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Summary record of the 45th meeting

Held at the Palais Wilson, Geneva, on Wednesday, 18 September 2024, at 3 p.m.

Chair: Ms. Crăciunean-Tatu

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The meeting was called to order at 3 p.m.

Consideration of reports (continued)

**(a) Reports submitted by States parties under articles 16 and 17 of the Covenant
(continued)**

Initial report of Malawi (E/C.12/MWI/1; E/C.12/MWI/Q/1; E/C.12/MWI/RQ/1)

1. *At the invitation of the Chair, the delegation of Malawi joined the meeting.*
2. **A representative of Malawi**, introducing his country's initial report (E/C.12/MWI/1), said that financial and technical constraints had led to a significant delay in the submission of the report. The drafting process had commenced shortly after the required resources had been mobilized, in 2020, and had been completed in 2022. Broad consultations had been held with a range of stakeholders in the drafting process.
3. The Bill of Rights in the Constitution remained the bedrock of the country's human rights architecture. The Constitution established an array of economic, social and cultural rights, including the right to education, culture, language, property, economic activity, and fair and safe labour practices, which were enjoyed without discrimination. A series of laws had been enacted to give effect to those rights.
4. The Malawi 2063 agenda was a blueprint for national development that was intended to transform the country into a self-reliant and industrialized upper-middle-income country by 2063. It focused on enhancing agricultural productivity, driving industrialization and promoting urbanization, while emphasizing human capital development, good governance, environmental sustainability and economic resilience, to ensure sustainable growth and improve living standards for all Malawians.
5. The country's economy was currently facing significant challenges, including slow growth, high inflation and a large fiscal deficit. The coronavirus disease (COVID-19) pandemic had led to a decline in key sectors such as tourism and agriculture, and the downturn in the agricultural sector had been exacerbated by extreme weather events, including tropical cyclones and droughts. The Government was committed to implementing economic reforms to stabilize the economy, enhance food security and promote sustainable development through the Malawi 2063 agenda. Support from international partners remained crucial to that end.
6. Financial constraints had significantly affected access to healthcare, education, food, clean water and decent housing. To improve access to healthcare, the Government, with the support of its development partners, was opening additional community health centres and had trained additional healthcare workers. In education, impediments to children staying in school, such as access to sanitary facilities for girls, had been addressed to boost school enrolment. School curricula had been reformed and infrastructure had been developed to enhance the quality of education. The Government was investing in the provision of drinking water and sanitation facilities, and various agricultural programmes had been launched to bolster food security. To improve housing, the Government, through the Malawi Housing Corporation, planned to build 250,000 housing units by 2030, and law reforms would protect Malawians' right to land. Legislative and other measures had been taken to increase the participation of marginalized groups in decision-making processes, address gender-based violence and discrimination, and foster inclusion and equality.
7. The right to access justice was enshrined in the Constitution. The judiciary had introduced specialized High Court divisions, provided training to judicial officers, increased the number of judges, expedited the processing of criminal cases in magistrate courts, and revamped and expanded the mobile court system. An electronic case management system was under development.
8. The Government was working in collaboration with development partners to implement social protection programmes, including the Social Cash Transfer Programme, the Affordable Input Programme and a school meals programme, to help meet the needs of households on very low incomes. The need for such programmes had grown as a result of poor harvests due to climate change. In March 2023, Tropical Cyclone Freddy had brought

torrential rains, mudslides and floods, which had caused serious damage to infrastructure such as houses, roads, schools and healthcare facilities. Over 2.5 million people had been affected and the President had declared a state of emergency in the areas impacted by the disaster. The Government had revised its response plan to better deal with weather events of such a magnitude and, under the Disaster Risk Management Act 2023, a more proactive approach to natural disaster response had been adopted. The participation of marginalized groups, such as persons with disabilities, in disaster management was mandatory pursuant to the Act.

