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Welcome to this first quarter newsletter for 2024. We are proud to report that we hit the ground running in these three months in various areas of human rights. While the Commission registered quick wins, i.e., the completion of its new Strategic Plan (2023-2028), we also faced a number of constraints that affected outreach activities. We, however, conducted investigations, sensitization activities, and monitored violations on gender-based violence, child neglect and abuse of the elderly.

The Commission joined Malawians and the global community in the commemoration of International Women's Day in Mzimba. In addition, the Commission led the convening of a high-level engagement on the rights of Older Persons in Malawi that have been under intense threats since 2023. Above all, the Commission also monitored issues of hunger in some districts and the effects of disasters caused by climate change.

We remain indebted to our strategic partners: The UNDP and EU in Malawi, the Irish Rule of Law, Norway in Malawi, and the Embassy of Iceland in Malawi, for the new programming support towards the work of the Commission and other governance institutions. The Commission looks forward to pushing the cart on refugee work, climate change, monitoring of the hunger situation, protecting the rights of older persons, refugees and the preparation for election observation.

We sincerely appreciate the collaboration with Civil Society Organizations, the Media Parliamentary Committees and law enforcement agencies who continue to be allies in the promotion and protection of human rights.

Enjoy our Newsletter.
The Commission congratulates the Chairperson, Commissioner Chikondi Chijozi, on receiving the prestigious Women’s Rights Champion Award from the Women Lawyers Association on the 9th of March 2024.

The Commission congratulates Commissioner Boniface Massah for his appointment as the Chairperson of the Board of Trustees for Federation of Disability Organizations in Malawi (FEDOMA)
The Commission conducted an orientation on Access to Information for Management of Malawi Revenue Authority and facilitating the development of their Information Manual in line with the Access to Information Act. Commissioner Andrew Kavala graced the training.

The Commission represented by Commissioner Viwemi Chavula was in Scotland engaging in various issues around the Inclusivity Agenda with Scottish MSP MPS, Scotland Minister of EU, Culture and International Development.

Commissioner Viwemi is the Chair for the Gender Directorate at the Commission responsible for implementation of the Gender Equality Act.

Commissioner Grace Malera represented the Commission at the 68th annual Commission on the Status of Women (CSW68). The CSW is the UN's largest annual gathering on Gender Equality and Women's empowerment. The priority theme for this year's CSW was “Accelerating the Achievement of Gender Equality and the Empowerment of all Women and Girls by Addressing Poverty and Strengthening Institutions and Financing with a Gender Perspective”
The Commission through the Disability and Elderly Rights Directorate, witnessing the launch of the Disability Fund Trust (DFT). Representing the Commission at the event were Commissioner Bonface Massah and Director of the Disability and Elderly Rights Directorate, Mr. Wycliffe Masoo. During this event, three institutions received funds to support Disability inclusion. These were MACOHA, Namitete Secondary School and eKitabu.

In a statement by Commissioner Massah, he called upon the private sector to take advantage of this opportunity by contributing to the grant and providing employment space for Persons with Disabilities (PWDs).
The Commission is privileged to be one of the recipients of a grant from the European Union (EU) which will advance the protection and promotion of the rights of refugees and Migrants in Malawi.

Along with the Commission, Save the Children International and Irish Rule of Law also signed contracts with the EU to implement 3 projects in Malawi. The Commission’s project is titled “Promotion and Protection of Rights of Refugees and other Migrants in Malawi”.

The launch of the "Strengthening Human Rights for Vulnerable Populations in Malawi".

The Commission is also excited to be part of grant that will strengthen human rights for vulnerable populations in Malawi. The grant is funded by the Embassies of Iceland and Norway through the UNDP.
In a dynamic exchange of ideas, UNDP hosted a groundbreaking roundtable dialogue moderated by Executive Secretary of Malawi Human Rights Commission, Habiba Osman. The event aimed to dissect the structural barriers hindering gender equality and women's empowerment in Malawi, setting ambitious targets for progress by 2030.

