, a situation which is aggravated by lack of financial resources.

g. Women and Agriculture

Agriculture has been identified as the main economic occupation for Malawians and is estimated to involve more than 80% of the country's labour force. The majority of women are found in the smallholder agriculture sector that is characterized by low incomes due to low productivity and unfavourable input/output prices ratios. Women are mostly confined to local markets where prices are low and produce is sold at a loss. This makes it difficult for women to access bigger markets due to the unprofitability of their activities. Structurally, men are the ones in control and in decision making positions concerning subsidised farm inputs programmes, as a result most women and girls do not benefit from subsidised farm inputs programmes and yet they are the poorest and most in need of subsidised farm inputs. Where women qualify for subsidised farm inputs corrupt practices deny them access to the subsidy.

⁷Fidelis Edge Kanyongolo, *Malawi: Justice Sector and the Rule of Law*, A Review by AfriMap and Open Society Initiative for Southern Africa (Open Society Initiative for Southern Africa 2006) 19. Available at <https://www.opensocietyfoundations.org/reports/malawi-justice-sector-and-rule-law>

h. Violence against Women

Malawi has enacted a number of laws that are aimed at promoting and protecting the rights of women. The notable ones being the Gender Equality Act of 2013, Prevention of Domestic Violence Act 2006, Deceased Estate (Wills, Inheritance, and Protection) Act, 2011 and the Marriage, Divorce and Family Relations Act, 2015. Despite the existence of these pieces of legislation women and girls continue to be victims of various forms of GBV. Since many women are illiterate and almost all laws are in English, they do not know the extent of protection afforded to them by the law. For instance, contrary to what the law provides, men and some women still believe it is acceptable for a husband to beat his wife in order to discipline her. Such patriarchal norms and cultural values undermine the express legal principles and rules.

i. Women and Social, Religious and Cultural Issues

There are several social, religious and cultural practices that work against women in Malawi. The cultural practices and norms favour men than women. These are compounded by religious norms that portray women as weaker sex and deliberately put men at an advantage over women. Malawi has two lineage patterns influencing people's socialization and cultural practices; patrilineal and matrilineal.⁸Cultural practices and norms are known /respected in both communities more than statutory laws.

j. Marginalized Groups and Exclusion

Women and marginalised groups face a lot of social and economic challenges. Marginalised groups include, those living with various forms of disabilities, those living with HIV and AIDS and people with albinism. These groups of people are in most cases voiceless or are excluded in decision making structures and community development activities; as such so many development issues that would alleviate their situations are not implemented in the communities. There are limited employment opportunities for physically challenged women. Cultural beliefs have inculcated negative perceptions towards vulnerable groups. Stigma and discrimination is also rampant in the provision of safety nets e.g. Social cash transfer (*Mtukula Pakhomo*) and Public works programmes (*Mthandizi*) for the vulnerable groups in violation of their rights.

D. THE DEMANDS

1. WOMEN AND EDUCATION

There are a number of factors that affect women's education. First is the lack of or inadequate and quality infrastructure. Many students in Malawi have to travel long distances to school. A World Bank Report on primary education in Malawi found that in 15 of 34 educational districts, the average distance between households and the nearest school is over four kilometres.⁹For

⁸WLSA, *Malawi Dispossessing the Widow: Gender Based Violence in Malawi*, (Kachere Publications 2002)

⁹Vaikalathur Ravishankar et al., *Primary education in Malawi; Expenditures, Service Delivery and Outcomes* (World Bank Publications 2016)

secondary school, the closest school is often more than 30 minutes away. Travel times to secondary school are longer for rural areas compared to urban areas.¹⁰ Research on girls' education has often cited long distances to school as a challenge for girls' access to education, due to concerns around safety, and/or due to the costs associated with transporting girls to school. Furthermore, classroom shortages are acute and have a greater impact on educational outcomes. While primary enrolment increased by 45 % between 2004 and 2013, the number of primary classrooms rose by only 12 %. Classroom shortage has been identified as a primary factor contributing to student absenteeism, repetition, and dropouts.¹¹

The second challenge relates to inadequate funding to the education sector which greatly impacts on girls' education. The bulk of government expenditure on primary education is allocated to teachers' salaries. There are limited resources for fiscal space for the procurement of critical non-recurrent educational inputs and capital expenditure. There is, therefore, too little room for financing other inputs necessary for delivering quality education. In addition, students especially girls drop out of school for financial reasons, such as an inability to pay for school fees, uniforms or supplies. According to the 2015–2016 Education Sector Performance Report, school fees accounted for 39% of all dropouts from secondary school in the 2015-2016 school year.¹²

The third challenge is the abuse that school going girls face at the hands of teachers. GBV has been reported to contribute to girls' absenteeism and dropout in Malawi, with girls staying away from school due to fear of harassment and abuse. There are reports of teachers being harsh and using offensive language towards students, particularly to over-aged girls and students repeating grades. Furthermore, teachers who abuse girls do not receive stiff punishment as stipulated in the Malawi Public Servants Rules and Regulations (MPSR) but are instead often transferred from one school to another, which simply results in increased number of abused girls as the teacher is likely to repeat his/her bad behaviour. This is aggravated by the lower numbers of female teachers compared to male teachers at both primary and secondary levels. As of 2015, approximately 42% of primary teachers in Malawi were female, and only 22% of secondary teachers were female. Shortages of female teachers are most pronounced in rural schools compared to urban schools.¹³ Lastly, there is weak implementation of education laws and policies. The country has progressive laws and policies, however, most implementers of the policies such as teachers are not familiar with the laws and policies. For example, Malawi's Read Mission Policy allows school-aged mothers