9. The Government was in the process of consulting with the relevant stakeholders on the potential ratification of the Optional Protocol to the Covenant. The Malawi Human Rights Commission, established under section 129 of the Constitution, was the country's independent national human rights institution, which had been accredited with category A status by the Global Alliance of National Human Rights Institutions. A directorate for economic, social and cultural rights within the Commission had powers to investigate alleged rights violations, conduct research, launch public inquiries and make recommendations to the Government. The Commission had also been given a mandate to oversee the implementation of the Access to Information Act, which was crucial in protecting citizens against rights abuses by public officials. The Government continued to work closely with international and regional organizations, including the African Commission on Human and Peoples' Rights and the United Nations treaty bodies.

10. **Mr. Abashidze** (Country Rapporteur) said that he wished to know by which legislative acts and to what extent the provisions of the Covenant had been incorporated into national law. He wondered whether the Covenant could be invoked directly in court and, if that was the case, he would appreciate examples and statistical information on such cases. Given the overlap between the powers of the Malawi Human Rights Commission and the Office of the Ombudsman, he would be interested to learn which of the two bodies was officially recognized as the country's national human rights institution, and how the State party ensured that the institution was truly independent, well-funded, well-equipped and fully compliant with the Paris Principles.

11. He wondered whether non-governmental organizations (NGOs) had participated in the preparation of the report, whether they would be involved in the implementation of the Committee's recommendations and in the follow-up process, what mechanism and criteria were used to select NGOs that might participate, and how the views of NGOs that had been unable to take part in the drafting process were considered. Could they post their opinions on a government website? It would be useful to know what mechanisms were used to consider the views of NGOs when formulating State policies and programmes related to economic, social and cultural issues. He would welcome information about existing legislation and institutional mechanisms to guarantee the safety of human rights defenders and protect them from threats and harassment, and he would appreciate information on the number of cases in which the State had deployed protection measures for human rights defenders.

12. He wished to know whether the Government had a concrete action plan to reduce emissions, whether it intended to seek international support in its reduction efforts, what the status was of the business and human rights action plan, what steps were being taken to mobilize all available resources to achieve the objectives of the Malawi Growth and Development Strategy, and whether a plan of action was in place to that end. He wondered how the Government was combating corruption and illicit financial flows.

13. He would be interested to learn whether the work programme of the Law Commission or parliament included the adoption of a comprehensive anti-discrimination law and, if so, what steps had been taken in that direction. He wished to know whether any statistics were available on the number of migrants, including migrant workers; why there was no migration policy; what steps had been taken to improve living conditions and ensure access to water, sanitation, electricity and adequate accommodation at the Dzaleka refugee camp; and what measures the State party had adopted to address discrimination against persons with albinism, persons with disabilities, and persons living with leprosy or HIV.

14. He would appreciate updated information on the progress made over the previous five years in women's representation in the civil service, politics and the private sector, and on

the proportion of women and men in decision-making positions in the civil service. What was the status of the electoral reform bill? He wished to know whether the new Malawi Growth and Development Strategy and the strategy to accelerate inclusive local governance and participatory democracy for effective social and economic development had been adopted, and what specific measures were envisaged in the strategies to ensure equality for women, including women and girls with disabilities or albinism.

The meeting was suspended at 3.35 p.m. and resumed at 3.55 p.m.

15. **A representative of Malawi** said that, under the country's dualist system, international instruments did not take effect until the parliament had passed an act incorporating the instrument into national law. All economic, social and cultural rights were enshrined in the Constitution in line with all relevant international standards. The Office of the Ombudsman mostly dealt with issues related to good governance, while the Malawi Human Rights Commission focused strictly on human rights. The Ombudsman Act had recently been amended to clarify the Office's mandate.

16. The NGOs involved in the preparation of State party reports were selected based on the relevance of their mandate to the international instrument in question. NGOs in Malawi were grouped under umbrella organizations for specific issues and the relevant NGOs were consulted in the development of all government policies and legislation. Before any piece of legislation could be discussed by the Cabinet, evidence had to be provided that civil society had been consulted. NGOs would be involved in the implementation of the Committee's recommendations since they were members of the ministerial committee responsible for reporting and follow-up. The police investigated all complaints of threats or violence against human rights defenders, and perpetrators were prosecuted. Any such allegations could be reported to the Malawi Human Rights Commission. Campaigns were carried out to raise public awareness of the rights of journalists and human rights defenders, who were apprised of the complaint mechanisms available.

