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## Committee on Economic, Social and Cultural Rights

### Seventy-sixth session

#### Summary record of the 46th meeting

Held at the Palais Wilson, Geneva, on Thursday, 19 September 2024, at 10 a.m.

*Chair:* Ms. Crăciunecan-Tatu

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*The meeting was called to order at 10 a.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**, replying to questions raised by Committee members at the previous meeting, said that the Government had taken several measures to combat forced labour. Section 31 of the Constitution guaranteed the right to fair and safe labour practices. Under the Employment Act, forced labour was a criminal offence that carried a penalty of 2 years' imprisonment. The Trafficking in Persons Act covered trafficking for the purpose of forced labour. In addition, Malawi had ratified key international instruments, including relevant International Labour Organization (ILO) conventions, and had aligned its national policies with global standards. Moreover, the Government was working with international partners and civil society organizations in the area of victim support and rehabilitation. The Government had established anti-trafficking units within the Malawi Police Service and facilitated the creation of child protection committees at the community level to combat child labour. Child labour in the tobacco industry had been criminalized under the Tobacco Industry Act, and tobacco companies were adopting agriculture labour practices that respected fundamental principles and rights.
3. Key legislation, including the Employment Act, had been revised to explicitly address sexual harassment in the workplace, while sexual harassment was a criminal offence under the Gender Equality Act. The Government had introduced training and awareness programmes to educate employers and employees about women's rights in the workplace, the responsibilities of employers and reporting mechanisms. Few sexual harassment cases had come before the courts, although there had been a notable case in which charges had been brought against the former director general of the Malawi Broadcasting Corporation. In 2023, the Government had adopted the Public Service Workplace Anti-Sexual Harassment Policy, which set out procedures for preventing harassment, filing complaints and enforcing penalties in the civil service. The Malawi Human Rights Commission assisted institutions in the development of workplace sexual harassment policies and handled sexual harassment cases. The Government planned to ratify the ILO Violence and Harassment Convention, 2019 (No. 190) and to amend legislation to address existing gaps.
4. The frequency of labour inspections depended on the type of workplace and risk factors associated with the type of work. High-risk industries and workplaces with non-compliance issues were inspected more frequently. In 2023, the Ministry of Labour had conducted 792 inspections to assess compliance with occupational safety and health standards, thereby promoting a safer work environment for employees. Despite the financial challenges it faced, the Government was committed to enhancing labour inspections throughout the country. If a violation was detected, the labour inspector would order the employer to take necessary remedial action within a prescribed time frame. In extreme cases, employers could have their licences suspended or be issued with a closure notice. Where the violation constituted a criminal offence, the matter would be referred to the Malawi Police Service or the Directorate of Public Prosecutions.
5. The Government had adopted social protection measures for persons working in the informal sector. The Pensions Act of 2023 established a national pension scheme that provided for mandatory and voluntary contributions and was open to anyone who wished to join. Thus, informal workers could pay voluntary contributions and benefit from social protection. Under the Employment Act, employers in the informal sector that did not provide pension benefits for employees were obliged to pay them a gratuity based on the period of service – an obligation that was enforced by the Ministry of Labour.
6. The Government had adopted strategic measures to address the root causes of the gender pay gap, and it monitored progress through extensive data collection and analysis. The Constitution and the Gender Equality Act mandated equal pay for work of equal value

and prohibited gender-based discrimination in remuneration. Employers were required to disclose salary information and pay scales. The Government worked to address occupational segregation by encouraging women to enter highly paid professions.

7. In 2023, following the displacement of 1.2 million people by Tropical Cyclone Freddy, the Government had implemented a comprehensive strategy to provide shelter, basic services and support for long-term recovery. Over 750 camps had been established, particularly in the District of Nsanje. To address major challenges, including overcrowding and inadequate access to food, water and sanitation, the Government, non-governmental organizations (NGOs) and international agencies had set up temporary shelters and mobile health services. Efforts to provide food and water had been bolstered by the national food insecurity response plan. Long-term recovery initiatives included skills training and the allocation of grants for displaced persons to resume farming or set up small businesses.

