



STATEMENT BY

HONOURABLE ANNA ANDREW NAMATHANGA KACHIKHO, MP –

MINISTER OF WOMEN AND CHILD DEVELOPMENT

AT THE CONSIDERATION OF THE SECOND CRC PERIODIC REPORT FOR

THE REPUBLIC OF MALAWI

13 JANUARY 2009

GENEVA, SWITZERLAND.

Madam Chairperson and distinguished members of Committee

It gives me honour and privilege to avail myself before the Committee on the Rights of the Child where the second periodic report for Malawi is being considered. At the outset, I wish to convey New Year compliments from His Excellency the President of the Republic of Malawi, Ngwazi, Dr Bingu wa Munthali.

Madam Chairperson, Malawi became a state party to the Convention on the Rights of the Child in 1991. Subsequently, we produced our initial report with regard to progress made in implementing the CRC in 2000. In our initial report, we reported on progress but also highlighted the challenges in implementing the Convention. The Committee's concluding observations following the consideration of the initial report have greatly benefited Malawi.

Madam Chairperson, this Second State Party Report presents major achievements that have taken place since 2001 to date. Malawi recognizes that unless the efforts of the State, civil society, communities and families are committed and combined, the rights set out in the Convention may not be realized for Malawi.

Madam Chairperson, the second periodic report has been prepared with the active participation of all stakeholders. Government officials and constitutional bodies, including the Malawi Human Rights Commission and the Malawi Law Commission, provided inputs on questions of child issues in the Second Periodic Report. Furthermore leading representatives of non-Governmental organizations and international organizations were also involved in the preparation of the report but also in the efforts to make the rights of the child a reality. This report builds on the Initial State Party Report and where status has not changed from the previously reported, reference is made accordingly.

Let me now highlight the situation of children in Malawi-

- Malawi is currently translating the Millennium Development Declaration of the United Nations 2000 through the Malawi Growth and Development Strategy. This is the current overarching Government policy, which sets out a strategic direction towards a progressive realization of the rights of children and indeed all the

people of Malawi. The Malawi Growth and Development Strategy streamlines issues of children on the Government agenda, and focuses on children as a category through different themes, namely, social protection and social development, including health and education.

- The CRC requires State Parties to legislate on its provisions so as to ensure domestication of its principles. Malawi has since 2001 worked on doing exactly this as noted by the legislation outlined in the report.

Malawi acknowledges that these laws have not been promulgated; however, this delay is heavily attributed to the current political environment in the country which has not been favourable to the process most of the outstanding bills. Our parliament has over the past four years prioritized matters that are of political interest, and this has adversely affected the processing of many important bills that have a direct bearing on the ordinary people and children in particular. Despite the delay in processing the outstanding legislation, the Government remains fully committed to processing the legislation so as to ensure that the legal framework in Malawi is in line with the provisions of the Convention; and the Government will further ensure that the processing of the legislation is prioritized.

You will have noted that the report on the Child (Justice, Care and Protection) Bill was gazetted and we expect to have it presented in Parliament after the May 2009 Parliamentary and Presidential elections. One of the most important bills, the Birth registration Bill was tabled in 2008 but could not be discussed by parliament. However the Government is hopeful that most of the outstanding legislation on child issues shall be laid before Parliament in 2009.

Furthermore, the Constitutional Review, which includes recommendations for consistency with the principles of the CRC, was completed in 2007. Among other issues, the recommendations include provisions for ensuring that a definition of a child is consistent with the CRC. A report with a proposed bill was submitted to Ministry of Justice, and the process has been initiated to enact these recommendations into law.

The review of the Education Act is complete and the Law Commission among other things is in the process of finalizing its report. The review has recommended that the provision of primary education in government schools shall be free of tuition to all and compulsory for children under the age of 18 years.

In summing up the issue of outstanding legislation, I would like to reassure you that it is the wish of the Government of Malawi, after May 2009 elections to tirelessly work towards clearing all legislation that is before parliament. And it is my hope that the children related legislation shall also be passed into law.

