



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

Seventy-fourth session

16 January–3 February 2017

Agenda item 4

Consideration of reports of States parties

### List of issues in relation to the combined third to fifth reports of Malawi

Addendum

### Replies of Malawi to the list of issues\*

[Date received: 29 January 2017]

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\* The present document is being issued without formal editing.

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## Introduction

1. The Government of Malawi is pleased to submit responses to the list of issues and questions by the CRC Committee in relation to Malawi's periodic report.

### Issue 1

**Please provide any update on the constitutional review process for the protection of children, the measures taken to harmonize national legislation with the Convention and the steps taken to further develop and implement the comprehensive policy on children.**

2. Malawi Government has committed to amend its constitution and all other relevant laws to be in compliance with CRC. The Government Bill on the amendment of the Constitution to define child as a person below the age of 18 has already passed through the Cabinets legal and parliamentary Committee of the cabinet. Stakeholders meetings as well as engagement with Members of Parliament have taken place on the urgent need to consider amending section 23(6) as a matter of priority in the spirit of promoting the best interest of the child.

3. Further, in October 2016, Malawi Government, before the African Committee of Experts on the Rights of a Child (ACERWC), committed to amend the constitutional definition of a child to 18 years. This undertaking was the result of a communication made against Malawi by the Institute of Human Rights and Development in Africa (IHRDA) to the ACERWC on the definition of a child in the Constitution. The Malawi Government and the IHRDA agreed to settle the matter amicably by the Government making the above stated commitment. Malawi has undertaken to harmonise all laws in this regard by 31st December, 2018.

4. In respect of comprehensive policy on children, the government has planned to review the draft comprehensive policy with the purpose of incorporating emerging issues in the policy. The task force for the development of the policy met in November 2016 to review the policy and has planned to validate the policy before submitted to cabinet for the approval.

### Issue 2

**Please provide information on the measures taken to establish a comprehensive system of data collection for all of the areas covered by the Convention. Please also provide updated information on the national mechanism that is mandated to coordinate the implementation and evaluation of activities performed under the Convention.**

5. The Ministry of Gender, Children Disability and Social Welfare has established an Integrated Information Management System (IIMS). The system consists of seven elements within which the data is stored, one of the said elements is on child protection. The child protection element with support from UNICEF is currently being piloted in ten District of Malawi which include Blantyre, Dedza, Mangochi, Zomba, Salima, zimba, mzuzu, Nkhatabay, Mchinji, and Lilongwe. The second element is a Gender Based Violence module which also include issues of children. It is being piloted in the 13 districts supported by UNFPA which include Chitipa, Karonga, Nkhatabay, Mzimba, Mchinji, Dowa, Salima, Dedza, Mangochi, Machinga, Chiradzulo, Chikwawa and Nsanje. This IIMS will be linked with other initiatives such as National Child Helpline hub and the data base in the Malawi Police. The indicators developed have been harmonized with the National Statistics office, National Child helpline and National Police Data Base and they are in tandem with the CRC provisions.

6. The Ministry of Gender, Children, Disability and Social Welfare is the responsible Ministry for the Coordination of the implementation of the CRC. The Ministry underwent a

functional review and one important development is the approval of its functions' establishment at district level. The capacity at district level has in essence been increased. Each district council will have a manager who will be responsible for the Gender, Children sectors. Reporting to the manager will be officers responsible for Gender, Social Welfare issues and Child Development. The Child Development Officer will be responsible for coordination of CRC at the district level.

### **Issue 3**

**Please provide information on the steps taken to improve the efficiency of resource usage, prevent corruption and strengthen the public financial management system.**

7. The Government of Malawi developed a National Corruption Strategy which dictates that each Ministry must establish Institutional Integrity Committees. Each Ministry is required to prepare an institutional strategy which controls and monitors the efficient use of resources. Further, the Government of Malawi developed a code of ethics for civil servants including principals of integrity for each civil servant. In addition, the Government of Malawi is undertaking public awareness against corrupt practices through the country.

### **Issue 4**

**Please provide the Committee with information on the measures taken to strengthen the monitoring role of and resources available to the Malawi Human Rights Commission.**

8. The Malawi Human Right Commission (MHRC) has a fully-fledged department on child rights which monitors the implementation of CRC in Malawi. The Commission through the Child Rights Department in June 2016 conducted a National Conference for Commemorating 25 years of CRC in Malawi. One of the agendas of the conference was to examine the progress of the implementation of the CRC. It thus developed recommendations based on the identified gaps to ensure full enjoyment of child rights in Malawi.