8. **Ms. Lee**, while noting that the HIV/AIDS (Prevention and Management) Act and the relevant national policy prohibited discrimination against persons living with HIV, said that the Committee had been informed that such discrimination persisted in the workplace. She wondered what specific measures the State party had taken to address such discrimination and to promote equality of opportunity in employment. In addition, she would appreciate a response to her question about the measures taken to expand the coverage of the Social Cash Transfer Programme.

9. **A representative of Malawi** said that, in 2023, to complement the Social Cash Transfer Programme, the Government had entered into a partnership with the NGO GiveDirectly, which delivered unconditional cash transfers to people around the world. In Malawi, the NGO aimed to reach to about 120,000 poor and vulnerable households.

10. **A representative of Malawi** said that substantial progress had been made in reducing workplace discrimination on the basis of HIV status. Awareness initiatives had been carried out, and employers were required to establish an HIV/AIDS coordinating committee. The Government provided a supportive work environment for civil servants living with HIV. Under the HIV/AIDS (Prevention and Management) Act, employers were required to provide a safe working environment and to ensure that employees were not discriminated against on the grounds of their HIV status. The Government also worked with NGOs and international organizations on the development of workplace HIV/AIDS policies. The Malawi National Strategic Plan for HIV and AIDS provided for the integration of HIV services into existing health programmes; as a result, over half of all workplaces now offered voluntary counselling and testing services. Surveys indicated that the percentage of employees who felt comfortable disclosing their HIV/AIDS status at work had doubled in recent years.

11. Regarding harmful cultural practices, female genital mutilation was not a part of Malawian culture. On the other hand, various strategies had been adopted to deal with the scourge of child marriage. In 2017, the Constitution had been amended so that a child was defined as a person under the age of 18 years, and not 16 years. The minimum legal age for marriage under the Marriage, Divorce and Family Relations Act was set at 18 years. In 2022, the Penal Code had been amended to raise the age of sexual consent from 16 to 18 and to introduce tougher penalties for the offences of sexual intercourse with a child, attempted sexual intercourse with a child and abduction of a child. Traditional and religious leaders had actively engaged in educating communities about the reforms, and the Government had launched awareness campaigns and regional training programmes to highlight the risks of child marriage. Nevertheless, the number of child marriages had increased during the coronavirus disease (COVID-19) pandemic. In response, the Government had strengthened partnerships with community leaders, revised the National Strategy on Ending Child Marriage and expanded engagement with community policing and child protection structures.

12. The National Strategy on Ending Child Marriage 2018–2023 had delivered progress in key areas, including coordination among stakeholders and the mobilization of traditional leaders, although limited financing had hindered its full implementation. The child marriage rate had fallen from 42 per cent in 2018 to 37 per cent in 2023, despite the impact of the COVID-19 pandemic. It was estimated that, during the lockdown period, school closures had led to the marrying off of some 20,000 girls and about 45,000 pregnancies. While over 19,000

girls had been rescued from child marriages, it was thought that a fifth of them had since returned to their marriages owing to a lack of support. The revised National Strategy, due to be launched in October 2024, built on the lessons learned and aimed to provide comprehensive services for girls who had been rescued from child marriages. Sustainable financing for intervention and rehabilitation was seen as crucial for the Strategy's success.

13. The Government had adopted several measures to protect child refugees and unaccompanied children from abuse and forced labour. Malawi had ratified the African Charter on the Rights and Welfare of the Child, the ILO Worst Forms of Child Labour Convention, 1999 (No. 182) and the ILO Minimum Age Convention, 1973 (No. 138). The Child Care, Protection and Justice Act offered legal protection against exploitation, abuse and forced labour and specifically addressed the vulnerabilities of refugee and unaccompanied children. Working with international organizations and NGOs, the Government had established child protection committees within refugee camps and communities, which monitored children's well-being, identified children at risk and provided support to prevent abuse. Other programmes within refugee camps focused on family tracing and reunification. Safe spaces had been created that offered psychosocial support, education and recreational activities. As education was a priority, programmes had been designed to enrol children in school and give them a structured environment. Efforts were made to train local authorities, camp staff and social workers in child protection standards and to provide children with essential services such as shelter, healthcare and legal aid.