17. The main measures to reduce carbon emissions included an increase in renewable energy production, the implementation of reforestation programmes and the adoption of sustainable agricultural practices. The Government had opened up the power generation sector to independent private businesses, which produced mainly solar and hydroelectric power. Malawi was the beneficiary of various climate finance mechanisms, including the Green Climate Fund, to implement climate change adaptation, mitigation and resilience-building projects in sectors such as agriculture, water resource management and energy. The country had accessed US\$ 87.2 million through the Fund for six projects that included measures to build resilient watersheds and enhance food security for nearly 575,000 vulnerable people in rural areas. The United Nations Development Programme (UNDP) and the Japanese Government had provided funding to build climate resilience and promote environment-friendly practices in the agricultural sector, which would help to address the humanitarian crisis caused by the sharp rise in the cost of living. In May 2024, the country had received a \$22.7 million budget support grant from the African Development Bank for a national programme to reform the agricultural sector and strengthen resilience to climate change. The Government had been gradually increasing its budget allocations for climate action; the allocation in the 2023/24 financial year was double that of the 2021/22 financial year.

18. A national baseline assessment on business and human rights had been conducted and the national steering committee for the development of a business and human rights action plan was consolidating and analysing the results. A more in-depth assessment would be carried out during the fourth quarter of 2024, with the aim of having a functional business and human rights action plan in place by May 2026.

19. The Anti-Corruption Bureau had the power to investigate and prosecute corruption cases without having to obtain consent from the Director of Public Prosecutions. The Bureau engaged in campaigns to raise public awareness of the evils of corruption and developed national action plans to combat it. All stakeholders in all sectors of society had a role to play in the implementation of the second National Anti-Corruption Strategy, for the period 2019–2024. The Law Commission was developing legislation to protect whistle-blowers from reprisals, all government institutions were required to establish integrity committees to

receive reports and deal with issues of corruption, and the Anti-Corruption Bureau provided training to the members of each committee. All senior public officials were required by law to declare their assets at the beginning of each financial year and the declarations were made available to the public.

20. The Ministry of Labour, in cooperation with workers' and employers' groups, was developing a labour migration policy, which was in its final stages and would soon be submitted to the Cabinet for approval. The Ministry was drafting labour migration regulations to facilitate safe and orderly migration, and was considering including a module on migrant workers in its upcoming labour force survey. The National Statistics Office planned to incorporate surveys on migrant workers in the population census.

21. The Government had conducted awareness campaigns to address the root causes of violence, harassment and discrimination against persons with albinism and to bring about a change of mindset among the general population. The National Action Plan on Persons with Albinism had been developed to end violence, ensure equal rights and promote the full participation of persons with albinism in the country's development. The Government reached out to leaders of religious groups and traditional healers to increase understanding of the rights of persons with albinism, and children with albinism were represented in the Children's Parliament. In 2023, the Malawi Police Service had provided training on the protection of persons with albinism at over a hundred community centres. Under the national budget, 1.1 billion Malawi kwacha had been allocated to initiatives such as strengthening community policing, which had resulted in a significant decline in the number of cases of violence against persons with albinism between 2016 and 2022, and providing safe houses for such persons and their families. A handbook had been published to strengthen law enforcement, and the number of homicides of persons with albinism had decreased significantly over the previous decade, owing in part to a high conviction rate in the courts.

22. The Gender Equality Act contained provisions on equal pay for equal work and equal opportunities for advancement. Institutions were required to create reporting mechanisms as part of efforts to address sexual harassment. Under the Act, quotas had been established for the representation of women in decision-making roles, and all institutions were required to incorporate a gender perspective in their policies and programmes. Women accounted for 41 per cent of Cabinet members, and over one fifth of legislators in the parliament and half of all newly appointed judges and ambassadors were female. The speaker and one of the two deputy speakers of the National Assembly, the Ombudsman, the director of the Malawi Human Rights Commission, the Inspector General of the police and the Law Commissioner were women.

23. The Persons with Disabilities Act was intended to address discrimination against persons with disabilities in areas such as work, education and healthcare. All public services were required to make reasonable accommodations for persons with disabilities, and the Malawi Council for Disability Affairs, an independent institution, had the power to receive and investigate complaints of rights violations.