¹⁰ Sally Robertson, *Girls' Primary and Secondary Education in Malawi: Sector Review: Final Report* (Australian Council for Education Research 2017). Available at

https://research.acer.edu.au/cgi/viewcontent.cgi?article=1031&context=monitoring_learning

¹¹ Vaikalathur Ravishankar et al., *Primary education in Malawi; Expenditures, Service Delivery and Outcomes* (World Bank Publications 2016)

¹² Sally Robertson, *Girls' Primary and Secondary Education in Malawi: Sector Review: Final Report* (Australian Council for Education Research 2017). Available at

https://research.acer.edu.au/cgi/viewcontent.cgi?article=1031&context=monitoring_learning

¹³ Sally Robertson, *Girls' Primary and Secondary Education in Malawi: Sector Review: Final Report* (Australian Council for Education Research 2017). Available at

https://research.acer.edu.au/cgi/viewcontent.cgi?article=1031&context=monitoring_learning

to return to school after having a child. However, challenges have been identified, including lack of support for the policy from some education stakeholders, and lack of an implementation plan, and an M&E plan¹⁴ by the Ministry of Education.

WOMEN THEREFORE, DEMAND:

1.1 Improved infrastructure

Government must :

- 1.1.1 Build more durable teachers' houses and quality classrooms with sanitary facilities for girls at every 2km for primary schools and 5km for secondary schools.
- 1.1.2 Provide girls in all secondary schools with hostel accommodation to enable them concentrate on their studies

1.2 increased budgetary allocation in education

Government must increase allocation of resources to the education sector to 20% of the national budget or 6% of Malawi's Gross Domestic Product (GDP) as stipulated in the Strategic Development Goals (SGDs).

Government must provide:

- 1.2.1 Adequately resourced free and compulsory primary education by 2020;
- 1.2.2 Scholarships for girls in secondary and tertiary education;
- 1.2.3 Training of more female teachers while aiming at the 50 -50 male / female ratio, building on the benchmark provided in the Gender Equality Act and;
- 1.2.4 Deploy qualified teachers and provide them with adequate incentives especially those in Community Day Secondary Schools.

1.3 End abuse of girls by teachers

Government must:

- 1.3.1 Strictly enforce laws, regulations, policies and the teachers' code of conduct that address abuse of girls by teachers;
- 1.3.2 In line with the MPSR, dismiss instead of transferring teachers who impregnate or abuse girls and provide a tracking system that bars such teachers from being deployed as teachers elsewhere;
- 1.3.3 Increase the number of female teachers most of whom should be deployed to rural schools;
- 1.3.4 Increase the number of female teachers in leadership with the aim of achieving the minimum male – female ratio of 50–50, building on the benchmark set in the GEA;

¹⁴Sally Robertson, *Girls' Primary and Secondary Education in Malawi: Sector Review: Final Report* (Australian Council for Education Research 2017). Available at https://research.acer.edu.au/cgi/viewcontent.cgi?article=1031&context=monitoring_learning

- 1.3.5 Recruit more school inspectors who should be trained in gender equality and social inclusion to check schools' compliance with regulations that protect girls in schools;

1.4 Strengthened Implementation of Education Laws and Bylaws

Government and NGOs must:

- 1.4.1 Strengthen and implement laws and bylaws especially those dealing with the right to education and child abuse, child labour and child marriages.
- 1.4.2 Increase efforts in supporting girls to be brought back to school after pregnancy and ensure that there is a conducive school environment for learning and community social support.
- 1.4.3 Enforce education standards and ethics in all schools and recognise schools that are exemplary in promoting girls education.

2. WOMEN AND HEALTH

Women face a number of challenges in accessing health services. The first challenge relates to inadequate financing of the health sector which has crippled the health care system with regular shortages of essential drugs/ medical supplies and lack of technologies and critical equipment. For instance in the 2015/16 financial year, only an average of 24% of health facilities could maintain enough drug stocks to cover 1 to 3 months.¹⁵ Health care financing in Malawi remains unsustainable and unpredictable. During the period 2012/13-2014/15, development partners' contributions accounted for an average 61.6% of total health expenditure, Government accounted for an average of 25.5% and households 12.9% of the health expenditure. Inadequate financing significantly impacts on women's health negatively. For instance, the numbers of health facilities that can provide a full package of comprehensive and basic emergency obstetric and neonatal care services are few. Only 45 (53%) hospitals and 29 (5%) health centres can provide a full package of comprehensive and basic emergency obstetric and neonatal care.¹⁶

The second challenge is the lack of proper and quality infrastructure. The policy of the Government is to have a health facility at every 8 km. However, the proportion of the population living within 8 km radius of health facility declined from 81% in 2011 to 76% in 2016. This indicates that there is still a significant proportion of the population that is underserved, especially those residing in the rural and hard to reach areas.¹⁷

The third challenge relates to operation of the community health committees. Strong community structures and community-level engagement are critical in ensuring successful community health

¹⁵ Government of the Republic of Malawi, *Health Sector Strategic Plan II (2017-2022)*(2017) Available at <http://www.health.gov.mw/index.php/policies-strategies?download=47:hssp-ii-final>

¹⁶Government of the Republic of Malawi, *Health Sector Strategic Plan II (2017-2022)*(2017) Available at <http://www.health.gov.mw/index.php/policies-strategies?download=47:hssp-ii-final>

