



# Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General  
17 November 2015

English only

---

## Committee on the Elimination of Discrimination against Women Sixty-second session

### Summary record of the 1351st meeting

Held at the Palais des Nations, Geneva, on Friday, 6 November 2015, at 10 a.m.

*Chairperson:* Ms. Hayashi

## Contents

Consideration of reports submitted by States parties under article 18 of the Convention

*Seventh periodic report of Malawi*

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of the present document* to the English Translation Section, room E.6040, Palais des Nations, Geneva (trad\_sec\_eng@unog.ch).

Any corrections to the records of the public meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.15-19539 (E) 161115 171115



Please recycle A small graphic of a recycling symbol, consisting of three chasing arrows forming a triangle.



*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** (*continued*)

*Seventh periodic report of Malawi (CEDAW/C/MWI/7; CEDAW/C/MWI/Q/7 and Add.1)*

1. *At the invitation of the Chairperson, the delegation of Malawi took places at the Committee table.*

2. **Ms. Kaliati** (Malawi), introducing the State party's periodic report, said that two important new gender-related laws — the Marriage, Divorce and Family Relations Act and the Trafficking in Persons Act — had been enacted in the second half of 2015. The Prevention of Domestic Violence Act and several land-related laws that addressed inequalities based on gender and marital status were expected to be enacted in the near future.

3. Information campaigns had been launched to raise awareness of the two new laws, and of the Gender Equality Act passed in 2013. The Ministry of Gender, Children, Disability and Social Welfare was organizing workshops for members of the media, government officials and the public in general and had produced user-friendly versions of the texts, including translations into two indigenous languages (Chewa and Tumbuka). The Ministry had recently revised the Gender Equality Training Manual and was working with the Human Rights Commission to draft a plan and guidelines for implementation of the Gender Equality Act. Nearly half of the State party's 28 district councils had received guidance in how to implement the Marriage, Divorce and Family Relations Act and similar training was currently being delivered to social workers, child protection officers, magistrates, prosecutors and other justice officials. The updated national gender policy, approved in September 2015, was fully aligned with the newly enacted laws.

4. Combating gender-based violence was a particular focus of Government policy. A plan of action to combat violence against women and children had been drafted on the basis of the study Violence against Children and Young Women in Malawi, which had been published in July 2015. Advocacy work was under way and the aim was to integrate national plans to combat gender-based violence into all development plans in the local districts. Acting upon the Committee's previous recommendations, the Ministry had been working to foster closer working relationships between police officers and local community organizations and had developed information management systems that would provide gender-disaggregated data. A Government lawyer had been appointed within the Ministry to provide legal counsel and process cases of gender-based violence, while mobile courts were facilitating access to justice for women in remote and isolated communities.

5. Conscious of the increasing poverty that women faced, the Ministry of Gender, Children, Disability and Social Welfare had been developing an economic empowerment plan designed to challenge gender stereotypes and ensure that women benefited from economic empowerment initiatives. A number of social protection programmes had been launched, including a cash transfer programme, a community savings and investment plan and a plan to encourage girls to remain in school. Addressing the high dropout rate among girls was a key component of the National Girls Education Strategy for 2014 to 2018. Central to that strategy was a readmission policy aimed at ensuring that teenage mothers completed their formal education, which, to date, had helped over 650,000 girls return to school.

6. Despite its various achievements, the Government was aware that progress in some areas was slow. The number of female parliamentarians had fallen from 43 in

2009 to 32 in 2014 — a decline that would be addressed in the ongoing review of electoral law and by the introduction of electoral quotas. Lack of resources and deficient coordination mechanisms also hindered progress, although the Government was working with its partners to increase budget allocations and had plans to place gender focal points in all public sector departments and agencies. In addition, the President of Malawi, as one of the Heads of State who championed the “He for she” campaign for gender equality, was working towards ending child marriage, increasing women’s access to credit and reducing gender-based violence.