### **Issue 5**

**Please provide updated information on the establishment of the National Registration System and the steps taken to scale up health facility-based birth registration, the use of mobile registration structures and awareness-raising activities on the existence of the National Registration Act.**

9. The National Registration Act of 2010 commenced on 1st August 2015.

10. Currently four district hospitals of Chitipa, Bwaila in Lilongwe, Ntcheu, Queen Elizabeth in Blantyre are registering children using an electronic birth registration system (eBRS). The Ministry of Gender has set the plan to roll out eBRS to the remaining 24 districts. In the absence of eBRS, the health facilities within the districts are registering new born babies manually by filling NR8 form. This form is sent to District Health Officer, District registrar and National Registration Bureau for issuance of birth certificate.

11. Awareness measures are under way both government and NGOs are conducting the awareness through the use of public media and private media.

12. In October 2016, the Government officially launched the pilot phase of National Registration cards.

## Issue 6

**Please provide information on:**

**(a) The measures taken to prohibit explicitly all forms of violence against children, including corporal punishment, in all settings, and strengthen education on alternative methods of discipline, and on any intention to establish a coordination mechanism to respond to violence against children;**

13. The Education Act stipulates that the National Curriculum promotes respect for human rights. Further, the Free Primary Education guidelines have prohibited corporal punishment and provides that learners who break school rules shall be informed of their offence and be given the right to be heard.

14. The Ministry of Education is addressing school related violence against girls and boys through several measures that are part of the implementation of the Education Act. It has trained teacher counsellors; established a Teachers' Code of Conduct whose existence is made aware to both teachers and learners; school rules and regulations are available in all schools and made known to both parents and learners; and it has close linkages with community victim support units as well as health centers. Child Protection Committees and Mother Groups at school level are other critical structures where learners report issues of abuse or violence.

15. The underlying factor is that corporal punishment is prohibited under the Constitution. It is against this premise that Ministry of Education is taking steps to develop guidelines on alternative punishment.

**(b) The measures taken to address police violence against children**

16. In respect to Malawi Police, they have established Professional Standards Unit that regulates the conduct of Police officers. The Police Act also mandates the establishment of disciplinary committees. In addition, the Government of Malawi is in the process of establishing the National Independent Complaints Commission that will be holding police officers and/or the institution accountable for their misconducts in this context.

## Issue 7

**Please provide detailed and updated information on the measures taken to prevent and protect children from sexual abuse and exploitation, including to;**

**(a) Make one-stop centres more available;**

**(b) Prohibit the practice of traditional ceremonies for girls;**

17. Government has established one-stop centres in the four central hospitals, 17 district hospitals and health centres to offer comprehensive services to survivors of violence. Among other forms of relief, victims of sexual violence are provided emergency contraceptives, in these centres. The centres have maintained a multi sectoral face, where social workers, police officers, a nurse and doctors are aligned to the operations of the centre. In addition, a civil society organization (Action Aid) has established similar structures in 6 districts targeting their impact areas. Plans are underway to link these centres with government officers for its effective operations.

**(b) Prohibit the practice of traditional ceremonies for girls;**

18. The government through its projects has also assisted some communities to modify some harmful practices. The Government has developed guidelines to standardize by-laws' applicability in the district councils. Through these by-laws, some harmful practices and early marriages have been reduced.

19. Ministry of gender has an in house counsel who handles complaints on behalf of children.

Table 1  
**Examples of practices were modified/eliminated/reduced under the WGHA Programme**

<i>Chitipa</i>		<i>Mangochi</i>		<i>Nicheu</i>		<i>Nsanje</i>	
<i>Practice</i>	<i>Status</i>	<i>Practice</i>	<i>Status</i>	<i>Practice</i>	<i>Status</i>	<i>Practice</i>	<i>Status</i>
Wife inheritance	Eliminated	Child betrothal	Reduced	Chief's blanket	Eliminated	Sexual cleansing after natural death	Modified
Child marriages	Reduced	Initiation of sexual cleansing	Eliminated	Polygamy	Reduced		
Polygamy	Reduced	Wife inheritance	Reduced	Initiation sexual cleansing	Eliminated		
Marrying off a girl in exchange for a debt	Eliminated	Sexual intercourse with hired man for procreation purpose	Eliminated				
Bonus wife	Eliminated	Initiation	Modified				

*Source:* WGHA Evaluation Report, 2012.

20. The elimination and modification of harmful practices are being tackled on several fronts. First, there is recognition that there is a need for programs that empower men and women/female guardians to ensure that gender stereotypes and harmful practices at domestic level are eradicated.