¹⁷Government of the Republic of Malawi, *Health Sector Strategic Plan II (2017-2022)*(2017) Available at <http://www.health.gov.mw/index.php/policies-strategies?download=47:hssp-ii-final>

programmes. However, currently many health programs are externally-driven and do not promote community participation and ownership of community health.¹⁸ While numerous community structures exist to support community health such as community Health Advisory Committees, there are considerable gaps and areas for improvement. Firstly, many of these structures are not fully functioning. Secondly, there are no clear guidelines on the functions and reporting structures of different health committees. In addition, the link between the health committees and the community health system; and other non-health community organising structures remain unclear. Thirdly, many members of these structures are not sufficiently aware of and/or do not have sufficient training to implement their responsibilities, as per existing guidelines.¹⁹

WOMEN THEREFORE DEMAND:

2.1 Increased Budgetary Allocation

Government must allocate 15% of the National Budget to the health sector as per the Abuja Declaration to cater for:

- 2.1.1** Improved maternal health care including the provision of delivery Maternity Kit.
- 2.1.2** Training of medical personnel especially in the provision of female friendly services.
- 2.1.3** Increase in the number of nurses to a ratio of 1 nurse to 30 patients by 2022.
- 2.1.4** Acquisition and management of medical supplies especially for maternal health needs.
- 2.1.5** Provision of scholarships for health and medical students especially girls.
- 2.1.6** Provision of mobile health clinics with a strong focus on sexual and reproductive health and female friendly services especially for young girls.
- 2.1.7** Provision of comprehensive women's health services including screening for cervical and breast cancer.

2.2 Improved Hospital Infrastructure

Government must build more hospitals, clinics and waiting shelters for patients with at least one health clinic within a 5km distance in every district by 2020.

2.3 Improve and Empower Health Advisory Committees

- 2.3.1** Develop guidelines and bylaws for the Health Advisory committees.

¹⁸Government of the Republic of Malawi, *Health Sector Strategic Plan II (2017-2022)*(2017) Available at <http://www.health.gov.mw/index.php/policies-strategies?download=47:hssp-ii-final>

¹⁹Government of the Republic of Malawi, *Health Sector Strategic Plan II (2017-2022)*(2017) Available at <http://www.health.gov.mw/index.php/policies-strategies?download=47:hssp-ii-final>

- 2.3.2** Improve and empower the capacity of health advisory committees to take action and improve the provision of gendered health services and information in all districts.
- 2.3.3** Increase representation of women in the health advisory committees to at least 50 – 50 ratio in accordance with GEA 2013.
- 2.3.4** Enforce professional ethics and punitive measures on health officers who breach the ethics and violate women’s rights.

3. WOMEN AND ECONOMIC EMPOWERMENT

Most women in Malawi are economically disempowered. The first challenge relates to weak enforcement and implementation of economic policies that would empower women. Inadequate funding is one of the major bottlenecks to the enforcement and implementation of the laws and policies. Funding to gender programmes and activities, including towards the implementation of gender related economic laws and policies, is fragmented and inadequate. Almost all the programmes on the promotion of gender equality are supported by development partners.²⁰ Furthermore, most progressive laws are not usually enforced because they have not been costed, and there is inadequate funding towards their implementation and monitoring. There is also narrow effective dissemination of laws, leading to limited knowledge, specifically in rural areas. This is made worse by inadequate gender sensitive policies and legal frameworks as well as programmes to promote women entrepreneurs.²¹

Secondly, women lack access to credit, training and skills development programs. As a result of this challenge women end up being locked in small scale businesses because the financing that they obtain from microfinance institutions is very small with no inbuilt systems to propel them to large businesses. The problem is compounded with the fact that Malawi does not have a women’s financial institution.²² Further, most micro finance institutions have been known to charge exorbitant interest rates (i.e. above 40%). Illiteracy and lack of self-confidence to take risks inhibits the full effectiveness of micro-finance activities. This is more so because many credit and savings schemes are not well integrated with interventions for capacity building of members in order to improve financial literacy levels as well as their knowledge of socio-development concerns that can negatively impact their business.

Lastly, there is the challenge of inequality and discrimination in employment. The most effective way to achieve economic empowerment of women is through the creation of safe and remunerable

²⁰Government of Malawi, *Implementation of the Beijing Platform for Action 1995* (2014) Available at https://www.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/malawi_beijing_review.pdf

²¹Oxfam, *Closing the Divide in Malawi* (2018) Available at https://d1tn3vj7xz9fdh.cloudfront.net/s3fs-public/file_attachments/bp-closing-divide-malawi-inequality-250418-en.pdf

²²Government of Malawi, *Implementation of the Beijing Platform for Action 1995* (2014) Available at https://www.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/malawi_beijing_review.pdf

employment for all. In Malawi, access to decent paid work is not inclusive and is not a driver of poverty reduction. Instead, the greatest majority of the population is employed in the informal sector, with about 60% in precarious employment. Women are highly economically active, but are underrepresented in the most unstable, lowest-paid and lowest-skilled agricultural and non-agricultural rural work, as well as in unpaid care work. Overall, women face greater difficulty translating their labour into paid work.²³

In addition, there is discrimination against women in the right to own, access, control and inherit property in Malawi. Women in business have low access to credit facilities and face negative cultural norms that unfortunately have been ingrained in lending institutions. Most business decisions are made by husbands or other male relatives and this erodes and undermines women's control over their businesses. Apart from lack of information about potential markets, there is also a shortage of business structures in support of women businesses, lack of gender training of actors, shortage of women-friendly business consultants. Women face marginalization in public tender awards and do not participate in the formulation of business or trade rules, policies and laws this is compounded by the politicization of public funds. Women are discriminated against as they enter the labour market—in access to employment, in pay and benefits, and in the legal treatment of their labour. Women also cope with many stresses that men do not face in the place of work; for example sexual harassment, unwarranted dismissals and the burdens of child care as well as caring for the sick and the double shift of work at home.