*Articles 1 to 6*

7. **Ms. Patten** said that she would like to know about parliamentary engagement in the Convention’s implementation and, more specifically, whether periodic reports and concluding observations were considered in Parliament. Expressing concern about the delays in implementation of the Gender Equality Act, she asked when the Human Rights Commission was expected to finalize its implementation guidelines; what awareness-raising activities were envisaged for the judiciary, police and other key stakeholders; and what financial and human resources had been allocated for implementation of the Act.

8. More information about the legislative reform process was needed, including details of the timetable for review of all laws that still contained discriminatory provisions (e.g. the Citizenship Act, the Witchcraft Act and the Penal Code Amendment of 2011, which criminalized same-sex relationships between women) or were otherwise outdated (e.g. the Public Health Act of 1948 and the HIV and AIDS Prevention and Management Bill). It would be useful to know whether the review process would include a gender impact assessment and whether the legislation governing the national human rights institution (the Human Rights Commission) would be amended to address concerns raised in relation to its authority, autonomy, funding and compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

9. She would also like to know whether a Constitutional amendment was envisaged to eliminate the inconsistency between the minimum legal age for marriage established under the Marriage, Divorce and Family Relations Act and the marriage age under the Constitution and would appreciate confirmation that both the new gender-related laws had been published in an official gazette. Reports suggested that the Trafficking in Persons Act had not been published and that trafficking issues continued to be dealt with under different legal frameworks.

10. **Ms. Pimentel** said that immediate improvements were needed to guarantee effective access to justice for women, including their right to invoke the Convention in court and to pursue grievances through the formal justice system as well as the informal system. She would like details of any plans to introduce laws aimed at reducing conflicts between the two systems, to incorporate safeguards that allowed women to apply to a formal court for review of decisions handed down in an informal court and to establish formal information-sharing procedures. She would also like to know whether capacity-building programmes covered international standards, including the Convention’s provisions; how the budget was allocated; and how the State party guaranteed the availability of technical assistance and qualified human resources.

11. Noting that the 2010 Legal Aid Act provided for the establishment of legal aid centres, she asked how many such centres had been opened, particularly in remote rural areas; whether there were any specialist centres for women; whether the centres were able to provide professional translation services and cater for the needs of illiterate persons; and, more generally, what was being done to guarantee that

perpetrators were duly investigated and prosecuted and victims were provided with compensation and reparation.

12. **The Chairperson**, speaking as a Committee member, asked what progress had been made towards ratification of the Optional Protocol.

13. **Ms. Kaliati** (Malawi) said that two parliamentary committees — the Women's Committee and the Social Affairs Committee — were responsible for considering reports and raising the relevant issues in Parliament. Both committees were closely involved in implementing the Gender Equality Act. A review of the HIV and AIDS Prevention and Management Bill was on the agenda for the next parliamentary session. The Government organized training sessions to ensure that prosecution officials were fully updated on legislative developments and knew how to apply the law. The advocacy work carried out under the auspices of the Gender Equality and Women's Empowerment Programme, which included drama workshops and poster campaigns, played an important part in making women aware of the avenues of redress open to them. Traditional courts were available in all districts, but any woman who was not satisfied with a district court judgement could apply to the Government for further assistance and legal counsel.

14. Although the Government budget was limited, support from UN-Women, other United Nations agencies and international partners guaranteed adequate funding for gender-related projects. The new laws enacted could not be expected to bear fruit immediately; a certain delay was inevitable before results were achieved. However, both the legislative framework and supporting programmes were in place and, with appropriate advocacy work, in the years ahead, women should be aware of their rights and be capable of exercising them, thereby serving as role models for their children.

15. **Ms. Patten** said that she needed more specific information about the next stages in the implementation of the national gender equality policy, including the timetable for publication of the guidelines for implementation of the Gender Equality Act, details of specific awareness-raising campaigns, clarification of budget allocations and an explanation of how gender policy would be reflected in legislative reforms. She would appreciate clarification as to whether the provisions of the Marriage, Divorce and Family Relations Acts that ran counter to the Constitution could be challenged on the grounds of unconstitutionality and whether the constitutional amendment required to align the two could be introduced without a referendum.