14. As over half of the population lived in poverty, with multidimensional poverty affecting 63.5 per cent of children under the age of 9, the Government pursued several strategies to combat poverty, especially among children and young people. For example, with support from development partners, the Government had expanded cash transfers and food assistance to vulnerable households. Over 1.1 million households benefited from cash transfers, which helped them to withstand economic shocks and crises. To support agriculture, the Government provided subsidized seeds and fertilizer to smallholders through the Affordable Input Programme. In the 2022/23 farming season, 2.5 million farmers had benefited from the Programme, which had boosted crop yields. The Government was also promoting the diversification of livelihoods and alternative income-generating activities through vocational training. Water infrastructure had been upgraded in an effort to increase access to clean water in rural areas, thereby enhancing health outcomes and reducing vulnerability. Community resilience initiatives, undertaken in cooperation with NGOs, focused on capacity-building, sustainable resource management and climate-smart agriculture. In 2023, emergency food distribution efforts had reached 1 million people affected by food insecurity. All of the aforementioned strategies and measures had contributed to a projected decrease in the extreme poverty rate.

15. Significant progress had been made in the implementation of social resilience programmes. One achievement had been the expansion of the Social Cash Transfer Programme, which had benefited around 1.6 million ultrapoor households as of 2024. The Affordable Input Programme had not only increased agricultural productivity, but also boosted resilience to climate change. It remained a budget priority for the Government despite the economic challenges faced. Its initially broad scope was being reduced to ensure that the most vulnerable smallholders received support. Skills development and entrepreneurship programmes had helped to reduce poverty, while initiatives such as the provision of free school meals had helped to keep children from poor households in school.

16. The Government's strategy to address food insecurity was aimed at providing immediate relief and building long-term resilience. The weather conditions caused by El Niño had severely affected maize production in the 2023/24 farming season and had led to an increase in the number of people facing acute food insecurity. Furthermore, in 2024, some 11,500 people had been displaced by floods, and hospital admissions for severe acute malnutrition had increased by 15 per cent. To address those challenges, the Government had adopted a robust framework of initiatives that included investment in the irrigation sector and the provision of emergency food assistance in cooperation with the World Food Programme and other partners. Under the guidance of the Malawi Vulnerability Assessment Committee, aid had been distributed to over 2.5 million people in 2023. Other tools that facilitated the

provision of aid included the Food Insecurity Response Plan and the recently enacted Disaster Risk Management Act.

17. Under the third Malawi Growth Development Strategy, the country had moved towards irrigation-based farming to reduce reliance on rain-fed agriculture, thus enhancing productivity, diversifying agricultural output and improving food security. In the energy sector, steps had been taken to increase energy generation, upgrade infrastructure, increase access to electricity and promote renewable energy solutions. The Strategy had helped to increase access to education and enhance productivity through investment in training. In the field of health, measures had been taken to expand access to health services, particularly in rural areas, and to boost the resilience of the health system. The Strategy had also had a significant impact on the development of transport and information and communications technology (ICT) infrastructure, thus facilitating trade and economic integration. Despite those successes, recurring challenges such as economic disruption and natural disasters had slowed progress in some areas.

18. Measures taken under the National Nutrition Strategic Plan 2018–2022, including an increased focus on child screening and growth monitoring, had led to significant improvements in nutrition outcomes. For example, iron deficiency rates had dropped from 51 to 22 per cent between 2011 and 2022. Children were regularly screened for malnutrition, and caregivers received personalized advice on matters such as breastfeeding, hygiene and child health. Despite those positive trends, Malawi continued to face natural disasters and other challenges that exacerbated food insecurity and malnutrition. Efforts were being made to build crisis management capacities and to address gender-related issues in the area of nutrition.

19. In collaboration with partners such as the World Bank, the Government had implemented a range of measures to ensure access to safe drinking water in rural communities. Over 1,000 new boreholes had been sunk in 2023; as a result, the proportion of households with access to improved sources of drinking water had risen to 87 per cent. The National Water Policy and the National Sanitation Policy ensured that resources were allocated to the delivery of safe drinking water as a priority. The Government promoted water purification technologies, such as solar disinfection and filtration systems, through awareness-raising campaigns in rural communities, as part of a broader strategy to reduce reliance on unsafe water sources. It also promoted rainwater harvesting systems, especially in areas that experienced seasonal water shortages.