WOMEN THEREFORE DEMAND:

3.1 Enforcement and implementation of economic policies

Government must

- 3.1.1** Operationalise the National Plan of Action on Economic Empowerment of Women by 2019.
- 3.1.2** Develop and implement policies and strategies that economically empower women by 2020.
- 3.1.3** Establish one stop shops in all districts whose task will be to provide information and guidance on registration of businesses, taxes and the utilization of business markets.

3.2 Access to capital, training and development of women's skills

Government must

- 3.2.1** Establish and operationalise the Women's Fund by 2019 and the Women's Bank by 2020.

²³Oxfam, *Closing the Divide in Malawi* (2018) Available at https://d1tn3vj7xz9fdh.cloudfront.net/s3fs-public/file_attachments/bp-closing-divide-malawi-inequality-250418-en.pdf

- 3.2.2 Women must be given equal access to adequate capital through banks and cooperatives.
- 3.2.3 Scale up Village Loans and Savings technologies (VLS) by provision of financial management, training and financial literacy training.
- 3.2.4 Train and develop women's skills in business especially how to graduate to big businesses.
- 3.2.5 Develop and implement a policy that ensures that at least 30% of public tenders in public procurement are reserved for women.
- 3.2.6 Set up mechanisms that enable women to access profitable markets.

3.3 Equality and Non-Discrimination in Employment

Government must

- 3.3.1 Create or facilitate the creation of more jobs to increase equal access to the labour market, ensuring 40-60 recruitment ratio in both private and public institutions.
- 3.3.2 Implement and enforce laws against sexual harassment and discrimination.
- 3.3.3 Strengthen the role of labour officers to inspect work places on issues of sexual harassment and gender discrimination among others
- 3.3.4 Increase access to social security benefits to the majority of women who are in the informal sector according to ILO guidelines.
- 3.3.5 Create child care facilities at work places for nursing mothers

4. WOMEN AND AGRICULTURE

Women make up 70% of agriculture labour and yet they face a number of challenges in this sector. Firstly, women find it hard to get information, farm inputs and to develop their agricultural skills. These challenges affect women's agricultural production and productivity. Women's challenges have been influenced by a weak agricultural extension service delivery system for example, poor coordination, inadequate staff with no sufficient training and no supervision, among others. The inadequacy of extension service delivery has curtailed progress on dissemination and adoption by farmers of improved farming technologies, for example, fertilizer, seed, and farm machinery use.²⁴

The second challenge is low access of funds to farmers especially women. Access to credit remains low in Malawi. For example, the Integrated Household Survey of 2016/17 (IHS 4) indicated that 64% of female headed households are more likely to borrow business start-up capital than 50% male headed households. However, this is still an area where women face bottlenecks. Whereas 14 % of men have access to credit, the number for women stands at

²⁴Malawi Government, *National Agricultural Policy* (2016). Available at https://reliefweb.int/sites/reliefweb.int/files/resources/NAP_Final_Signed.pdf

10%. According to IHS 4, women often lack access to credit from banks and microfinance institutions because of collateral and security guarantees. Formal lenders in Malawi including rural banks, savings and credit cooperatives, and special credit programmes supported by the Government and Non - Governmental Organisations prefer to give loans to households with diversified asset portfolios and with diversified incomes, thus putting women at an increased disadvantage when compared to men.²⁵

The thirdly despite the high dependence of the national economy on agriculture, commercialization remains largely untapped. Overall, the agricultural sector is characterized by low productivity, low levels of improved farm input use, limited private investment, and low mechanisation levels. Thus the potential commercialisation of the sector is impeded by market access constraints and limited integration/coordination of most agricultural value chains. The average added value per agricultural worker in 2005 for example amounted to \$209, far below the Sub-Saharan average of \$680.67.²⁶

WOMEN THEREFORE DEMAND:

4.1 Access to information, farm inputs and skills development

Government must:

- 4.1.1** Train women on effective ways of cultivation, skills in managing contracts, storage of produce and operating strong cooperatives.
- 4.1.2** Implement policies that promote modern farming methods with a focus on women.
- 4.1.3** Prioritise mechanisation in agriculture that would be inclusive by prioritising women and the marginalised.
- 4.1.4** Strengthen and engender the role of extension workers.

4.2 Improved access to funds for women farmers

- 4.2.1** Establish the Farmer's Bank by 2020.
- 4.2.2** Develop and implement laws and policies that improve access to funds through more favourable bank interest rates for farmers especially women.
- 4.2.3** Increase national budgetary allocation to agriculture and support to women farmers.

4.3 Value Additions

- 4.3.1** Provide agro-processing machines to add value to raw materials.
- 4.3.2** Enhance the operation of cooperatives for women in order to increase their access to markets.