With a diverse array of stakeholders, from policymakers to grassroots activists, the dialogue delved deep into the societal, economic, and legal impediments faced by women across the nation. Through collaborative brainstorming and spirited debate, participants charted a path forward, identifying innovative solutions to dismantle systemic inequalities and propel Malawi towards a future where every woman can thrive.
The Malawi Human Rights Commission (MHRC) has raised concerns about the impact of recent floods on children in Nkhotakota and Karonga districts. A rapid human rights assessment conducted between February 28th and March 1st, 2024, revealed several child protection issues that demand immediate attention.

The assessment highlights the disruption of education as a major concern. Flooded schools, currently being used as camps for displaced families, have forced at least 18,797 children out of classrooms for at least two weeks. In Nkhotakota alone, 24 schools, including 22 primary and 2 secondary schools, have been affected. This disruption poses a significant threat to children’s education and increases the risk of dropping out.

The assessment also identified the plight of separated and unaccompanied minors in the camps. One such case involved a 17-year-old boy who lost his mother in 2022 and was later abandoned by his father. Now homeless and without access to education due to the floods, this child’s situation exemplifies the urgent need for support.

Furthermore, it emphasizes the absence of safe spaces for children within the camps. This, combined with crowded conditions where families share sleeping quarters, raises serious child protection concerns. The lack of toys and recreational facilities further heightens the vulnerability of children.

While no incidents of child abuse or sexual and gender-based violence (SGBV) were reported during the assessment, the MHRC warns of a heightened risk. Poor lighting in the camps and the lack of proper separation between families create an environment conducive to abuse.
The Commission hosted a high-level stakeholder meeting on January 31st, 2024, to address the critical issue of elderly rights in Malawi. The meeting brought together government officials, civil society organizations, traditional authorities, faith-based organizations and development partners to discuss the challenges faced by Malawi’s elderly population and explore solutions for a more secure future.

Data from January 2023 to date shows that over 80 cases of violence against the elderly have been reported and over 26 cases of killings of the elderly have been recorded. These alarming statistics emphasize the importance of acknowledging the prevalence of elder abuse in Malawi. The meeting likely focused on coming up with an effective and lasting solution to the elderly abuse issues in the form of a National Response Plan (NRP).

The stakeholder meeting aimed to foster a collaborative effort to address these issues. Possible areas of focus included: Strengthening legal frameworks through reviewing and potentially revising existing legislation to better protect the rights of the elderly, public awareness campaigns aimed at educating communities on inheritance rights, available support systems, and the importance of reporting abuse, sensitizing chiefs on their role in upholding the rights of widows and elderly individuals within their communities and exploring ways to improve access to social safety net programs and financial resources for the elderly.

A joint stakeholder taskforce from the stakeholders that were at the meeting has since been established in order to develop the NRP.
A MULTI-STAKEHOLDER APPROACH TO TACKLING ELDERLY ABUSE

Unfounded accusations of witchcraft have fueled a disturbing rise in attacks and killings of elderly people. Following the High-Level stakeholder meeting held on the 31st of January 2024, the Commission is leading the fight against elder abuse in the country with a multi-stakeholder district consultation exercise. The consultations will provide the task force on elderly rights with up-to-date information on the situation in the hot spot districts in the country. The information gathered from these consultations will inform the development of a National Response Plan (NRP).

The consultations revealed several root causes of elder abuse, including Cultural Beliefs, where deep-rooted beliefs in witchcraft make elderly people vulnerable to accusations and attacks, Economic hardship straining caregivers which is increasing the risk of abuse and neglect, of specific laws and awareness of elder rights creating a situation where abuse goes unchecked, Slow judicial processes creating a perception of impunity which emboldens abusers, and Insufficient healthcare services and a lack of elderly-friendly resources contributing to neglect. Sevel solutions and mitigation measures were suggested by district stakeholders. Mitigation measures include capacity building for stakeholders on prevention and response to elderly abuse, community awareness to educate community members on the dangers of abuse and the importance of reporting as well as empowering communities to develop by-laws against elder abuse.
As part of commemorating the Women’s Month in March and our silver celebration on clocking 25 years, the Malawi Human Rights Commission, with support from the Embassy of Iceland in Malawi organized a 2-day sensitization meeting on the gender related laws related to their rights.