21. Second, many traditional leaders are working hand in hand with NGOs to challenge community systems that promote harmful practices and are enforcing by-laws within their communities. Many by-laws are addressing child marriage by imposing fines on families that perpetrate the practice, as well as penalizing chiefs that are failing to enforce the by-laws in their communities. Female traditional leaders are particularly standing out. For example, the commemorations of the 2014 International Day of the Girl Child and the national launch of the End Child Marriage Campaign took place in Traditional Authority Mwanza's area in Salima district. This chief that has produced outstanding results in addressing child marriage and other harmful practices in her area.

22. Third, there is a clear message from the highest political platform that harmful practices are intolerable. On 25 July 2014, the State President Professor Arthur Peter Mutharika became the first SADC Head of State to sign a commitment to end child marriages, which currently affect 50 percent of girls below the age of 18 years in Malawi. And on 26 February 2015, he led fellow men in Malawi in the signing of a commitment to the He4She campaign, and declared himself as one of the champions of the campaign

**(c) Receive and actively investigate complaints, ensure that those found guilty of such acts are prosecuted, and ensure that victims are afforded effective remedies.**

23. Police Victim Support Units, Community Victim support Units, One stop Centres, the National Child Helpline receive complaints, conduct investigations, prosecutions and provide response services and care to victims. In addition to these Units, the Ministry of Gender, Children Disability and Social welfare recruited a council who handles sensitive complaints on behalf of children and women.

## Issue 8

**Please inform the Committee as to the steps taken to implement the Alternative Care Guidelines. Please explain the measures in place to accredit and regularly monitor alternative care institutions. Please provide information on mothers in prison with children.**

24. The Government of Malawi through the Ministry of Gender, Children, Disability and Social Welfare has the responsibility to regulate the operations of an Alternative Care system. The Ministry has been in the process of developing the regulations and guidelines on Alternative Care since 2013. The process to finalise the Regulations and Guidelines slowed down. The Ministry has also not finalized the process of ensuring the all the child care institutions are registered and act within the parameters of the law due to limited funding.

25. The Child Case Review Board is mandated under Child Care, Protection and Justice Act to conduct monitored visits to Alternative Care centers, however, due to irregular funding these visits are not conducted periodically.

26. The District Social Welfare Office also conducts monitoring depending on the availability of funds and priorities of the council on such issues. There are some districts, for instance Blantyre and Lilongwe, where deliberate efforts have been made to ensure that the monitoring exercise takes place. However, the same challenges of institutions operating below minimum standards arise.

## Issue 9

**Please inform the Committee as to the measures taken to effectively implement the Disability Act and the national action plan, including the Disability Trust Fund, to provide inclusive and early education, social protection and health care to children with disabilities and protect them from discrimination, including in the family.**

27. The revised Education Act (2013), takes into account the Disability Act which introduces the concept of Inclusive Education. This is a process of addressing and responding to the diversity of needs of all learners through increased participation in all aspects of education. It recognizes the right of persons with disabilities to education on the basis of equal opportunity. It also takes into account special requirements of persons with disabilities in the formulation of education policies and programs, including the provision of assistive devices, teaching and learning aids, support assistance as well as ensuring that are learners have physical access to education structures.

## Issue 10

**Please provide information on the steps taken to protect children with albinism from all forms of discrimination.**

28. The Malawi Government is greatly concerned about the increasing occurrence of ritual killings, disappearances and attempted trafficking of persons living with albinism. Government issued a directive for registration of all persons living with albinism. It also conducted investigation of all cases involving the disappearances of all persons living with albinism. A high level technical committee was established. The amendment of the Penal Code and Anatomy Act have been effected. The Government has also developed Prosecutors' Guidelines on the prosecution of such cases. Public awareness has been on going.

29. The Ministry of Gender, in collaboration with NGO the Federation of Disability Organisations in Malawi (FEDOMA), and the Association of People Living with Albinism, has been leading awareness rallies with traditional leaders and communities at large on the protection of persons living with albinism. Communities are being sensitised to keep an eye on persons with albinism to ensure that they are well protected, and to report threats and violations. Persons living with albinism are also trained on skills and mechanisms to protect

themselves, and to alert others when faced with danger. In particular, since attacks against people with albinism became prevalent in Machinga, Balaka and Zomba from January 2015, the Malawi Police has intensified sensitisations and is strengthening community policing structures.