²⁵Government of Malawi, *Implementation of the Beijing Platform for Action 1995* (2014) Available at https://www.uneca.org/sites/default/files/uploaded-documents/Beijing20/NationalReviews/malawi_beijing_review.pdf

²⁶United Nations, *The United Nations Development Assistance Framework Malawi, 2019-2023* (2018) Available at <https://www.unicef.org/about/execboard/files/Malawi-UNDAF-2019-2023-17May2018.pdf>

4.3.3 Provide and regulate markets for the benefit of rural and small- scale farmers

4.3.4 Promote agri-business for women.

5. WOMEN IN POLITICS, LEADERSHIP AND GOVERNANCE

Women continue to be underrepresented in leadership, politics and governance as compared to their male counterparts. The first challenge is that formal politics is frequently informed and dominated by patronage politics.²⁷ Women are especially marginalised in the patron- client networks that such neo patrimonial systems sustain. Further, political participation can be dangerous for women. Cultural beliefs entrench the belief that women's exposure to public activities leads to immoral behaviour. In many cases, husbands and male relations forbid their wives and female relations from entering into politics since they are threatened by the possibility that they will become promiscuous by interacting with other men.²⁸ In addition, laws and policies have not fostered women participation in politics. In addition, most of the laws and political party policies are not supportive of women's participation in politics. Equality and non-discrimination principles which could enhance women participation have not been consistently applied in the laws and policies. For instance, most of the party constitution recognise the principles of equality but fail to make the principles gender specific.²⁹

The second challenge relates to lack of women leadership in governance and other sectors. Women have roles in society that are often deeply entrenched and affect their capacity to be leaders. Girls are often victims of harmful cultural practices, such as child marriage, and are denied access to education. Women are usually tasked with time consuming household responsibilities, such as cooking, cleaning, fetching water and childcare, leaving little time to develop the capacities to participate in political leadership. More value is placed on the boy child, who is not typically expected to perform these tasks, and thus has more time to invest in his education and leadership growth.³⁰ Furthermore, political power is open to a narrow socioeconomic group of women in Malawi, bounded both by class (education, career) and social expectations (marital status, religious belief). Even so, the electoral system has no controls on party finance and women are at a distinct disadvantage, with fewer economic resources and less access to male-dominated clientlist networks. In spite of constitutional guarantees, successive male-dominated governments have done little to address women's economic and political exclusion.³¹

²⁷ Rebecca Tiessen, *Small Victories, But Slow Progress: An Examination of Women in Politics in Malawi* (2008) Available at <https://www.tandfonline.com/doi/full/10.1080/14616740801957547>

²⁸ Rebecca Tiessen, *Small Victories, But Slow Progress: An Examination of Women in Politics in Malawi* (2008) Available at <https://www.tandfonline.com/doi/full/10.1080/14616740801957547>

²⁹ Ngeyi Kanyongola and Bernadette Malunga 'Legal Empowerment: Laws Promoting Women participation in Politics' in *Women and Politics in Malawi* Available at https://www.researchgate.net/publication/315767349_Women_in_Politics_in_Malawi

³⁰ Joyce Banda *A toolkit for Advancing Leaders in Africa* Available at https://www.wilsoncenter.org/sites/default/files/advancing_women_leaders_in_africa_final.pdf

³¹ Tam Oneil et al, *Women and Power: Representation and Influence in Malawi's Parliament* (Overseas Development Institute, 2016) available at <https://www.odi.org/sites/odi.org.uk/files/odi-assets/publications-opinion-files/10289.pdf>

WOMEN THEREFORE DEMAND:

5.1 Improved Women representation in politics

Government and political parties must improve the representation and participation of women in politics by:

- 5.1.1** Introducing mentorship programmes and training of female politicians.
- 5.1.2** Providing financial support to female candidates during campaign and for the electoral process;
- 5.1.3** Setting up a fund for the benefit of women politicians.
- 5.1.4** Intensifying awareness campaigns to encourage women to participate in politics as candidates and as voters and to hold elected officials accountable.
- 5.1.5** Improving the political environment with issue based and development oriented politics.
- 5.1.6** Reviewing and engendering the Political Parties Act.
- 5.1.7** Implementing mechanisms to end gendered political and electoral violence especially during primaries and
- 5.1.8** Political parties must develop intra party regulations and guidelines with specific gender targets including 50 – 50 male – female quotas.

5.2 Improved Women Leadership and Governance

- 5.2.1** Provide equal opportunities for women to be in leadership positions at all levels.
- 5.2.2** Appointments to leadership positions should adopt the 40 /60 or 50 -50 Gender Equality quotas.
- 5.2.3** Governance institutions must adopt a participatory approach and take into account the views of women in any decision.
- 5.2.4** Enhance inclusion, transparency and accountability in governance institutions

6. VIOLENCE AGAINST WOMEN AND GIRLS, PEACE AND SECURITY

All of the four main types of Gender Based Violence (physical, sexual, emotional or psycho- and economic) are prevalent in Malawi in varying degrees. Incidence of physical violence, which includes, but is not limited to beating, hitting or battering and threats are quite high in Malawi. Beating, hitting, or battering is the most common form of physical violence experienced among both females and males in Malawi; but is twice as high among females as compared to males.³² Violence Against Women (VAW) is perpetuated by a number of factors. Firstly, is the challenge of ineffective and inefficient access to support systems and services. Despite a conducive legal and

³² Government of Malawi, National Plan of action to Combat Gender Based Violence in Malawi, 2014-2020, accessed <http://www.togetherforgirls.org/wp-content/uploads/2017/10/National-Plan-of-Action-to-Combat-Gender-Based-Violence-in-Malawi-2014-2020.pdf>

policy environment, the fight against GBV is still challenged by the limited capacities of duty bearers to implement and enforce policies and legislations.³³

Secondly, is the lack of gender equal conflict resolution structures. It has been noted that effective interventions on GBV are those that engage both women and men. Such approaches can only prove effective when they adopt a gender transformative approach which challenges dominant social norms around masculinity, femininity, power and violence.³⁴

The last challenge relates to the lack of gendered education curriculum. It has been observed that classroom resources can reinforce traditional stereotypes of girls. The Gender Appropriate Curriculum (GAC) unit at Malawi Institute of Education was established in 1992 in order to offer training on gender sensitivity and ensure that curriculum and textbooks portrayed positive role models to women. However, the impact of their work on learning outcomes has not been studied and the unit is no longer in operation.³⁵

WOMEN THEREFORE DEMAND:

6.1 Effective and efficient access to support systems and services

Government must:

- 6.1.1 Effectively implement and popularize existing support laws and policies on GBV.
- 6.1.2 Set up structures with strengthened GBV reporting and responsive platforms.
- 6.1.3 Strengthen case management and ensure consistency in handling and monitoring of cases at all levels.
- 6.1.4 Provide psychosocial services to survivors of GBV especially sexual violence.
- 6.1.5 Train service providers and social welfare officers in psychosocial services.
- 6.1.6 Track and profile GBV perpetrators.