One of the critical laws that was shared was the Deceased Estate (Wills and Inheritance) Act. This sensitization was jointly being held with the Malawi Widows Association affiliates in T/A Mabulagho, Jenda area in Mzimba District.

Notable issues that emerged include: challenges in accessing justice, cultural constraints and lack of knowledge on the eporting channels for most of the widows. The root causes of these issues also lie in the literacy levels which exacerbate the situation in low access to justice.
WOMENS MONTH PICTORIAL FOCUS
Malawian women have made incredible strides in various fields, from politics and law to activism and academia. As we celebrate Women's month, we shine a light on phenomenal Malawian women past and present. These women have broken barriers, championed equality, and inspired generations.

**Rose Chibambo (Late):** A fearless advocate for women's rights during Malawi's fight for independence.

**Emmie Chanika (Late):** A tireless human rights activist who fought for justice for marginalized communities, particularly women and children.

**Theresa Kachindamoto:** The "Terminator" against child marriage, demonstrate unwavering dedication to women's empowerment.

**Zione Ntaba:** Judge of the high court who is a passionate advocate for disability rights, women's rights, child rights and rights of the elderly.

**Martha Chizuma:** Anti-corruption crusader ensuring accountability and upholding integrity.

**Dr Ngeyi Kanyongolo:** The newly appointed vice chancellor of Catholic University. A distinguished legal scholar and advocate for women's rights who combines her academic expertise with extensive experience in law reform and activism.
ACCESS TO INFORMATION (ATI)

The Access to Information Unit (ATIU) continued orienting and training Information Holders of the ATI Law and Regulations. Below are the statistics for the period under reporting:

<table>
<thead>
<tr>
<th>No.</th>
<th>INSTITUTION</th>
<th>CATEGORY OF STAFF</th>
<th>NUMBER OF PARTICIPANTS</th>
<th>WHEN</th>
<th>WHERE</th>
<th>REMARKS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Blantyre Water Board (BWB)</td>
<td>Management</td>
<td>13w + 18m</td>
<td>31 Jan-2nd February</td>
<td>Blantyre</td>
<td>Orientation + Manual Development</td>
</tr>
<tr>
<td>2</td>
<td>Malawi Revenue Authority (MRA)</td>
<td>Management + executive management</td>
<td>18w + 11 m 2 MPs</td>
<td>7th -9th February</td>
<td>Blantyre</td>
<td>Orientation + Manual Development</td>
</tr>
<tr>
<td>3</td>
<td>Ministry of Homeland and Security</td>
<td>Senior officers from departments</td>
<td>5w + 10m</td>
<td>6th-8th March</td>
<td>Lilongwe</td>
<td>Orientation + Manual Development</td>
</tr>
<tr>
<td>4</td>
<td>ESCOM North</td>
<td>Staff</td>
<td>8w + 34m</td>
<td>11th March</td>
<td>Mzuzu</td>
<td>Orientation</td>
</tr>
<tr>
<td>5</td>
<td>ESCOM Centre</td>
<td>Staff</td>
<td>15w + 58m</td>
<td>12th -13th March</td>
<td>Lilongwe</td>
<td>Orientation</td>
</tr>
<tr>
<td>6</td>
<td>Northern Region Water Board</td>
<td>Senior management</td>
<td>10w + 7m 2 MPs</td>
<td>13th -15th March</td>
<td>Mzuzu</td>
<td>Orientation + Manual development</td>
</tr>
<tr>
<td>TOTA</td>
<td></td>
<td></td>
<td>69 women 138 men 4 Members of Parliament</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The chart shows the distribution of participants by gender and institution.
MRA Workshop Blantyre