24. Development partners including the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC) helped to provide essential services such as healthcare, education and recreation at the Dzaleka refugee camp, and the Government was in the process of identifying a new site at which to build another camp to ease overcrowding. The Law Commission had begun reviewing the Refugees Act to address emerging issues, incorporate the country's commitments under the New York Declaration for Refugees and Migrants and the comprehensive refugee response framework into national law, and develop an appropriate legal framework for the protection of refugees' rights. Migrants in a regular situation had access to all basic services, including education, healthcare and recreation facilities, on an equal footing with Malawian citizens. They were not, however, entitled to social protection schemes such as the Social Cash Transfer Programme.

25. The Malawi growth and development strategies had been abandoned in favour of 10-year programmes under the Malawi 2063 agenda. The programmes would be implemented, evaluated and monitored up to 2063.

26. **Ms. Saran** said that she would like to know why it had taken the State party 27 years to submit its first report to the Committee after ratifying the Covenant and whether it had taken a similar amount of time to submit reports to other human rights treaty bodies. It would be useful to hear about any challenges faced in incorporating the provisions of the Covenant into domestic law and harmonizing national economic policies and social and cultural practices with the Covenant. She wished to know whether an impact assessment or performance audit had been conducted to measure the effectiveness of the climate-related international assistance received. She was interested in hearing about the challenges encountered by the State party in its efforts to obtain international assistance and cooperation in order to uphold economic, social and cultural rights; in particular, she wondered whether potential donors had proposed any undue or unsustainable conditions on such support or insisted on providing only needs-based or demand-driven assistance. She would appreciate more detailed information on the kind of international development assistance partnerships entered into by the State party and the challenges encountered in that regard.

27. **Ms. Lee** (Country Task Force) said that she wished to know what measures had been taken to ensure that debt servicing did not have a negative impact on the public budget and the State party's obligations to guarantee access to health, education, food and social protection. She would like to know whether steps had been taken to ensure that public expenditure in those areas was ring-fenced when negotiating loan conditions and debt restructuring plans with international financial institutions and commercial banks. It would be helpful to receive information on measures taken to ensure the independence and effectiveness of the Anti-Corruption Bureau. Was the State party considering reviewing its encampment policy?

28. **Mr. Fiorio Vaesken** said that he would like to know whether the national task force on the Covenant had been established for the sole purpose of drafting the State party's initial report, whether it would continue to have a function in the future and whether it would play a role in the follow-up to the Committee's concluding observations. He wished to learn about the methodology adopted by the State party in its follow-up to recommendations issued by international human rights treaty bodies and wondered whether the State party established teams similar to the national task force when drafting reports for other treaty bodies. It would be useful to have a full account of the role played by civil society organizations in the drafting of the report.

29. **Mr. Abdel-Moneim** said that, during the dialogue, it would be important to acknowledge the many challenges that the country had faced in the last century and consider how they had influenced its present situation. It was difficult for the State party to fulfil its obligations under the Covenant when its ability to make use of its resources was impaired by factors such as the impact of natural disasters on the infrastructure needed to uphold economic, social and cultural rights. The State party must plot a route forward towards a future in which it was no longer dependent on international assistance, by developing integrated policies aimed at making its resources available for the benefit of its population.

30. **Ms. Rossi** said that she was interested in hearing about any initiatives aimed at combating illicit financial flows and tax evasion, developing a more progressive tax system and securing more financing to tackle the impact of climate change.

31. **Mr. Emuze** said that he would like to know whether the State party had a concrete plan regarding the impact of the greenhouse effect on uranium mining and on the farming of crops such as tea, sugar and tobacco. He wondered whether the State party had a strategy to address poverty, including by tackling public debt, implementing social protection measures and fighting corruption. He would like to learn more about the country's immigration policy and about steps taken to counter harmful practices and inequalities between men and women at refugee camps. He wished to know whether the National Anti-Corruption Strategy 2008–2013 had been fully actualized. Lastly, he would appreciate the delegation's further comments on the treatment of persons with albinism by the State party and the Malawian people.

