I am pleased to share the 3rd quarter edition for this year. I am excited to announce that the 8th Cohort of Commissioners was appointed by the President, Dr. Lazarus McCarthy Chakwera on 26th August, 2023. We look forward to introducing them officially to our audience in the next and final edition of the newsletter in 2023.

The Commission has been involved in humanitarian cyclone-related activities, supported by UNICEF in 14 districts of Malawi in the southern region. I would like to thank the collaboration of all district structures including the communities that we engaged with during the field activities.

In this 7th edition of our newsletter, the Commission is also pleased to report that we have participated in several regional forums showcasing our work and findings. The Commission sent a delegation to Switzerland, Geneva for the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and we also participated in the Business and Human Rights dialogue in Ethiopia. Our newsletter also shares the training of various key players in areas of gender and access to information.

I am therefore delighted to present this edition highlighting our experiences, knowledge, and activities that your Commission has been involved in this quarter. Let me also thank all our partners and allies in the collaboration on the various human rights issues.

I thank each one of you for sparing your precious time to enjoy this newsletter.
Commission (MHRC) through the Child Rights Directorate and the Children Reference Group and in association with Save the Children Malawi, hosted the Regional Conference for National Human Rights Institutions for Children that took place at Bingu International Conference Centre in Lilongwe from 24th to 27th July 2023.

The conference served as a follow up event to the previous regional conferences for National Human Rights Institutions (NHRIs) for Children which was held in Malawi and Mozambique in 2017 and 2018 respectively.

The overall objective of the conference was to provide a platform for the INHRIs in the Southern African region to mutually share knowledge and ideas as well as exchange experiences on how to further strengthen their capacities in delivering their mandates and perform their roles as independent institutions for the promotion and protection of human rights with particular attention to children’s rights.


The climax of this conference was the development of a joint communique that outlined the agreements made between the participants present that are set as standards to be reached to ensure that children’s rights are adequately promoted and protected with inclusion being the cornerstone of it all. The communique was developed within the conference and includes contributions from all the participants however it was endorsed and distributed by MHRC.
The Commission hosted the In-Country capacity-building workshop on Human Rights Data Collection, management and reporting with relation to the Sustainable Development Goals (SDGs) that was facilitated by Network of African National Human Rights Institutions – NANHRI.

The workshop aimed at increasing MHRC and NSOs knowledge and understanding of human rights-based approach to SDGs implementation, enhancing MHRCs capacity to initiate and maintain effective collaboration with the national statistical agencies, enhancing the NHRI’s and NSO’s capacity to develop and utilize human rights indicators for the monitoring of SDGs implementation and initiate discussions on formulating and signing an MOU between MHRC and the NSO on a human rights based approach to data based on the principles of meaningful participation, disaggregation, self-identification, transparency, privacy, and accountability.
The workshop on "Imperatives for Effective Prosecution of Offenses of Rape and Other Gender-Based Violence Offenses" hosted by Attorney General Alliance Africa in collaboration with the Edo State Government, took place from 12–13 September 2023, in Nigeria. The Commission, represented by Ms. Grace Mtawali - Principal Gender and Women's Rights Officer, facilitated 2 sessions on Trends and Best Practices to Eliminate and Protect Survivors of Gender Based Violence.

The workshop brought together 100 participants comprised of Law Officers, Judges, Lawyers, Regulatory Agencies, Legislators, Human Rights Activists, and Government Officials. It was aimed at raising awareness and equipping participants with the knowledge and expertise required in the effective investigation and prosecution of Criminal Law, particularly incidences of rape and other gender-based violence offenses.
On the 16th August 2023, the Commission held a private session with the Committee of the Convention on the Rights of Persons with Disabilities (CRPD) in Geneva Switzerland. The Commission was represented by Mr. Wycliffe Masoo, Director of Disabilities and Elderly Rights and Ms. Jamila Madukani, Principal Gender and Women’s Rights Officer.

Among others, the Commission raised concerns by the government over the delay in finalising the review of the Disability Act which repeals the Macoha Act, review of the 1948 Mental Treatment Act, lack of direction in the review of the National Action Plan for Persons with Disabilities, accessibility challenges by Persons with disabilities affecting access to health, education and justices services, limited funding affecting operations of the Commission to addressing disability issues and lack of coordination among stakeholders in the disability fraternity.