- Madam Chairperson, on a related note, Malawi has initiated the process of ratifying the two optional protocols to the Convention on the Rights of the Child. This will complement other international and national legal instruments in creating a protective environment for our children.
- Madam Chairperson, as might be noted by the Committee, one outstanding issue in ensuring efficient programming of children's programmes is the National Plan of Action for Children. Government initiated the development of the National Plan of Action for Children in 2004. The Plan is yet to be finalized.

The current direction of Government is that the National Plan of Action for Children should serve the purpose of being an implementation framework for a generic Child Protection Policy currently at advanced stage of development. Consequently in the absence of the National Plan of Action for Children, Government continues to implement a National Plan of Action for Orphans and Vulnerable Children as well as the Early Child Development Plan which covers activities that are holistic and well integrated to create a protective environment for children. It is anticipated that by 2010, all child related issues shall be guided by one generic policy and National Plan of Action for children.

- Madam Chairperson, on protection and care of Orphans and other Vulnerable Children (OVC), there is high level political commitment and resources for the scaling up of the responses to the OVC crisis in Malawi. The Ministry of Women and Child Development has been

strengthened to take on an increased leadership role to operationalise the National Plan of Action (NPA) for OVC. A national steering committee, national technical working group and a technical and advisory support unit are in place to anchor coordination efforts of the OVC response.

At the district level, capacity building of District Social Welfare Officers (DSWO) is also being implemented. Apart from deploying volunteers and community child protection workers, districts are supported to draft district action plans to operationalize the National Plan of Action for Orphans Vulnerable Children at district level.

- Madam Chairperson, Government, in order to ensure that children are afforded the best opportunity to develop, is implementing a social protection programme to support vulnerable groups (including children) that might not benefit from any socio-economic growth.

A direct cash transfer scheme, public works programme as well as agricultural subsidy programme are some of the key productivity enhancing interventions that are targeted at transforming individual households. The Government is committed to developing a social protection policy that will guide implementation of all specific social protection programmes and especially those targeting children.

- Access to Early Childhood Development (ECD) services is currently at 30 percent. Although, this is still low it represents efforts that the government has taken since early 1990s when ECD coverage was just at 4 percent. Continued efforts are being strengthened through regular meetings of the Early Childhood Development Network, continuous training of caregivers and development of ECD Strategic, as well as ECD Communication and advocacy Plans. However the Government of Malawi would like reassure the Committee that it is aiming to improve these numbers so that the percentage of children accessing ECD services is pegged higher.
- Regarding health, Madam chairperson, during the period 2000-04, under-five mortality rate was 133 per 1000 live births, but it reduced to 118 by 2007. Infant mortality rate reduced from 131/1000 (2000) to 69/1000 by 2007. The Millennium Development Goal of reducing this rate by 1/3 in 2010 will be achieved by Malawi if this rate of progress

continues. Reduction in infant mortality is attributed to among other factors increased treatment of childhood illnesses and utilization of vitamin A through foods and supplementation.

- Madam Chairperson, Malawi is implementing an agricultural subsidy programme as one way of eradicating hunger. Over the years, the programme has ensured that Malawi attain food security. However, the nutrition status of children in Malawi has not improved, as 48 percent of under-fives still remain stunted, 54 percent are wasted, and 22 percent are underweight. However these statistics do not correlate with the impact of nutrition intervention, which shows a lot of improvement. Our Demographic Health Survey for 2004 showed that 53 percent of children underwent exclusive breast-feeding compared to 45 percent in 2000. Other studies have shown almost similar trends in exclusive breast-feeding. Nutrition remains an area requiring concerted and enhanced interventions from all players. As Government, we have already put in place a policy and a comprehensive programme in an attempt to improve the status quo.
- Safe water and poor sanitation remains one of the major contributing factors to high child mortality in Malawi. Studies have further revealed that the massive drop out from school by girls in their adolescent years is also attributed to poor access to clean water in most schools in Malawi. Waste disposal still remains a challenge in Malawi. Schools still do not have enough toilets for all children attending school. Poor school sanitation is also acknowledged as a contributing factor to the high rate absenteeism in Malawi schools.