16. She would like to know when the Government would be implementing the recommendations made by the Human Rights Council and Human Rights Committee concerning the structure, budget and operation of the National Human Rights Commission; whether a mechanism for the consideration and implementation of recommendations made by the Commission was due to be established; and what action would be taken to increase women's representation on the Commission.

17. **Ms. Pimentel** said that she, too, needed more precise responses to her questions, including disaggregated data on the number and nature of cases handled in the informal and formal justice systems, the length of proceedings, the outcomes and the indicators used to measure the efficiency of the two systems. With regard to cases involving sexual violence, she would like to know whether corroborating evidence was essential to prosecution; what provision was or would be made for DNA testing; and what was being done to encourage and facilitate prosecution in general. Information on any action being taken to tackle bribery and corruption within the two systems of justice would also be useful, as would an update on progress towards the amendment of the Criminal Code, in accordance with the recommendations made during the universal periodic review process, concerning the protection of lesbian, gay, bisexual and intersex (LGBTI) people.

18. **Ms. Kaliati** (Malawi) said that stakeholders from the public and private sectors had the opportunity to provide input during the legislative review process. The Human Rights Commission was responsible for negotiating its budget with the Government and for nominating its members. The Government therefore had no control over the fact that only one commissioner was a woman. The Ministry of Gender, Children, Disability and Social Welfare was working to empower women and to encourage them to aspire to decision-making positions.

19. Article 22 of the Constitution, which concerned the minimum legal age for marriage, was under review by the Law Commission. In the meantime, the Ministry had championed the adoption of the Marriage, Divorce and Family Relations Act, which set the minimum age at 18 years, and was taking steps to help women pursue their studies beyond that age.

20. **Mr. Nyirongo** (Malawi), in reference to the perceived inconsistency between the Marriage, Divorce and Family Relations Act, which set the marriageable age at 18 years, and article 22 of the Constitution, which provided that persons aged 15 to 18 could marry with the consent of their parents or guardians, said that the Government deplored child marriage and was endeavouring to eradicate it. The constitutional provision allowing persons aged 15 to 18 to marry under specific conditions should be considered an exception to the rule rather than a gap in legislation.

21. The Child Care, Protection and Justice Act of 2010 stipulated that all decisions made by parents should take into account the best interests of the child. Consequently, the Government could challenge the granting of parental consent for child marriage in court if it felt that the child's best interests were not being respected. In any event, the Marriage, Divorce and Family Relations Act was intended to be read in conjunction with the Constitution and was thus not inconsistent with it.

22. The Marriage, Divorce and Family Relations Act and the Trafficking in Persons Act had entered into force on 1 August and 1 November 2015, respectively. The Government was developing implementing guidelines for both laws.

23. One of the objectives of the Law Commission was to propose amendments to legislation that could be deemed discriminatory or was otherwise incompatible with the Constitution of 1994. As part of efforts to that end, the Witchcraft Act of 1911 was under review and resources had been set aside to complete the process. The Criminal Code had been amended in 2010 to incorporate a number of gender issues and to raise the age of sexual consent from 13 to 16 years. The Commission had just embarked on a review of the Citizenship Act, for which resources were already available, and was assigning staff to the task. The Human Rights Act was due for review, having been adopted in 1998.

24. Pursuant to the Legal Aid Act of 2010, the Legal Aid Bureau had been established and its director appointed. The Bureau had launched a recruitment drive to guarantee the provision of legal services at the local and national level. In that connection, the Legal Education and Legal Practitioners Act of 1965, which had initially laid down fairly restrictive criteria for the recognition of persons as legal practitioners, had been reviewed in 2013 with the aim of broadening the pool of persons possessing the requisite qualifications. The commission that had conducted the review had also recommended the enactment of legislation to govern the training of women lawyers and to enable paralegals to offer a certain degree of legal aid in court proceedings.

25. In 2010, the Law Commission had been requested to review provisions of the Criminal Code related to LGBTI persons. It had promptly prepared the necessary working documents but had been unable to continue because of a lack of funds, which it was still trying to secure.

26. **Ms. Shawa** (Malawi) said that the action plan for the implementation of the Gender Equality Act was being reviewed after it had been noted that important issues such as gender budgeting had been omitted. The Ministry of Gender, Children, Disability and Social Welfare had been restructured at its own request in July 2014 and had just been allocated resources for the recruitment of additional staff.