ESCOM Staff orientation in Lilongwe

Northern Region Water Board Workshop in Mzuzu

Commissioner Kavala speaking during the MRA Workshop in Blantyre

ESCOM staff orientation in Mzuzu

Chance Kalolokesya during Blantyre Water Board workshop
Public officers account to Malawians

The government accuses hackers of disrupting the passport processing system in Malawi. Is all well at the Department of Immigration and Citizenship Services? Official secrecy and Immigration Chief Charles Kalokoko’s roots at a journalist seeking answers bring into question his claims that the system has been restored. The Immigration chief said: “I work for the government, and not for the press, so I will share what we have done so far when we want and that will be shared with the government, not through you.” In this fact check, our Staff Writer JAMES CHAVULA engages Charles Kalolekesya, Malawi Human Rights Commission deputy director of civil and political rights, who oversees the implementation of the Access to Information (ATI) Act.

Q: What is your first impression of the tone set by the Immigration chief when asked by a journalist to provide information on the state of passport processing?
A: Proactive disclosure of public information is covered by Section 15 of the ATI Act in Section 15. Production of passports is one of the core functions of the Department of Immigration. According to the above section, information regarding that can be proactively disclosed to the public. It can only be exempted from disclosure if it is sensitive or borders on national security as stipulated in sections 28 to 38 of the Act. However, when a journalist asks for information from an information holder, that is not proactive disclosure of information but that is information on demand. The ATI law provides for procedures for requesting information as covered in Section 18. The procedure includes requesting information formally through an information officer of that institution and the director general may not be an information officer, except where the information officer is unavailable.

Q: Beyond this media inquiry for public information, how can journalists and ordinary Malawians protect their right to know, access to public information and press freedom?
A: Journalists and ordinary citizens can access public information by following the procedures stipulated in Section 18 of the Access to Information Act and Part IV of the Access to Information Regulations. Should such requests not get the required response, the law provides for external review of the decisions by information holders where the requesters can appeal to the MHRC and finally the court.

Q: Are Malawians, including journalists, adequately utilising the ATI Act to safeguard their right to know? How many ATI requests have you recorded so far? How many are from media practitioners?
A: A few journalists and ordinary citizens have utilised the ATI law in their quest for information. The demand still remains low probably due to inadequate awareness, but also a culture of secrecy that remains prevalent in our society.

MHRC, an oversight body in the implementation of the ATI Act, does not receive requests for information on behalf of information holders. However, the commission receives appeals from information seekers if not being satisfied with the response information requests.

Q: What does this imply about our democratic nation’s fidelity to transparency and accountability?
A: The demand for transparency and accountability by the citizen is quite low while, on the other hand, many public institutions are not taking proactive steps to be transparent and accountable to the public they serve. There is also a lack of behavioral change in the way public service conducted.

Q: How can MHRC assist in cases when an information seeker is treated like a beggar for exercising the constitutional right to know information that public officers keep on behalf of the citizen?
A: The commission has the mandate from the ATI Act to raise awareness about the right to access information by advising the government and other information holders to which the Act applies to make recommendations to implement (Section of the ATI Act). Thereafter the commission will continue performing its role as mentioned above, especially by raising awareness to bot information seekers about their duties and rights under the law and advising information holders to comply with the law.
ALLIES AND PARTNERS

UNFPA

UNICEF

European Union

Embassy of Iceland, Lilongwe

Irish Rule of Law International

Norway

UNDP

Empowered lives. Resilient nations.
SPECIAL MEDIA TRACKER  JANUARY TO MARCH

FACEBOOK

Page Overview
Followers: 16,494

Post reach: 4,704
Post Engagement: 1,425
New followers: 659

Audience
Age and Gender
Men 76.8%
Women 23.2%

Followers by Country
- Malawi: 14,041
- South Africa: 1,095
- United Kingdom: 895
- United States: 790
- Zambia: 119
- Nigeria: 75
- Mozambique: 71
- Tanzania: 55
- Kenya: 53
- India: 47

X

Followers: 6,854
New followers: 197
Engagement rate: 3.1%
70.4K impressions
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