30. As of June 2015, the national police headquarters had conducted 4 meetings, while the Police Eastern Region had conducted 12 meetings in the concerned areas. At village level, these meetings have been organised through community policing forums. This has increased the rate of recoveries of abducted persons living with albinism, and the prosecution of offenders. The Minister of Gender has particularly condemned attacks and violations of the rights of people with albinism through the media.

31. The Ministry of Home Affairs through the Department of Refugees and in corroboration with its development and implementing partners, UNHCR and Plan Malawi, has ensured that there are no reported cases of discrimination amongst the children with albinism in the country.

32. Mechanisms are in place to ensure that there is appropriate and fair treatment of these persons of at all stages. Profiling mechanisms have been enhanced and expedited procedures with regards to Refugee Status determination and durable solutions are being implemented.

## Issue 11

**Please inform the Committee as to the steps taken to address chronic malnutrition, stunting, child mortality due to malaria, neonatal conditions and preventable diseases; address the shortage of drugs and medical supplies; enact the HIV/AIDS bill; prevent sexually transmitted diseases, in particular among girls; address the high rate of teenage pregnancies; and ensure access to sexual and reproductive health services.**

33. The HIV and AIDS Prevention and Management Bill is now before Cabinet. A Task force meeting that was held in 2013 recommended to isolate the HIV and AIDS Management Bill from the overarching Bill (then called the “HIV and AIDS (Prevention and Management) Bill”). This meant that all issues of HIV prevention would be dealt with separately at a later stage, and is currently not part of the Bill that has been submitted to Cabinet. The Government is fully aware that in a recent High Court Judgement of 20 May 2015, the practice of mandatory HIV testing of women who are arrested for engaging in prostitution has been declared unlawful/unconstitutional.

## Issue 12

**Please inform the Committee as to the measures taken to spend efficiently the resources allocated to the education sector to avoid the hidden cost of education; recruit newly qualified teachers; address the high number of dropouts, particularly among girls, and the sexual abuse of children by teachers; simplify the re-admission process for young mothers; and make schools accessible to children with disabilities.**

34. In order to increase efficiency in the delivery of services as well as spending, the Education Sector has fully embraced the decentralization process, where funds and responsibilities are continually being devolved to the Districts and Schools.

35. The sector strives to ensure that teachers are recruited as soon as they are qualified, however, the recruitment process goes beyond the Education Sector as issues of availability of funding also comes into play. Thus, the Ministry of Education continues to lobby with the Department of Human Resource, Management and Development (DHRMD) who are responsible for the payroll and the Ministry of Finance, who are responsible for funding.

36. Children often drop-out of school due to a number of reasons, chief among them are economic issues and distance to school. Thus, the Ministry of Education has put in place several interventions in order to ensure that the number of drop-outs decrease in the country. In order to counter the economic issues, there are bursaries which are offered to needy

students (mostly girls). In primary schools there is the introduction of school meals, especially in schools located in areas prone to low harvests. For girls, apart from targeted bursaries, there are interventions looking into the provision of sanitary facilities at the schools and in order to decrease the distance that they have to travel to and from school and there is the construction of Girls Hostels at schools. In addition to economic and distance issues, it was discovered that a large number of children drop-out if they are made to repeat a class for more than two times, this is reflected in very high repetition rates of % in primary education. Thus, apart from contributing to drop-out rates it has also made the education system highly inefficient as pupils take longer than 8 years to finish primary education and also leads to very high class sizes. Thus, the Ministry is in the process of reviewing the repetition policy which will help decrease the both the repetition and drop-out rates.

37. Teachers that are found to sexually abuse children are immediately placed on interdiction pending investigation, after enough evidence is found, they are dismissed.

38. The re-admission policy is simplified for an expectant pupil. The pregnant girl simply informs the school administration and her school space is reserve for a year. However, there is still work to be done in order to eliminate stigma and discrimination by the fellow students once the young mother reconvenes her classes. Since the policy is currently under revision, this is one of the areas that will be looked into.

39. The current approved school construction standards, ensure that all buildings are accessible to children with disabilities, this includes the provision of special sanitary facilities for children with disabilities even if the school doesn't have a special needs learner at the time of construction.

### **Issue 13**

**Please provide information on the measures taken to ensure that unaccompanied migrant children are kept in safe homes in conditions that meet their special needs. Please also provide information about the 43 unaccompanied Ethiopian migrant children detained at Kachere Juvenile Prison.**

40. The Department responsible for refugees works hand in hand with the Police, United Nations High Commissioner for Refugees (UNHCR) and Plan Malawi in order to assist and monitor cases of suspected children and child victims of offences with the refugee community.