27. Complaints of gender-based violence were handled by victim support units, of which there were around 300 at the community level and more than 120 within the police force. The National Statistical Office was taking steps to ensure the collection of data on such complaints. Over the past three months, DNA profiling had been used in three cases and an individual had been sentenced to 8 years' imprisonment for impregnating a 15-year-old girl.

28. Traditional chiefs, who had been given guidance on dealing with cases of violence, had set up a council and signed a declaration to end child marriage and prevent domestic violence. They were currently working to bring their by-laws into conformity with national legislation and to promote the use of community-based alternatives to detention in order to alleviate prison overcrowding.

29. The Ministry of Gender, Children, Disability and Social Welfare had put together a team to develop implementing guidelines for all gender laws. It was hoped that the guidelines would be ready within four months. In response to the question concerning translation services, she said that court interpreters were provided whenever possible, including in rural areas.

30. **Ms. Gbedemah** said that the Committee wished to receive statistics on the number and nature of cases handled by local courts.

31. **Ms. Gabr** asked whether the National Gender Policy would be backed up by strategies or action plans and, if so, what issues would be prioritized. She said that she also wished to know what steps were being taken to implement the Convention and the 2030 Agenda for Sustainable Development. The delegation should state whether the Government intended to set time frames and to develop indicators in that respect.

32. The Committee would welcome further details of the cooperation and division of responsibilities between the Ministry of Gender, Children, Disability and Social Welfare and the Human Rights Commission, particularly with regard to the implementation of the Gender Equality Act. The delegation should state which authority was tasked with proposing bills and with reviewing existing laws. She also asked whether the Ministry had offices in remote areas and which body was responsible for handling complaints from women victims.

33. **Ms. Nwankwo** said that the school readmission policy for young mothers should be considered a permanent measure. In reference to paragraph 28 of the periodic report, she asked whether strategies were in place to amend the Parliamentary and Presidential Elections Act and the Local Government Elections (Amendment) Act, what was being done to implement the recommendation of the Law Commission for a quota applicable to political parties, what the impact of the concessions granted to women candidates for the tripartite elections of 2014 had been and whether similar concessions would be offered during the 2019 elections. Lastly, she asked whether the Government had adopted any temporary special measures and, if so, in what fields. The delegation should describe the outcome of any measures taken and state whether their effectiveness had been evaluated.

34. **Ms. Kaliati** (Malawi) said that strategies and action plans for the implementation of the National Gender Policy had already been developed and included a social cash transfer scheme, a nutrition policy and a public works programme, through which women had access to subsidized building materials.

35. The Ministry of Gender, Children, Disability and Social Welfare made submissions, when necessary, for the purpose of launching reviews of relevant laws and the Law Commission had a mandate to review existing legislation and make recommendations relating to the repeal, amendment or replacement of laws. The Ministry also sought to ensure that government policies incorporated a gender perspective. For example, the Ministry had called for the inclusion of clear gender indicators in the next Malawi Growth and Development Strategy, which had just come under review.

36. The readmission policy for young mothers was permanent and education was viewed as a tool for the socioeconomic development of women and girls. The Ministry awarded scholarships to girls from disadvantaged backgrounds and provided training to “mother groups”, i.e. groups of women from the community who worked to ensure that girls completed their education and stayed in school. It also gave advice on health, family planning and HIV/AIDS to traditional leaders.

37. Turning to the question raised about quotas, she said that the Law Commission was currently working on a proposal to amend the Parliamentary and Presidential Elections Act and the Local Government (Amendment) Act so that the executive machinery of political parties would be composed of no more than 60 per cent and no less than 40 per cent of either sex. The Ministry of Gender, Children, Disability and Social Welfare was leading efforts in that regard, which also included making political parties aware of the importance of gender quotas and of having women in decision-making roles.

38. The Ministry had 2,000 persons on the ground and worked with NGOs on the implementation of the Gender Equality Act. The NGOs monitored the Government’s implementation of the law. Some day schools had been converted into boarding schools in order to help girls who lived far away to stay in school. The gender perspective had been incorporated into the process for appointing members of the Human Rights Commission.