The workshop which was a joint initiative of the Kenya National Commission on Human Rights, the Network of African National Human Rights Institutions (NANHRI), and the European Union focused on the role of NHRIs in complaints handling of violations and abuses towards human rights defenders.

The workshop also provided a comprehensive architecture of complaints handling that NHRIs require in relation to human rights defenders. Accordingly, the workshop will devote considerable attention and a strong focus on emerging areas affecting human rights defenders.
The Commission entered into a Memorandum of Understanding with the Attorney General Alliance-Africa (AGA-Africa) at a ceremony that took place on 16th August 2023.

The MoU aimed at cementing a working relationship which exists between these two institutions in the promotion of human rights and justice in Malawi.

The Commissions Executive Secretary for the Commission, Ms. Habiba Osman and her counterpart, AGA Africa country representative, Ms. Gift Chikwakwa, said that it was important for the two institutions to sign an MoU because they have common interests and goals. They pointed out that trafficking in persons was a big problem not only to Malawi but across the world. Therefore, combining forces in fighting against the vice was necessary. AGA works in many other countries in Africa as such their international experience will add value to the work of the Commission. Selected key stakeholders such as the United Nations Office on Drugs and Crime officer (UNODC) witnessed the signing ceremony.
The Executive Secretary on the 31st August 2023 was the guest of honour at the launch of the ATI handbook for Media Practitioners in Malawi. This was a historic moment for the Media Council of Malawi platform as they are the first to produce such a resource.

The Commission congratulated all the media fraternity for coming together to produce this handbook which will be instrumental in curbing misinformation and disinformation and strengthening media ethics for journalists in the country.
The Commission hosted the commemoration of the International Day on Universal Access to Information (IDUAI), which falls on the 28th of September annually. The event, which was held at BICC and was graced by a cross section of stakeholders.

The Guest of Honour for the commemoration was the Minister of Information and Digitization, Hon. Moses Kunkuyu. In his opening remarks, the Honourable Minister stated that online space is a tool for access to information, and people should utilize this space within the confines of the law and not abuse rights of others. He also stated that access to information is a catalyst for open and democratic societies.

The Chairperson for the Parliamentary Committee on Media and Mass Communication, Honourable Susan Dossi, echoed the Minister’s remarks and encourages all relevant authorities to comply with Access to Information Law.

Among the activities on the program was a panel discussion on misinformation and disinformation. The panelists delved into relevant issues surrounding the topic in relation to the Access to Information Law and its implementation.
NPC Director General Dr. Thomas Munthali said during the session that NPC wanted to be a model of public institution in Malawi by, among other things, making sure that it was compliant to all legal requirements, including the ATI. He also said that through compliance to ATI, NPC wants to make itself fully transparent and accountable to the public in line with the Malawi 2063 national vision aspiration of openness by all public institutions.

NPC Director said NPC will particularly embrace digital technology to proactively disclose information and make it easier for members of the public to access information from the institution when they want it.

MHRC Director of Civil and Political Rights Mr. Peter Chisi commended NPC for initiating the orientation, saying it was one of the few public institutions that was taking key steps to fully comply to the ATI law.

“It’s pleasing to hear that you want to be one of the exemplary institutions. We’ll support you all the way to make sure that you become fully compliant,” said Chisi.
The Commission conducted an Access to Information Act and regulations orientation to the staff of TEVETA on 30th August 2023.

Honourable Susan Dossi who is the chairperson of the parliamentary committee on media was the guest of honor. She commended TEVETA for taking proactive action to train its Management staff on Access to information as it is a compliance issue under the law. She also added that her committee is very keen to see to it that the ACT is being complied with by all public bodies and relevant private bodies.
Malawi Human Rights Commission with support from UNICEF Malawi, is currently conducting a 3 phase activity on the impact of cyclone Freddy and the extent to which the emergency response operations are mitigating and preventing Sexual Exploitation and Abuse (SEA), Gender-Based Violence (GBV) and human rights violations in the camps, and how child protection is mainstreamed in emergencies.

The main objective of the activity is to enhance protection of women, children and other vulnerable groups from GBV and SEA and the impact of Tropical Cyclone Freddy in the 13 districts that were affected by the cyclone namely Mangochi, Machinga, Balaka, Zomba, Mwanza, Neno, Mulanje, Thyolo, Chikwawa, Nsanje, Chiradzulu, Phalombe and Blantyre.