6.2 Gender Equal Conflict resolution structures

Government must

- 6.2.1 Develop proper and sustainable strategies of empowering women in all areas, and;

³³Government of Malawi, National Plan of action to Combat Gender Based Violence in Malawi, 2014-2020, accessed <http://www.togetherforgirls.org/wp-content/uploads/2017/10/National-Plan-of-Action-to-Combat-Gender-Based-Violence-in-Malawi-2014-2020.pdf>

³⁴ Niamh Gaynor and another, 2016 'Community Based Approaches to tackling Gender Based violence in Malawi: Lessons and Challenges of Involving Men and Women' accessed <https://actionaid.ie/wp-content/uploads/2016/11/Community-Based-Approaches-to-GBV-in-Malawi-Involving-Women-and-Men.pdf>

³⁵Sally Robertson, *Girls' Primary and Secondary Education in Malawi: Sector Review: Final Report* (Australian Council for Education Research 2017). Available at https://research.acer.edu.au/cgi/viewcontent.cgi?article=1031&context=monitoring_learning

- 6.2.2 Enforce the right of women to participate fully and equally in all areas of public life including in decentralised peace building and conflict resolution structures at all levels in line with the 40 -60 or 50 – 50 quotas.

6.3 Gendered education curriculum

Ministries of Gender, Local Government and Education should:

- 6.3.1 Develop a comprehensive gendered education curriculum that targets boys and girls from an early age.
- 6.3.2 Review the school syllabus to encourage gender equitable positive masculinity and assertive femininity.
- 6.3.3 Publicise and raise awareness through public media of the alternative forms of resolving family and inter-personal conflicts rather than resorting to violence.

7. ACCESS TO JUSTICE

Women face various challenges in accessing justice emanating from inadequate awareness about women related laws and court procedure, inadequate human and financial resources in the courts, absence of legal representation at community level, economic disempowerment of rural women denying them a right to demand fair justice, long distances to institutions of legal redress, corruption by judicial officers and poor enforcement of court judgments.

WOMEN THEREFORE DEMAND:

7.1 Legal literacy on laws and legal procedures

Government must provide adequate and fair disbursement of financial resources for awareness raising on laws and procedures targeting men and women.

7.2 Effective and efficient justice system and delivery

Government must establish a strengthened, viable, effective and efficient justice system by:

- 7.2.1 Providing physical access to courts and justice system;
- 7.2.2 Providing funding for construction of more court structures and mobile courts in every constituency;
- 7.2.3 Building capacity of court and police in gender and law;
- 7.2.4 Timely judgments and access to engendered formal and informal justice system;
- 7.2.5 Prosecuting corrupt court officials;
- 7.2.6 Putting in place accountability mechanisms in the judiciary;
- 7.2.7 Putting in place performance checks in the judiciary;
- 7.2.8 Provision of incentives to employees in the judiciary to curb corruption;
- 7.2.9 Setting up mobile legal clinics and paralegal services in rural and urban areas to help women.

7.3 Enforcement of decided cases that favour women

Government must develop mechanism to ensure decided cases are brought to their proper finality through:

- 7.3.1 The appointment of a specific office in justice institutions to follow up on decided cases.
- 7.3.2 Improved legal aid services including Malawi Law Society mandatory pro bono services by lawyers.
- 7.3.3 Develop and implement timelines and guidelines for case handling.
- 7.3.4 Establish specialised courts including a Family Court.
- 7.3.5 Strengthen Child Justice Courts.
- 7.3.6 Provide female friendly facilities in prisons.
- 7.3.7 Establish rehabilitation centres for girls and GBV survivors.

8. SOCIAL, RELIGIOUS AND CULTURAL ISSUES

In both matrilineal and patrilineal societies in Malawi decisions are mostly made by the men with women on the receiving end. Beliefs and values of most religions which are sexist and patriarchal in structure and character continue to keep women in servitude, domination, and underrepresentation. The marginalisation of women in these areas is caused by among others: male dominance/patriarchy; child and early marriages; poverty; economic dependence by women on men; attitudes of service providers; culture of silence; few women in leadership positions in community and religious structures and lack of political will by the state to deal with negative social, cultural and religious practices.

WOMEN THEREFORE DEMAND:

8.1 Positive change in attitudes and perceptions

The provision of legal literacy and legal services to women and entire society through

- 8.1.1 Translation and dissemination of laws and policies in different languages to the entire society.
- 8.1.2 Increase the number of women in service provision institutions.
- 8.1.3 Emphasise positive masculinity and assertive femininity.

8.2 Strategies against negative social, religious and cultural beliefs and practices

Government must

- 8.2.1 Implement laws and policies aimed at abolishing harmful cultural practices.
- 8.2.2 End the secrecy around harmful practices.
- 8.2.3 Prosecute perpetrators of harmful cultural practices.
- 8.2.4 Engage young people on harmful cultural practices.
- 8.2.5 Engage cultural groups and traditional leaders on ending harmful cultural practices.