39. **Ms. Nwankwo** said that, in light of the fact that the Gender Equality Act provided for gender quotas for appointments to public office, the Ministry of Gender, Children, Disability and Social Welfare should have intervened and made its voice heard when it came to appointments to the Human Rights Commission. She commended the Government for its action on temporary special measures but wished to know if the outcomes had been evaluated to determine the extent to which the goal of gender equality had been achieved. Had the concessions made by political parties to female candidates during recent elections had any impact?

40. **Ms. Patten** said that she wished to know whether bodies which failed to respect the Gender Equality Act, such as the Human Rights Commission, faced any legal penalties.

41. **Ms. Gabr** said that she was pleased to note that national gender and social policies were not merely an expression of political will but actually operational. She would welcome further information about a time frame for their implementation, indicators for assessment and the division of responsibilities among Government departments. She would be grateful if the delegation could provide details about complaints mechanisms for women on gender issues.

42. **Mr. Nyirongo** (Malawi) said that Malawi took a rights-based approach to the issue of complaints, which could be received by the courts and by other institutions such as the Ombudsman or the Human Rights Commission. Moreover, all Government departments had been mandated to receive complaints and were being encouraged to publish public service charters in order to inform the public of their rights with respect

to public institutions, including the right to receive a response to complaints in a timely manner.

43. Although there were no sunset clauses for gender quotas stipulated by law, there was provision for the quotas to be periodically reviewed in order to evaluate their effectiveness. When preparing the Gender Equality Act, the Law Commission had proposed amendments to legislation regulating local and national elections. Those amendments were still being examined by the Cabinet but they were, in any case, only stopgap measures and a much more comprehensive programme of electoral reform was currently commencing. The Law Commission and the Ministry of Justice were the two bodies mainly concerned with new legislation in Malawi. The Commission acted as an advisory body to the Government while the Ministry worked directly on drafting bills.

44. **Ms. Kaliati** (Malawi) said that an evaluation of the policy on readmission to school of pregnant girls had shown that, since its introduction, some 650,000 pupils had been readmitted to school. Retention of girls in schools had improved by 20 per cent and attendance rates stood at 80 per cent. All policies were reviewed after five years. The Ministry of Gender, Children, Disability and Social Welfare had people on the ground at the local level who were working to raise awareness among the public, receive complaints and give advice. There was a network of victim support units across the country as well as counselling, psychosocial support and community policing.

45. The appointment of members of the Human Rights Commission was a highly complex process and one of a number of challenges in public sector appointments in the country. The Government was aware of the importance of the issue of gender in public appointments. The current legal framework had reduced the possibility of arbitrary appointments and the process had to involve a number of different actors who made recommendations to the appointing authority. Her responsibility was to ensure that that process also reflected gender issues.

46. **Ms. Hofmeister** said that, under article 5 (a) of the Convention, States were enjoined to take measures to modify social and cultural patterns of conduct with a view to eliminating prejudices and customs related to conventional role models and stereotypes. Gender differences were socially learned and patriarchy was not a typically African system of society. Malawi was a secular State and had constitutional provisions allowing everyone to participate in cultural life. Though prohibited under the Child Care, Protection and Justice Act and the Gender Equality Act, certain harmful practices persisted. She asked what steps Malawi was intending to take to combat violence against persons with albinism and whether law enforcement officials were being offered training in that regard. She also wondered whether any provisions were in place to protect victims and caregivers. She would appreciate any information and statistics the delegation could provide on measures taken to combat polygamy and to outlaw female genital mutilation.

47. **Ms. Al-Dosari** said that she commended Malawi for legislation it had passed in support of the family and children. It was important to consider, however, the numerous social, religious, traditional, customary and cultural practices identified in the periodic report which promoted the notion of the inferiority of women and superiority of men. Were there any awareness-raising campaigns to change societal attitudes towards women?