20. The National Water Policy had facilitated the development and rehabilitation of water supply systems through initiatives such as the Malawi Water and Sanitation Project, which had improved water quality and enhanced climate resilience. The Policy had also led to a significant reduction in waterborne diseases. Thanks to the National Sanitation Policy, around 60 per cent of the population had access to improved sanitation facilities, over 1,000 communities had been declared open defecation free and there had been a 40 per cent increase in handwashing.

21. The Government was actively implementing measures to prevent and address obstetric violence. An ombudsman had been appointed to each hospital to deal with complaints raised by patients. In 2023, the Office of the Ombudsman had conducted monitoring visits to 93 health facilities to review operations and share technical expertise with hospital ombudsmen and senior staff. In 2022, training on respectful maternity care had been provided to health workers with the support of the United Nations Population Fund (UNFPA), and over 1,300 women had benefited from community awareness-raising programmes on sexual and reproductive health rights. Steps were being taken to enhance obstetric violence monitoring and reporting systems, and 155 safe spaces where women and adolescent girls could seek help and report violence had been set up.

22. The Government was committed to increasing public health spending in line with the Abuja Declaration on HIV/AIDS, Tuberculosis and Other Related Infectious Diseases but had not yet reached the target set out in that document. The budget allocated to public health had risen from 243 billion Malawi kwacha (MK) in the 2021/22 financial year to MK 342 billion in the 2024/25 financial year.

23. The Government's commitment to ensuring access to comprehensive sexual and reproductive health services for adolescents was reflected in various policies and initiatives. Its main strategy in that area involved delivering sexual and reproductive health services through outreach programmes and alternative spaces such as youth clubs. Health workers received training on the provision of youth-friendly services. Between 2021 and 2023, modern contraceptive use in Malawi had increased from 2.5 million to 2.6 million users. Youth-friendly health facilities were designed to be inclusive and to meet the needs of adolescents with disabilities. Mobile clinics had been set up to improve access to youth-friendly health services in remote areas and had been visited by almost 13,000 young persons in 2022.

24. The Government was aware that over 100,000 women sought illegal abortions each year and that around 17 per cent of those women developed significant health complications or died as a result. To address the problem, the Ministry of Health had developed guidelines on post-abortion care and worked with civil society to raise awareness among women about access to legal abortion and the importance of seeking medical assistance after an unsafe abortion.

25. There were no plans to decriminalize personal drug use; however, there had been a paradigm shift away from criminalization in the approach to substance abuse among children. In cooperation with civil society, the Government was developing a comprehensive national drug control policy that would include measures to reduce demand for drugs, curb drug supply and facilitate treatment for drug users.

26. Lastly, the Malawi Prison Service had adopted measures to improve prisoners' access to basic necessities such as food and water. Most prisons provided one meal per day. Special meals were prepared for certain groups, including pregnant women and prisoners undergoing antiretroviral therapy. Additional items such as sanitary pads, soap and clothing were provided to vulnerable prisoners, including women.

27. **Mr. Windfuhr** said that the Committee had received reports of ongoing problems relating to the recognition and enforcement of women's land rights. Women's attempts to exercise their rights under the policy on joint spousal land titles led to family disputes, the various laws on land ownership and inheritance rights were not being effectively implemented, and although the representation of women on customary land committees had increased, women continued to encounter barriers to land ownership, even in areas where a matrilineal system applied. He wondered how the State party intended to address those problems.

28. In the light of information received by the Committee on the forced eviction of 600 villagers from Phanga Village, he would like to know how many cases of forced eviction had been recorded and what steps would be taken to ensure that land acquisition processes did not result in the forced eviction of vulnerable groups, including poor and illiterate persons. He wondered whether the State party had considered linking its cash transfer programme to the purchase of food from smallholders.