The first phase was an assessment exercise which ran from the 5th of August to the 15th of August 2023. The second phase is the training of community-based complaints handling systems as well as conduct awareness campaigns in the communities that these complaints handling systems operate in. This phase also has the component of legal clinics which are a way for the Commission to receive complaints from people in rural areas who would otherwise not reach the commission. The third and final phase will involve monitoring of the progress made by the complaints handling systems that have been oriented in the second phase.

Within the timeline of the activity, The Commission intended to: Urgently intervene and address the GBV, sexual violence, human trafficking, physical abuse, emotional abuse and discrimination cases through the assessment, identification of issues, on spot investigations and follow up of the cases as per its mandate, Conduct awareness campaigns on PSEA and GBV to ensure that safeguarding measures for children and other vulnerable groups are in place, Monitor and assess the provision of necessary services to the women, children and other internally displaced persons and assess how other gender concerns are also being addressed by the various partners and how this emergency has also contributed to changing gender roles and norms either for the better or worse.
The Commission assessed the extent to which provisions of the Gender Equality Act are being applied in Magistrate Courts and Victim Support Units. This exercise fell under the Commissions project on Strengthening Human Rights Approaches with Focus on Sex Discrimination in Mulanje, Blantyre, Nkhotakota and Mangochi supported by the Embassy of Iceland led by the Gender and Women’s Right Directorate.

The focus of the exercise was to collaborate with stakeholders involved to address any challenges that may hinder the implementation of the Gender Equality Act within the justice system.
The MHRC Regional Office (South) embarked on a publicity tour in selected Community Radio Stations in Zomba, Mulanje, Chikwawa, and Nsanje. The main aim of the visits was to discuss the possibility of airing human rights programs and increase the visibility of the Regional Office to the masses in the southern region. The community radio stations visited included; Gaka FM,
IN THE NEWS

MHRC orients informal sector on sexual harassment

LLOYD CHITSULO
News Analyst

Malawi Human Rights Commission (MHRC) has bemoaned lack of knowledge and understanding of sexual harassment issues in the informal sector which continues to fuel the vice.

MHRC executive secretary Habiba Osman expressed the sentiments in an interview yesterday at the start of a two-day stakeholder engagement on sexual harassment currently underway at Crossroads Hotel in Blantyre.

The engagement is mainly targeting stakeholders from the informal sector.

Osman said it is important that the informal sector be oriented on issues of sexual harassment as opposed to the current status where such issues are focused on the formal sector.

She said: “The informal sector is usually the one that is left behind.”

However, the participants turned down media interviews when approached.


The report established that about 70 percent of cooperatives, journalists, district labour officers and Industrial Relations/Magistrate’s courts have little knowledge of sexual harassment. Besides, the report exposed the absence of sexual harassment workplace policy documents.

Malawi Human Rights Resource Centre director Emma Kaliya blamed the silence culture and urged women to stand up and fight the vice by not shielding perpetrators.

Low ATI law compliance worries Parliament

Dossai said.

Meanwhile, Public Affairs Officer for the United States (US) Embassy Namita Higgins has said the ATI law remains an important milestone, not only for the media but for all the people of Malawi.

“Access to information plays a pivotal role in nurturing democratic principles, as it actively fosters transparency and accountability, two fundamental pillars of sound governance,” she said.

On her part, MHRC Executive Secretary Habiba Osman said the book is a milestone not only for the media but for all Malawians.

“We are in times when there is misinformation and disinformation. As such, to have a handbook like this will simplify the work of information holders and the end users,” Osman said.

She hailed MCM for launching the handbook which, she said, will help in terms of investigations, accessing information and reporting.

On his part, MCM Board
# QUARTERLY CASE MANAGEMENT REPORT

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**TOTAL** 135

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Social Media Tracker

Facebook

Page overview

Followers: 14,191
July - September 2023

New followers 1,342
Reach 4,200

Twitter

July - September 2023

Tweet impressions
9,317 ↑43.4%

New followers
316

Followers
6,363 ↑101
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PLAN International
Embassy of Iceland Lilongwe

CONTACT US
Malawi Human Rights Commission
HB House, Off Paul Kagame Road
Private Bag 378 Lilongwe

www.mhrcmw.org
info@mhrcmw.org
Facebook: Malawi Human Rights commission
Twitter: @HumanRightsMW