8.3 Training of traditional and religious leaders

Government and other stakeholders should

- 8.3.1 Train traditional and religious leaders on human rights and women's rights.
- 8.3.2 Chiefs to train fellow chiefs.
- 8.3.3 Increase the number of female community leaders based on the 50 -50 quotas.

9. LAND, WATER AND NATURAL RESOURCES

Women in Malawi largely remain marginalized when it comes to land rights, water and natural resources management. Women face a lot of challenges as regards these including lack of access and ownership of land. Firstly, distribution of customary land rights is gendered and frequently associated with the institution of marriage depending on whether one is married into patrilineal or matrilineal systems.

Secondly, women and girls are significantly affected by the lack of access to safe water. 59% of the Malawi population has no access to improved sanitation. Women spend disproportionate amounts of time collecting water, thereby losing on productive opportunities. Mothers and babies catch opportunistic infections due to poor sanitation and hygiene in health care facilities. Girls drop out of school due to lack of water and sanitation facilities.³⁶

Thirdly, environmental degradation and the lack of transparency in the mining sector also affects women. For instance, though Artisanal and Small scale Mining (ASM) is significant to women, there are no reliable baseline sex disaggregated statistics of women's participation in ASM to understand the extent to which both men and women are involved in the different ASM subsectors related to industrial and precious/semiprecious minerals that exist in Malawi.³⁷ Further, women who own mines do not reach their full potential and fail to graduate from small to medium scale miners due to exploitation by middlemen; lack of loan facilities to support working capital, machinery and factories; and inadequate training to strengthen value addition, marketing, business management and production knowledge. Many of the women are not exposed to learning opportunities that are available through government. Inadequate skills, machinery and capital implies that women dealers of gemstones usually sell raw products very cheaply, instead of making more money through value addition. Slow economic empowerment of ASM players is promoted by the absence of standard pricing for various minerals and a regulated market for ASM minerals, such as formal trading centres, auctions and organised trade fairs. Thus, while mining has great potential, for now, most women in ASM are not profiting. The presence of institutions from the private sector and NGOs that can offer targeted skills, custom tailored loan products and infrastructure related

³⁶ Water Aid, *Malawi Country Water Strategy, 2016-2021* (2014) Available at <https://www.wateraid.org/mw/publications/malawi-country-strategy-2016-2021>

³⁷ Tinyade Kachilika, UN Women, *Gender Assessment of the Extractive Industries in Malawi* Lilongwe (2014) Available at <https://mininginmalawi.files.wordpress.com/2013/05/2015-12-3-un-women-malawi-final-law-and-policy-analysis-dec-3-20141.pdf>

support to various categories of ASM players in Malawi has never been great. Whether in patrilineal or matrilineal societies, access to land is typically mediated by men (spouses or uncles). Women have difficulties both in making independent decisions about land use and in accessing the benefits derived from land ownership and utilization. Malawi's natural resources are being depleted and degraded. Women are the hardest hit by effects of environmental mismanagement because of their tasks in agriculture and in the household which makes them managers of natural resources such as soil, water, forests and energy. Women also find it difficult to access portable water especially in rural areas.

WOMEN THEREFORE DEMAND:

9.1 Women's equal access to and ownership of land, benefit and control

Government must:

- 9.1.1 Provide equal access and opportunity to land rights including gendered titling of land.
- 9.1.2 Update all relevant pieces of legislation that would enhance gendered use and protection of land for the benefit of women.
- 9.1.3 Restrict the acquisition of land by foreign investors.
- 9.1.4 Review the land related laws, with the matrilineal and patrilineal divide taken into account.

9.2 Improved access to safe water

Government must:

- 9.2.1 Increase women's participation in water governance structures, with 50-50 quotas.
- 9.2.2 Provide accessible, clean, safe and piped water in all places at every one kilometre.
- 9.2.3 Introduce National Rural Water Supply programmes through Water Boards.
- 9.2.4 Increase budgetary allocation to District Water offices.
- 9.2.5 Increase positive and progressive role of political parties in championing for an express Constitutional provision on the right to water and its implementation.

9.3 Effective means of avoiding environmental degradation and increasing transparency in mining

Government must

- 9.3.1 Provide access to affordable energy through the acceleration of a gendered National Rural Electrification Programme.
- 9.3.2 Up-scale investment and create fiscal space in energy.
- 9.3.3 Provide grants for women to harness alternative energy.
- 9.3.4 Capacitate Law Enforcement agencies (Forestry and Environmental Officers).
- 9.3.5 Enforce ethics in the mining sector and Environmental Management Programmes.

9.3.6 Increase transparency and gender sensitivity in the mining sector and empower women miners. .

9.3.7 Make provision for value addition in the mining sector.

10. ENVIRONMENT

Women in Malawi face a number of challenges in relation to the environment. Firstly, is the challenge of environmental degradation. Malawi is among the most vulnerable countries to the adverse effects of climate change and environmental shocks, with few resources or institutional mechanisms to effectively scale-up adaptation investments to safeguard its development gains. It is one of the 15 countries in Africa categorized as a population and climate change “hotspot” because of its rapidly growing population, water scarcity and falling food production.³⁸ Major climate and environmental changes are putting substantial risk to Malawi’s economic progress, food security and poverty eradication efforts, and further taxing Malawi’s disaster risk management systems, livelihoods and people’s already low levels of household resilience to shocks.³⁹

Secondly, is the lack of women’s participation in disaster management. In Malawi, over half of the 28 districts are disaster prone, aggravated by limited early warning systems, low preparedness and recovery capacity, weak local institutions and an unsustainably high dependency on natural resources for livelihood and energy (88% of household energy needs are met by biomass).⁴⁰ Women are disproportionately vulnerable to the impacts of climate change, in light of their gender role at household level, unequal access to resources and low participation in decision-making structures.⁴¹

WOMEN THEREFORE DEMAND:

10.1 Strengthened measures in combating environmental degradation

Environmental organizations, chiefs and communities should extensively strengthen environmental laws including banning the use of thin plastics and promotion of environment sustainable measures that increase climate change resilience.