32. **A representative of Malawi** said that the various challenges facing his Government, including a lack of resources, had delayed the drafting of its initial report under the Covenant. It had been able to draft reports for consideration by the Committee on the Rights of the Child

and the Committee on the Elimination of Discrimination against Women as it had received technical and financial support for that purpose. The technical capacity built during those processes had been used to draw up reports required by other treaty bodies. Limitations in financial and technical resources had also posed challenges with respect to the implementation of domesticated international instruments, and it had been necessary to make difficult decisions when defining priorities. Nonetheless, his Government was working hard to make progress towards the full enjoyment of rights. Awareness-raising campaigns were being carried out to generate public acceptance of international instruments in cases where their provisions contradicted existing cultural norms.

33. International assistance was mostly provided in the scope of projects with mandatory midterm evaluations and audits on completion. His Government had not conducted a comprehensive audit of all support received but would seek to do so in future.

34. A large proportion of the national budget was allocated to debt servicing. A debt retirement fund had been created through the Public Finance Management Act of 2022 with the intention of funding the settlement of debt through levies on certain goods, products and services. A committee had been established to manage the fund and decide which debts to prioritize for retirement. However, it was yet to be seen what impact the fund would have on the national debt. Funding received recently from the World Bank had been provided in the form of grants, rather than loans, and therefore had not added to the national debt.

35. One of the key issues in the review of the Refugees Act was whether to retain the encampment policy and re-examine the country's reservations to the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees. The reservations relating to the free movement of refugees had stemmed from the need to preserve national security in the face of specific circumstances at the time of ratification. They would be re-evaluated in the light of the current situation in consultation with all stakeholders and the Government would decide whether they should be retained or withdrawn in full consideration of the country's international obligations.

36. The Anti-Corruption Bureau enjoyed both financial and operational independence under the legislation that had provided for its establishment. The Bureau's director was recruited through an open and transparent process led by the Ministry of Justice and approved by the Public Appointments Committee of the parliament.

37. In an effort to diversify the country's economy, catalyse economic growth and increase domestic revenue, the Government was rolling out an agriculture, tourism and mining strategy to boost key growth sectors. Initiatives under way in the agricultural sector included the development of large-scale irrigation projects, the creation of mega-farms, the adoption of climate-smart agricultural practices and the introduction of new crops such as soybeans. A tourism investment master plan had been drawn up to drive agricultural development, including by focusing on ecotourism and creating a strategy for managing protected areas. In addition, a tourism training college was being built, visa restrictions were being eased and infrastructure was being improved. The Mining and Minerals Regulatory Authority established under the Mines and Minerals Act of 2023 had been operationalized, steps were being taken to establish a national mining company and a mineral analysis laboratory had been constructed.

38. Attacks against persons with albinism were a new phenomenon in Malawi and had been met with shock in the country. The problem was a regional one, and it had not yet been possible to identify the root cause. The Government had stepped up its efforts to prevent victimization of persons with albinism and prosecute perpetrators.

39. **Ms. Lee** said that she would welcome further information on measures taken to promote enrolment in vocational training and decent work opportunities among young people. It would also be helpful to hear about measures taken to promote access to the formal economy among women, address occupational gender segregation and the gender pay gap and ensure equal pay for work of equal value. She would be grateful for clarification regarding the provision of reasonable accommodation in the workplace and the introduction of employment quotas for persons with disabilities. The delegation might wish to provide further information on the steps taken to implement the Persons with Disabilities Act and

national policies concerning persons with disabilities to promote employment opportunities for such persons.

40. Information on measures taken to combat forced labour in the agricultural sector and to protect victims would be appreciated. She wished to know whether the State party had carried out an assessment to identify the root causes of forced labour; if so, it would be interesting to hear about the results. It would be useful to learn about measures taken to combat gender-based violence and specifically to address reported cases of sexual violence in the workplace, including whether it had investigated those cases, prosecuted the perpetrators and provided remedies to the victims. She would welcome information on the number of inspections carried out in the informal economy in the past three years and their results, including the number and nature of violations identified and any punishments handed down.

41. She would be grateful for information on measures taken to improve the coverage and adequacy of the Social Cash Transfer Programme and to ensure that disability-related expenses were taken into account in social protection programmes. Lastly, she would like to learn about measures that the State party had taken or planned to take to expand the coverage of contributory social protection schemes to informal workers, refugees and migrants.