48. She wished to know how knowledge of the Convention was being disseminated in the country, what measures were being adopted to address violence against women and what role education and the media played in that regard. She would welcome information about the progress of the review of the Prevention of Domestic Violence



Act, particularly as it pertained to loopholes on issues such as marital rape, and wondered what burden of proof was required in cases of sexual violence. She would appreciate it if the delegation could provide statistics on the incidence of sexual violence during the period covered by the report and any information about the outcomes of the national response to combat gender-based violence.

49. **Ms. Gbedemah** said that she commended Malawi for its recent Trafficking in Persons Act. Most Malawian victims were trafficked within the country and, although the periodic report had highlighted an increase in the phenomenon, the rate of successful prosecutions was relatively low. She asked what strategies were in place to ensure that trafficking offences were investigated and successfully prosecuted, what sentences convicted traffickers could expect to face and whether those sentences constituted a deterrent. She would be interested to know if national plans to combat trafficking incorporated a gender perspective and reflected the standards of the Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children. What measures were in place to increase awareness about the dangers of trafficking, especially among vulnerable persons such as girls?

50. The Committee understood that prostitution itself was not illegal in Malawi but wished to know if any attempts were being made to tackle the root causes of the phenomenon. How many people had been convicted for running brothels or living off immoral earnings? Members would also be interested to learn how many sex workers had taken up the option of alternative livelihoods alluded to in the periodic report. She wished to know if prosecutors had been made aware of a recent court ruling outlawing the practice whereby the HIV/AIDS status of sex workers could be read out in open court and used to prosecute them on charges of spreading sexually transmitted disease.

51. **Ms. Kaliati** (Malawi) said that trafficking was a global problem. The various arms of Government in Malawi had come together to combat the phenomenon and the police, social workers and child protection workers were working to tackle it on the ground. Ten cases had been prosecuted since the submission of the periodic report and convicted traffickers could face up to 21 years' imprisonment. The Government had launched vocational training schemes in villages to help people find work locally and avoid having to go abroad to look for employment, thereby becoming more vulnerable to traffickers.

52. The authorities were working with local chiefs and faith-based organizations to eliminate harmful practices affecting women. There were special judges for issues such as albinism, and the President of Malawi had spoken out strongly against the killing of persons with albinism and called on the police to bring perpetrators to justice. An awareness-raising campaign on the issue was currently taking place via the mass media, billboards and radio programmes. The "Say no" campaign had been launched to address the problem of child marriages and sexual violence. A bill to amend legislation on compulsory counselling and testing of sex workers was due to come before Parliament shortly for consideration. Measures had been taken to economically empower sex workers, and 2,000 former sex workers were currently running their own businesses.

53. **Mr. Nyirongo** (Malawi), replying to the question raised concerning marital rape, said that although the crime of rape was covered under the Penal Code, there was no specific provision for marital rape as such. However, the grounds on which partners could refuse sexual contact, including postnatal convalescence and menstruation problems, were covered under the Marriage, Divorce and Family Relations Act. During the recent review of the Prevention of Domestic Violence Act, the Law Commission had considered the definition of domestic violence and the remedies that might be made available for such a violation.

54. Trafficking offences carried a maximum prison sentence of 21 years, which applied to perpetrators of trafficking in children, for example. The law provided for a number of aggravating circumstances which carried heavy penalties. Although there were lighter penalties for less serious trafficking offences, there were no non-custodial penalties such as fines for the crime, especially as the Government recognized that human trafficking was a lucrative business. He expected that the penalties imposed would act as a deterrent.

55. The Trafficking in Persons Act provided a framework for raising public awareness about the problem. It was too early to evaluate the status of implementation of the new legislation, as it had only recently been adopted, but he trusted that a national coordination committee would soon be established and start work. The authorities were aware that trafficking was both an internal and a cross-border problem. The legislation on mutual assistance in criminal matters and extradition aimed to tackle all forms of human trafficking. At every border post, police officers kept an eye out for potential trafficking victims and, in every police unit, there were dedicated officers to deal with human trafficking issues. In order to address the transnational aspect of trafficking, the Malawian courts had jurisdiction over cases involving Malawian victims or crimes committed in Malawi.