29. He would like to hear more about the implementation of the National Adaptation Programmes of Action, particularly in relation to spatial planning. He would encourage the State party to seek support for its climate adaptation initiatives at the international level. Lastly, given that Malawi was in debt distress, he wondered whether the Government had considered negotiating debt swaps that would advance the realization of rights enshrined in the Covenant, such as debt-for-food swaps.

30. **Mr. Fiorio Vaesken** said that he would like to know what factors had contributed to the persistence of poverty in Malawi and whether the poverty rate had remained stable since 2022. He wondered why multidimensional poverty was more common among female-headed households than male-headed households and whether any policies for the economic empowerment of women had been introduced. He wished to know which multidimensional poverty indicators were linked to the highest levels of deprivation and how those indicators were being addressed. He would like to know what was being done to tackle multidimensional poverty among children under 9 years old and in the context of child marriage.

31. **Ms. Lee**, noting that the Malawi Law Commission had reviewed the abortion provisions of the 1930 Criminal Code, asked what was being done to ensure the effective implementation of the Commission's recommendations in that regard and whether the State party intended to decriminalize abortion.

32. **A representative of Malawi** said that there were matrilineal land tenure systems, which benefited women, and patrilineal systems, which benefited men. The Customary Land Act had been amended in 2022 to require that the underrepresented gender should account for at least 40 per cent of the membership of customary land tribunals. Discrimination in the allocation of customary land estates and in the enforcement of inheritance rights was explicitly prohibited, and the guiding principles for the adjudication of land disputes stipulated that the rights of women and other vulnerable groups were to be treated no less favourably than those of men. Individuals who felt disadvantaged in the inheritance process could seek redress through customary land tribunals or the Administrator General's Department. Moreover, campaigns were being carried out to raise awareness of discrimination in land rights, avenues for legal redress and ways to access legal aid, including for women in rural areas. There were legal aid offices in all 28 districts of the country.

33. No update was available on the alleged case of forced eviction from Phanga Village. However, the company that had relocated community members in that case had faced similar allegations in a separate case, in which the court had recently ordered it to vacate the land at issue. The Customary Land Act provided for a comprehensive dispute resolution mechanism, and regulations were being developed for customary land tribunals on how to handle disputes. Although tribunals had been set up in almost all areas of the country, some were not yet operational. Training initiatives were under way in that respect.

34. The National Adaptation Programmes of Action placed emphasis on vulnerable communities and sectors, and provided for projects to improve water management, agriculture practices and disaster risk reduction. In 2023, there had been a 15 per cent increase in the total area of irrigated land nationwide thanks to investment in the creation of new irrigation schemes and the rehabilitation of existing ones. The Government had expanded climate-smart agriculture programmes with a focus on diversification, agroforestry and soil conservation methods. In 2023, approximately 300,000 farmers had participated in training courses on sustainable practices, including building resilience to climate vulnerabilities.

35. The Government was engaged in debt restructuring negotiations to restore the sustainability of its debt portfolio. In recent years, to support programmes, multilateral donors such as the World Bank had provided grants instead of loans. The grants had been mostly for food security and economic development projects.

36. In follow-up to the report of the Malawi Law Commission on its review of domestic abortion provisions, the Government was drafting a bill to decriminalize abortion in cases involving rape, incest or defilement, a risk to the life of the pregnant woman, a risk of injury to the physical or mental health of the pregnant woman or a severe fetal abnormality incompatible with life.

37. **Mr. Caunhye** (Country Task Force) said that, notwithstanding the constitutional obligation to provide free, compulsory primary education, dropout rates were high, while completion rates, in 2022, had fallen to 50 per cent in the country overall, and a mere 27 per cent in rural areas. He would like to know what steps were being taken by the State party to prevent dropout and increase completion rates in primary school. He would also appreciate information on measures to increase enrolment and completion rates at secondary level and, more generally, to ensure free, compulsory pre-primary and secondary education for all children.