10.2 Increased participation of women in disaster management

More women should be recruited in relief programs to protect women and that women should lead protection clusters.

³⁸United Nations, *The United Nations Development Assistance Framework Malawi, 2019-2023* (2018) Available at <https://www.unicef.org/about/execboard/files/Malawi-UNDAF-2019-2023-17May2018.pdf>

³⁹United Nations, *The United Nations Development Assistance Framework Malawi, 2019-2023* (2018) Available at <https://www.unicef.org/about/execboard/files/Malawi-UNDAF-2019-2023-17May2018.pdf>

⁴⁰Francis Johnson & Charles Jumber, *Energy Biomass Access and Biomass Resource Transitions in Malawi*(Stockholm Environment Institute2013) Available at <https://www.jstor.org/stable/resrep00436>

⁴¹ University of Leeds, London School of Economics, Grantham Research Institute on Climate Change and the Environment, *Gender, Agriculture and Climate Change in Malawi*(2016).

11. THE MARGINALIZED, VULNERABLE GROUPS, THE ELDERLY, AND PEOPLE WITH DISABILITIES

There are a number of marginalised and vulnerable groups such as women with disabilities, elderly women, people with albinism, rural women and girls who face a lot of social and economic challenges in Malawi. Firstly, marginalised and vulnerable groups face the challenge of lack of efficient and effective support systems. It is recorded for example that Malawi is one of the few countries in the world where there is no income support system for persons with disabilities anchored in legislation.⁴² People with disabilities experience challenges in accessing social services and health. Similarly, older persons have difficulties in accessing services and support such as healthcare, loans, nutritious food, public and private buildings, transport, information and communication systems, among others.⁴³ Furthermore, while the law forbids discrimination in all forms, persons with albinism, women, populations and others continue to face hostilities that undermine their freedoms including safety and access to services.⁴⁴

The second challenge relates to access to social and welfare services. Malawi does not have a comprehensive social protection programme. Existing social protection for those employed in the public service benefit very few retired employees. Thus the majority of rural population, which constitutes about 83 % of the country's population, has no form of social protection.

Lastly, is the challenge of low participation of the marginalised and vulnerable groups in politics and development activities. For instance, older persons have been excluded and marginalized, and prevented from participating fully in development activities on the basis of their age in Malawi. Many elderly people are ostracized and negatively vilified on the basis of superstitious beliefs.

WOMEN THEREFORE DEMAND:

11.1 Efficient and effective support systems

All Government ministries should ensure:

11.1.1 Availability of appropriate infrastructures in private and public places especially in schools and hospitals for persons with disabilities.

11.1.2 Protection and safety of people with albinism

11.2 Access to social and welfare services

Government should

11.2.1 Increase funding to the Ministry of Gender, Children, Disability and Social Welfare for the social protection programme and;

⁴²Fiach O'Broin- Molly, *Situation Analysis of Disability in Malawi; Disability and development in Malawi* (2016) Available at <https://medium.com/@socialbeings/operationalizing-the-dfid-disability-framework-in-malawi-68871f7321eb>

⁴³ Government of Malawi, *National Policy for Older Persons* (2016) Available at http://www.manepo.org/downloads/ELDERLY%20POLICY%20FINAL_2.pdf

⁴⁴Amnesty International, *We are not animals to be hunted or sold: violence and discrimination against people with albinism in Malawi* (AFR 36/4126/2016), London, 2016; Joint Malawi Civil Society Organizations Shadow Report to the Committee on the Elimination of Discrimination Against Women, 2015; Mujuzi, Jamil. (2011).

11.2.2 Provide necessary and adequate social welfare support to the elderly and other vulnerable groups especially children and people living with disabilities.

11.3 Increased participation of marginalized and vulnerable groups in politics and development activities

All ministries and civil society organisations should ensure that the marginalized, the vulnerable groups, the elderly, and people living with disabilities are engaged and provided with opportunities to take part in political and developmental activities to ensure inclusive participation by all.

E. CONCLUSION

This Women's Manifesto is a comprehensive tool developed through a participatory and consultative process with women and girls from all walks of life. It represents a united voice of women in Malawi. The Manifesto has identified a number of themes which are very critical in ensuring that women and girls live a dignified, healthy and empowered life. All duty bearers are called upon to take full responsibility towards the implementation of the manifesto. Women and men from every community, village and town across Malawi should relentlessly demand urgent action on the implementation of the manifesto by Government, Members of Parliament, Councillors, political parties, the private sector and all key stakeholders. The Women's Manifesto Movement believes that Malawi as a country and all its people stand to gain from an equal society where all peoples' rights, particularly women's rights, are not only guaranteed but are fully respected, protected and fulfilled.

The Women's Manifesto is a political tool for advocacy whose development has been facilitated by Women's Manifesto Movement (WOMAN). The movement is composed of diverse organizations and institutions working on women's rights in Malawi. The manifesto contains a united Malawian women's voice. It raises a number of demands that are aimed at addressing most of the serious challenges that women are facing in Malawi. The demands are directed at Government for action as a primary duty bearer and in some instances are directed to political parties, private sector, Non-Governmental Organisations (NGOs) and other identified relevant stakeholders.

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