The meeting was suspended at 5.15 p.m. and resumed at 5.25 p.m.

42. **A representative of Malawi** said that, to improve access to vocational training and skills development among young people, additional funding had been allocated to vocational training programmes, resulting in a 25 per cent increase in the number of training centres in urban and rural areas across the country. Several such centres had been established in 2023 and offered courses in areas including carpentry, plumbing and information and communications technologies, equipping young people with skills needed in the labour market. In cooperation with the private sector, the Technical, Entrepreneurial, Vocational and Education Training Authority had taken steps to ensure that vocational training curricula were aligned with industry needs. Such partnerships had led to the development of industry-specific programmes that had benefited around 15,000 young people in the past year. Awareness-raising campaigns had been carried out to inform young people about available training opportunities and the long-term benefits of vocational education. Scholarships and financial aid initiatives had been introduced, and in the past year around 5,000 scholarships had been awarded to young people from low-income backgrounds. A mentoring programme had been established to enable industry professionals to provide guidance to young trainees transitioning into employment, and the recently launched National Youth Service helped young people to develop technical and leadership skills, preparing them for self-employment and entrepreneurship. The Government was strengthening partnerships with the private sector to foster connections between young jobseekers and employers by promoting internships and job placement programmes. Partnerships with the United Nations Children's Fund (UNICEF), UNDP and the International Labour Organization (ILO) had played a crucial role in enhancing the quality and reach of skills development programmes through the provision of resources and expertise, ensuring that vocational training remained relevant and accessible. Specialist training centres had been established in several regions to provide training in computer literacy, coding and digital entrepreneurship with a view to preparing young people for opportunities in the evolving global economy.

43. Financial services had been made more accessible to trainees, in particular through microfinancing initiatives, and the Government had signed memorandums of understanding with local banks for that purpose. The National Economic Empowerment Fund had been established and offered loans to young entrepreneurs to start businesses. Measures taken to tackle unemployment and underemployment among young people in urban areas included the implementation of the National Job Creation Strategy of 2021. In 2023, 150 community stakeholders at the district level had trained as entrepreneurship trainers, following which around 3,500 young people from 60 youth groups across the country had engaged in training in areas such as mindset change and business management. Sixty business proposals had been developed by trainees of those courses, who had subsequently received technical training on starting and growing a business. On completing that training, the Government provided them with start-up capital in the form of equipment. With the assistance of

development partners including the World Bank, the Government was rolling out a range of vocational training programmes to help young people to develop skills needed by the construction, agriculture and information technology sectors. The Agricultural Infrastructure and Youth Agribusiness Project had been designed to address the dual problem of food insecurity and youth unemployment in Malawi by employing workers, half of whom would be young people, to install two large irrigation networks.

44. The Skills for a Vibrant Economy Project was a five-year project funded by the World Bank with the aim of increasing access, especially among women, to skills development programmes at participating educational institutions in Malawi. Over 58,000 people had enrolled in the project since its inception, and 37 per cent of trainees enrolled in September 2023 had been women. The focus of the Zantchito Programme, funded by the European Union, was on investing in education and enhancing the business environment and investment climate in order to boost employability and foster a culture of job creators, with the end goal of supporting more than 1,500 students and 3,000 entrepreneurship ventures. In the scope of that programme, a nationwide labour inspection exercise targeting the informal economy had been initiated to identify decent work deficits and provide access to essential services for informal workers, including domestic workers.

45. A multisectoral review carried out in September 2022 had revealed that enhancing access to affordable financing and skills development were crucial factors in driving economic growth and job creation among small and medium-sized enterprises. A bill on micro-, small and medium-sized enterprises was currently before the parliament. Access to financing for the establishment of micro-, small and medium-sized enterprises was being widened through initiatives such as the Financial Inclusion and Entrepreneurship Scaling Project. In the 2023/24 financial year, 51 million kwacha had been disbursed to over 43,000 small and medium-sized enterprises through that project, and another 107,500 enterprises had received 37.7 billion kwacha in loans through the National Economic Empowerment Fund.