56. **Ms. Gbedemah** said it would be helpful to have data on violence against women and trafficking disaggregated by gender and type of offence. Noting that the report contained no information on polygamy, she wondered what was the situation in Malawi with regard to polygamous unions.

57. **Ms. Al-Dosari** said she wished to know what was the level of awareness about the Convention among women in Malawi. It would be helpful to learn what relevant awareness campaigns had been carried out and what measures were being taken by the Government to ensure that family and household responsibilities were equally shared by men and women.

58. **Ms. Leinarte** said that further information was needed on the draft legislation on prostitution. She wished to know what measures had been taken to deal with the various actors involved in the sex trade, such as pimps, brothel-keepers, customers and the prostitutes themselves. How did the draft legislation affect each of those parties?

59. **Ms. Kaliati** (Malawi) said that Malawi continued to have a very high rate of child marriage, especially among girls under 18. Awareness campaigns and protection measures had been implemented to tackle that problem. In order to handle the problem of HIV/AIDS, awareness-raising campaigns had also been implemented, and new draft legislation to deal with the disease was under consideration.

60. **Mr. Nyirongo** (Malawi) said that legislation on polygamy was still at the drafting stage in order to allow for further consultation and debate. Nevertheless, existing polygamous unions were protected by law.

61. Employment legislation provided for two weeks of paternity leave in order to promote men's participation in family life. Both maternity and paternity leave were regulated by labour legislation.

62. The Penal Code dealt with abuse committed by pimps and brothel-keepers and prohibited the establishment of brothels. The relevant provisions of the Code were designed to protect women working in the sex trade. The legislation on human trafficking also protected women against various forms of exploitation, including sexual exploitation. The Penal Code had been amended so that it now covered specific offences such as sexual exploitation and forcing children into prostitution.

63. **Ms. Kaliati** (Malawi) said that women were aware of their rights and that awareness-raising campaigns organized by the Ministry of Gender, Children,

Disability and Social Welfare also covered the Convention. A range of measures had been implemented to involve men in efforts to promote gender equality and gender mainstreaming programmes had been rolled out in various areas, including the education system and the agricultural sector. Although steps were being taken to raise men's awareness about their responsibilities, the main focus was on the economic empowerment of women.

64. **Ms. Shawa** (Malawi) said that a range of programmes had been implemented to support commercial sex workers, including employment assistance and training, for example as managers of beauty salons or farmers, and provide information on sexual and reproductive health and family planning. Local businesswomen had been encouraged to share their skills and experience with the sex workers to show them how their businesses were run, which had done much to help the workers.

*Articles 7 to 9*

65. **Ms. Nwankwo** said that she would like to learn more about the strategies in place to promote women's participation in political life, noting that the percentage of women in Parliament fell short of the 30 per cent target set and that few women occupied ministerial posts or senior positions in the civil service. Figures for Malawi indicated that the goal of 50 per cent female participation had not been achieved. She encouraged the Government to consider implementing special temporary measures.

66. She wondered what the State party was doing to increase women's representation in leadership positions in the private sector, political parties and the security forces and what measures were being taken to raise awareness about the Gender Equality Act, particularly among employers. She would like to know what was being done to change attitudes, especially within political parties, and what was the status of proposed amendments to the election laws to introduce quotas for candidate lists. Did the proposed bill include penalties for political parties which failed to comply?

67. **Ms. Acar** asked what was the status of the review of the Citizenship Act by the Law Commission. Under the current legislation, a Malawian woman could lose her nationality when she married a foreigner. She wondered whether the Government would consider amending the Act to allow children born in Malawian territory who would otherwise be stateless to acquire Malawian citizenship. Did the Government plan to accede to the 1961 Convention on the Reduction of Statelessness?

68. **Ms. Kaliati** (Malawi) said that measures were being taken to ensure that women were represented in all departments and ministries. She pointed out that other measures, such the "He for she" campaign, encouraged men to support women's rights. A range of capacity-building measures had been implemented and steps had been taken to increase the number of women members of Parliament. At the local government level, training was provided to encourage women to participate in decision-making, and information campaigns on gender equality and women's empowerment had been rolled out.

*The meeting rose at 1 p.m.*