38. Among girls, an important factor in high dropout rates was the incidence of sexual abuse, gender-based violence and harassment by teachers and others in the school environment; he would like to know what preventive measures were in place to address that problem. Pregnancy and early marriage remained impediments to continuing education for girls, and the implementation of the school readmission policy, intended to help teenage mothers resume their schooling, remained a challenge. He would like to know what measures were in place to monitor dropouts due to pregnancy or child marriage, what follow-up and support was provided to students to ensure that pregnancy or marriage did not adversely

affect their right to education and what steps were taken to address stigmatization and financial and systemic barriers that inhibited such students from continuing their schooling. What provision was made for school-based counselling and sexual and reproductive health information and services?

39. Noting that only 18.9 per cent of students left primary education with basic literacy skills and 12.6 per cent with basic numeracy skills, he said that he would appreciate information on the measures being taken to improve the quality of education and academic performance, particularly among disadvantaged students. He would like to know what had been done to increase the number of trained, qualified teachers and improve teaching standards at all levels.

40. Poor school infrastructure and a lack of amenities, equipment and sanitary facilities – a problem that affected girls in particular – had been exacerbated by the COVID-19 pandemic and the ravages of tropical storms. He would welcome information on the steps being taken to increase the budget allocation for education in order to address those problems, particularly in rural areas. In addition, it would be helpful to receive information, including disaggregated statistics, on the results achieved through the implementation of the Malawi Education Reform Programme and the other projects and programmes outlined in paragraphs 112 to 114 of the replies to the list of issues ([E/C.12/MWI/RQ/1](#)).

41. Some 44 per cent of persons with disabilities reportedly had never attended school, despite the fact that the right to inclusive education was enshrined in the Persons with Disabilities Act and the National Inclusive Education Strategy, while those who attended regular schools were segregated in special classrooms. He wished to know what measures were in place to ensure equal access for children with disabilities to inclusive education without discrimination, and to duly implement the Strategy through the provision of adequate human, technical and financial resources.

42. It would be interesting to know what measures had been taken to develop and preserve the cultural heritage of the various ethnic and linguistic groups in the State party and what results had been achieved thanks to the policy of acknowledging and honouring cultural diversity. He would like to know whether any progress had been made regarding the study on Indigenous populations recommended by the African Commission on Human and Peoples' Rights and what steps had been taken to provide access to sports facilities for women and girls, persons with disabilities and persons living in rural areas.

43. Lastly, he would be interested to hear about any measures taken to provide affordable access to the Internet and digital literacy, in particular to poorer families and persons with disabilities.

*The meeting was suspended at 11.45 a.m. and resumed at 11.55 a.m.*

44. **A representative of Malawi** said that steps taken or under way to ensure universal access to quality education included the development of a fully costed plan to enhance school infrastructure, the cost-effective construction of 10,900 classrooms and accommodation for teachers, the introduction of compulsory primary education, the provision of school meals, psychosocial support and physical education in primary schools, the improvement of teacher attendance and time on task and the enhancement of teacher welfare in remote areas through the introduction of a hardship support scheme. In the 2023/24 academic year, the Government had recruited and deployed over 2,200 primary school teachers and some 4,200 teaching assistants. In the 2022/23 academic year, total secondary school enrolment had stood at 441,102, a 12 per cent increase on the year before. To boost that figure, the Government was building and renovating school facilities, particularly in rural areas, and providing bursaries to disadvantaged students who had secured a place at a public university. In 2023, it had completed the construction of 30 schools as part of an ambitious plan to build 284 secondary schools by 2025. It was in the process of upgrading a further 103 secondary schools and had made considerable progress in implementing an e-learning programme for secondary school students. The Ministry of Education, Science and Technology was developing instructional materials for 15 subjects, and an outreach programme had been launched to improve access to education for underrepresented groups, including through a campaign directed at over 150,000 households to raise awareness of the importance of secondary education. Over the previous year, the Government had awarded around 5,000 scholarships to low-income

students to help to cover the costs of school supplies. It had also significantly increased spending on education, which accounted for 16 per cent of the total State budget. Partnerships with NGOs had enabled the provision of additional resources and services such as tutoring and mentoring programmes, which had been shown to improve student retention rates. Furthermore, steps were being taken to decentralize education management, thereby empowering local councils to execute education policies and ensure the effective allocation of resources.