46. According to a 2022 study, nearly 25,000 jobs had been created through various job creation initiatives and 45 per cent of beneficiaries had been women. That study had also found that 7,000 new businesses had been established by young people thanks to skills development and entrepreneurship programmes. Community engagement was being encouraged and grass-roots initiatives were being promoted with a view to driving job creation and skills development at the local level.

47. The Persons with Disabilities Act contained provisions aimed at promoting equal opportunities in the labour market to prevent discrimination against persons with disabilities who were seeking employment. The Act established that persons with disabilities had the right to work and employment, including the freedom to earn a living through work of their choice; it also emphasized the importance of creating an open, inclusive and accessible working environment. The Act explicitly prohibited employers from discriminating against employees on the basis of disability in all matters relating to employment, including recruitment, working conditions and career advancement. Employers were required to encourage persons with disabilities to apply for jobs when drafting job advertisements. Reasonable accommodation must be provided during recruitment processes and in the workplace. Employees with disabilities should receive equal opportunities and equal remuneration for work of equal value and be assured of safe and healthy working conditions and protection from harassment and discrimination from other employees. It was incumbent on employers to establish a mechanism to address complaints relating to discrimination, and employers with more than 10 employees were obliged to submit annual reports to the Council for Disability Affairs on the number of persons with disabilities employed and their roles. The Council maintained a list containing details of the qualifications and skills of persons with disabilities to facilitate job placement. The authorities had been empowered to enforce compliance among employers with their obligations under the Act and to order employers to pay compensation in the event that the provisions of the Act were violated.

48. **Mr. Caunhye** (Country Task Force) said that he would like to receive information on measures taken to combat all forms of exploitation and harmful practices affecting children in Malawi and to provide effective protection and proximate support, in particular to child refugees and unaccompanied migrant children, in order to effectively prevent and combat

sexual exploitation and abuse, trafficking and coercive child labour. Information on the impact and results of the National Strategy on Ending Child Marriage 2018–2023 would be welcome.

49. It would be helpful to learn more about the impact of measures taken to combat poverty and, more specifically, to tackle the high incidence of extreme poverty affecting young children and the most vulnerable and disadvantaged sectors of the population. He would welcome information, including disaggregated statistical data, on the progress achieved in the implementation of the Malawi Social Support for Resilience Project and other social protection programmes. The delegation might also wish to comment on measures taken by the State party to ensure that the poorest and most vulnerable groups had access to nutritious food; to address the risk of food insecurity resulting from rising prices and the adverse effects of climate change; and to mobilize resources and prioritize and promote investment, in particular in the agricultural production sector, with a view to establishing efficient and reliable food systems. It would be useful to receive statistical information on the impact that the Malawi Growth Development Strategy III, the National Multi-Sector Nutrition Strategy 2018–2022 and the National Multi-Sector Nutrition Policy 2018–2022 had had on malnutrition. He would welcome information on measures in place to ensure access to an adequate supply of safe drinking water and improve sanitation facilities across the country. In addition, he would be grateful to receive statistical data on the impact of the National Water Policy and the National Sanitation Policy on the supply of safe water.

50. He would like to hear about any measures taken by the State party to increase healthcare spending in line with its commitment under the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases to allocate at least 15 per cent of its national budget to healthcare. It would be interesting to learn about any measures in place to ensure the accessibility and availability of sexual and reproductive health information and services, in particular for adolescent girls and women living in rural areas; to ensure that all girls and women had access to safe and legal abortion; and to address the stigma attached to abortion and modern healthcare. Information on steps taken to prevent and address obstetric violence in healthcare centres would be appreciated.

51. He wished to know what measures were in place for the implementation of drug harm reduction programmes; what steps were being taken to provide appropriate healthcare, psychological support and rehabilitation services to drug users; and what had been done to involve civil society in the rehabilitation process. He wondered whether the State party would consider decriminalizing the personal consumption of drugs.

52. The Committee would like to hear about any measures in place to ensure that prisoners and persons in custody had access to adequate food, medical services and healthcare and that they were detained in conditions that did not represent a risk to their health or unduly expose them to transmissible diseases.

The meeting rose at 6 p.m.