However, the Malawi government is making some progress in addressing the problem of shortage of adequate safe water and good sanitation. By 2004, 61% of urban population and 62% of rural population were using adequate sanitation facilities. By 2007, 98% of Malawi's population was using improved drinking water source although notably this was in the urban areas and only 68% in rural areas.

- Madam Chairperson, with regard to Education, more girls (84%) are attending school than boys (80%); this is a slight improvement compared to what was reported in 2000. Net enrolment for boys is 93 percent and 98 percent for girls. Malawi believes that it will be able

to meet the Millennium Development Goals which promote increased primary education enrolment by 90%.

Gender equality still remains a challenge for Malawi and it is a crucial programme being implemented by Government. The ratio of females to males in the lower primary school grades (1 to 3) should be 50:50. However, it has been noted that from grades 4 to 8 the ratio begins to drop. In secondary school the male: female ratio is estimated at 72:28, while at university it is estimated at 74:26. Reasons for the high dropout of girls include pregnancies, early marriages, and the need for household labour, especially in the face of widespread poverty and disease.

- Madam Chairperson, over the reporting period, Government continued to implement a Child Protection Programme that contributes towards the creation of a protective environment for all children, with emphasis on the most vulnerable, through protection, prevention and rehabilitation.

In an effort to eliminate harmful traditional practices, Government with support from development partners has continued to raise awareness on child abuse through the Zero Tolerance Campaign against Child Abuse. We are also increasing access to justice for both women and children by increasing coverage of victim support services through establishing 300 Community Based Victim Support Units on top of the 34 police station based Victim support units across the country.

- Other achievements in child protection during the reporting report include-
 - the establishment of Four Child Friendly Courts in Zomba, Lilongwe, Blantyre and Mzuzu;
 - increasing the number of Child Protection Workers (CCPW) to 809 that are actively addressing issues of child protection within communities; enhancing the capacity of the reformatory

schools to absorb additional children transferred from adult prisons; and

- the training of 34 police station commanders on child protection issues and the incorporation of child and gender protection into the police training manual.
- In order to foster greater participation of children in issues that impact on their development, Government continues to facilitate an annual sitting of children's parliament where children come together to discuss issues impacting on their development. Guidelines have also been developed meant to facilitate the participation of children. Furthermore the concept and practice of children's parliament is being piloted at the district and community levels.
- Madam Chairperson, combating HIV and AIDS remains another key priority for Malawi. The HIV prevalence estimate is now at 12 percent. Notably after looking the prevalence estimate is the fact that there is no sign of increase in HIV prevalence which Government realizes is good for development. Malawi has made enormous efforts to establish structures as well as a policy framework to respond effectively to the challenges posed by the HIV and AIDS epidemic.

Through the work of National AIDS Commission, Malawi has successfully mobilized and effectively managed funds from a wide-range of bilateral and multilateral donors. Ministries, government departments, and all other agencies have been able to formulate guidelines, programmes and policies to guide the implementation of sector-specific HIV and AIDS action plans.

Madam Chairperson, despite the afore-said, achievements which I have highlighted, our implementation of programmes has not been without challenges. I wish therefore to highlight some of the challenges-

- inadequate funding for full implementation of child programmes in Malawi;
- ensuring adequate institutional and human capacity to implement a holistic programme around children;
- limited coverage given that most interventions on children are still fragmented;
- weak coordination amongst stakeholders; and

- Lack of monitoring and evaluation systems for children's programmes.

The Malawi Government is committed to address these challenges. Guided by the Malawi Growth and Development Strategy and the leadership of His Excellency the State President Ngwazi Dr Bingu wa Munthalika, Government will escalate efforts to strengthen all issues to contribute to a protective environment for children on all spheres namely - legislation, policy, and institutional capacity building; and increase access to and quality of services delivered to children and their families.

Madam Chairperson, let me finally commend the Committee on the Rights of the Child under your leadership for offering us this opportunity to dialogue at the consideration of Malawi's Second Periodic Report for Malawi. This process helps to highlight to the Government including its partners on areas that need improvement. I am also compelled to reiterate Malawi's commitment in ensuring that we will do all we can within our abilities to realize the Millennium Development Goals, and the principles enshrined in the Convention of the Rights of the Child.

I thank you for your attention.