45. Child sexual abuse, including by teachers and peers, was being combated through the enforcement of all relevant criminal provisions, the strengthening of reporting mechanisms, the training of child protection committees and other groups to identify and report cases and the provision of information to children on recognizing and preventing abuse. Courts imposed stiff penalties on persons convicted of abusing a position of trust in the education sector.

46. The Ministry of Education, Science and Technology systematically collected data through an annual school census. In the 2018/19 academic year, 12,945 female students had dropped out, 27 per cent on account of pregnancy and 23.8 per cent because of marriage. In the 2022/23 academic year, 12,921 girls had dropped out, 21.8 per cent owing to pregnancy and 14.4 per cent because of marriage. There had been an overall decline in dropout rates attributable to various interventions by the Government, in collaboration with civil society organizations and development partners, including programmes to promote girls' education by changing attitudes towards early marriage and pregnancy, establish reporting mechanisms in schools to prevent gender-based violence, provide counselling services to support affected students, improve access to sanitary pads, menstrual hygiene education and sanitation facilities and reduce economic barriers to education through cash transfers to vulnerable households.

47. **A representative of Malawi** said that the school readmission policy had been widely disseminated at the district level to ensure that teachers, parents and adolescents were aware of its provisions. Measures to support teenage mothers still attending school included the organization of special camps and the formation of mother groups, to help girls manage school life and motherhood. Support mechanisms such as learner mentoring, role modelling and study circles were in place to provide educational support, while guidance and counselling services helped girls to cope with emotional and mental challenges. Pregnant and married girls also had access to flexible learning options through complementary basic education programmes.

48. Thanks to measures to promote equal access to quality education for all, there had been a notable increase in the number of learners benefiting from inclusive education. Inclusive education was made possible by the provision of specialist materials and assistive devices, with assistance from the United Nations Children's Fund (UNICEF) and Save the Children International. The Government was also working with development partners on a safe school programme, whereby grants enabled schools to construct and maintain accessible infrastructure, including classrooms, playgrounds and sanitation facilities. Under that programme, the number of classrooms with accessible facilities had increased by around 9,000 since 2018, for a total of 22,000 accessible classrooms in 2022.

49. The Government had an annual budget line for the procurement of assistive devices and teaching, learning and assessment resources for students with special needs, and it also provided funding to the Department of Inclusive Education, secondary schools, teacher training colleges and district schools, in part for the management of resource centres and special schools. Domestic funding for inclusive education had increased from MK 943 million in the 2016/17 financial year to MK 1.7 billion in the 2022/23 financial year.

50. As part of the Malawi 2063 Agenda, the country's long-term development policy, nearly 1,100 lecturers from public and private teacher training colleges had been trained in inclusive educational approaches, and teachers now received initial and in-service training on inclusive education. In addition, special needs schools were being converted into resource centres attached to primary, secondary and higher education institutions. In some cases, communities had set up local resource centres themselves.

51. The overall education budget in the 2022/23 financial year had averaged 16 per cent of the total government budget and 4 per cent of gross domestic product. It had risen steadily since the 2019/20 financial year, when it had stood at around MK 238 billion, to reach MK 944 billion in the 2024/25 financial year.

52. In cooperation with development partners, the Ministry of Education had set up a steering committee on foundational learning and developed a five-point strategy to help enhance learning outcomes in that regard, the focus being on the placement of the best teachers in lower primary schools, teacher training, digitization of education, expansion of school meals provision and curriculum review. Learner assessment had been stepped up in schools and the budget for the annual provision of teaching and learning materials had been increased.

53. As part of efforts to improve the ratio of qualified teachers to pupils, three new teacher-training colleges had opened in 2023, with a capacity of 1,800 students, while existing capacity for secondary school teacher training was being expanded. Recruitment continued apace, with the appointment, in the academic year 2022/23, of more than 220 primary school teachers, 4,200 auxiliary teachers and 2,000 secondary school teachers, and the promotion of more than 7,000 secondary teachers.

54. Under the Education Reform Programme and the Secondary Education Expansion for Development (SEED) project, which had received US\$ 210 million in funding from the Government, the World Bank and the Global Partnership for Education, more than 2,000 mentors had been recruited, 1,000 sanitation facilities and nearly 11,000 classrooms were being constructed and head teachers were being trained in school leadership. As part of the SEED project, and with support from the United States Government, 30 secondary schools had been expanded, 66 new ones had been constructed and 23 more new ones would be completed in 2024.

55. Access to the Internet varied significantly. In total, some 17 per cent of the population had access to Internet, but in urban areas the figure was 37 per cent and in rural areas 8 per cent, while women were around 37 per cent less likely than men to use the Internet. As part of its efforts to narrow the digital divides, the Government had developed a national ICT policy to improve infrastructure, particularly in remote regions, in collaboration with mobile phone network operators. A key initiative was the Digital Malawi Project, supported by the World Bank, which focused on expanding the telecommunications infrastructure by building network towers, laying fibre-optic cables and establishing satellite connections in remote areas. Community ICT centres and digital hubs were also being set up to provide Internet access and other digital services and to support training programmes.

56. The study on Indigenous populations recommended by the African Commission on Human and Peoples' Rights had not been carried out, since there were no Indigenous groups in Malawi.

57. As a signatory to the Convention for the Safeguarding of the Intangible Cultural Heritage and in accordance with its National Cultural Policy, Malawi was committed to preserving its diverse cultural heritage, which took the form of traditional ceremonies, music and folklore. Parliament had recently adopted the National Arts Heritage Bill, and the Government worked with cultural organizations to promote traditional arts and crafts through festivals and exhibitions, thereby not only celebrating cultural diversity but also allowing artisans to showcase their work.

58. **Ms. Saran** said it seemed that the school readmission policy had not been fully implemented in part because the conditions imposed were very strict. She would be interested to know why such a progressive policy had been made difficult to implement and what steps were being taken to ensure that it was fully implemented. Notwithstanding the steps taken to improve dropout rates for girls, the statistics available to the Committee showed that the rate had in fact increased between 2020 and 2021, rising from around 6.5 per cent to 9.5 per cent. She would be interested to know what steps the State party had taken to address stigmatization and the financial and systemic barriers that inhibited adolescent mothers from continuing their education.

59. **Mr. Caunhye** said that, in the light of complaints that Rastafarian children had been denied admission to school on account of their dreadlocks and that Muslim girls had been turned away for wearing the hijab, he would welcome information on the steps being taken to protect the rights of all religious minorities in the school system without discrimination.

60. **The Chair** said that she would be interested to hear what the State party's three main challenges and priorities in the area of education would be for the next five years.

*The meeting was suspended at 12.35 p.m. and resumed at 12.40 p.m.*

61. **A representative of Malawi** said that the school readmission policy had been revised precisely to facilitate its implementation and ensure that teachers were trained to readmit students without bias. In addition, psychosocial support was available through the mother groups and school committees to help teenage mothers to transition smoothly back into the education system.

62. On the basis of section 25 of the Constitution, which guaranteed the right to education for all, the Ministry of Education had issued a directive to all State schools to admit all children, including those wearing the hijab. The issue had not arisen in private schools. In addition, under the Peace and Unity Act, district peace committees had been established in order to resolve any conflicts arising from religious intolerance or other differences within the community.

63. The three main challenges to be addressed over the next five years were the quality of education, particularly in respect of foundational learning, access to secondary education, where enrolment rates were very low, and teacher recruitment and training.

64. **A representative of Malawi** said that girls' dropout rates had indeed been high in 2018, reaching nearly 11 per cent. However, they had dropped since then and now stood at around 6 per cent.

65. **Mr. Abashidze** said that he wished to thank the members of the delegation of Malawi for the constructive dialogue. He trusted that the Government would give due consideration to the Committee's recommendations and suggested that the State party might also update its core document.

66. **A representative of Malawi** said that his delegation looked forward to receiving the Committee's concluding observations, which would represent a further step on the journey towards the promotion, protection and fulfilment of economic, social and cultural rights in Malawi. He wished to thank the international partners that worked with his country, particularly the United Nations Development Programme, which had facilitated the participation of certain members of the delegation. He once again appealed to the international community to provide the necessary technical assistance in areas where shortcomings had been identified during the review.

*The meeting rose at 12.55 p.m.*