41. Currently there are five (5) cases of child offenders in various prisons within the country. These individuals are 18 years and under and they are monitored on a quarterly basis through the planned prison visits that take place at inter-agency level.

42. There are plans to increase the number of visits to ensure that the children and all offenders receive assistance from the Department and its Implementing Partners at a more regular basis so that their rights to basic needs are met.

43. Malawi Government through the responsible department is currently looking at enhancing the mechanism that are currently in place so that there is improved reporting structures, coordination, data sharing and service delivery amongst all service providers. This will ensure that the State Party adheres to the provision of human rights to refugee children living within its jurisdiction.

44. The following measures are in place to ensure that unaccompanied and separated asylum seekers and refugee children are kept in safe homes and in conditions that meet their special needs:

- All officers responsible for the profiling and receipt of unaccompanied children have received training in children protection;
- Profiling and identification of unaccompanied minors has been enhanced from point of entry in the State Party;



- All identified cases are screened and Best Interest Determinations (BIDS) are conducted;
- Care givers are identified for all cases with no family links and monitoring is conducted through regular home visits;
- Specific needs are identified during registration and services are provided accordingly;
- Tracing is conducted on an ongoing basis by Malawi Red Cross, one of the implementing partners in the refugee Camp in order to find relations of the children;
- Measures are also being undertaken to ensure that there are enough child friend spaces within the Refugee Camp.

45. With regards to the 43 unaccompanied Ethiopian migrant children detained at Kachere Juvenile Prison; these individuals did not seek asylum in the state Party. They are therefore of no concern to the Department of Refugees. They have however since been repatriated back to Ethiopia.

## Issue 14

### **Please provide information on children under 15 engaged in labour.**

46. According to the Malawi Child Labour Survey Report 2002, there are 1.4 million Child labourers in Malawi. 52.6% are engaged in the Agriculture industry and 43.2% child labourers are in community, social and personal service sectors. The surveys also showed that more girls (52%) were engaged in child labour than boys (48%), an imbalance which denies the girl's right to education and freedom and also creates a society in which women and girls (as well as some men and boys) find themselves highly vulnerable to violence, sexual abuse and HIV infection. In 2012, the percentage of children aged 5-14 years involved in child labour in Malawi was 26%. Children work in the agricultural sector, often alongside their parents on both family farms, small holders' farms and commercial farms. Children frequently perform domestic work to allow adults to work longer hours in the fields.

47. In Malawi, the problem of child labour in tobacco is largely experienced in the rural communities where children are employed to work as labourers and involved in field works such as tobacco cultivation, processing, grading, handling dangerous pesticides including chemical spraying and application etc.

48. Child labour problem is exacerbated by high levels of poverty among parents, guardians and the children themselves, especially orphans. Large numbers of children works as unpaid workers in family farms and estates. The state of poverty has currently been compounded by loss of income due to the down turn of the economy and retrenchments as a result of closure of industries and businesses.

49. In as far as labour export, domestic work has been recorded as the leading employment for girls under the age of 16 years and it has been found that these girls face high risks of abuse (including sexual abuse), and generally have limited access to educational opportunities. In fact, in 2003, domestic work was stated to be the most common form of child labour in Malawi, taking up 75% of the work done by children aged between 5 and 17 years. Outside the home, most of the children in Malawi work in the agricultural industry especially in the tea and tobacco estates.

## Issue 15

### **Please provide information on the measures taken to upgrade the juvenile justice system in law and practice, in line with internationally accepted standards, especially with reference to the age of criminal responsibility.**

50. The Child Care Protection and Justice Act (CCPJA) provides that children below the age of 10 do not have capacity for criminal responsibility. All Child Justice Courts are

adhering to the provisions of the law and to this date no child below the age of 10 has ever been tried in any court of law. The efforts are further strengthened by the Case Disposal Guidelines and Handbook for Child Justice Practitioners (Revised Edition) which provides for the core aspects on handling children in conflict with the law as well as those in need of care and protection.

51. In relation to diversion, the Judiciary, through the National Child Justice Forum (NCJF), has developed guidelines for the implementation of Diversion which cover duties and responsibilities of Judicial Officers, police officers (and prosecutors), probation officers, paralegal officers and other ancillary court staff.

52. The Judiciary, through the NCJF, has also developed and put in use five diversion program options for children in conflict with the law to supplement and complement those options that are provided in the CCPJAs Fourth Schedule. There is also partnership with some NGOs which are implementing the diversion options developed by the NCJF in the Districts of Lilongwe, Blantyre, Mzimba (including Mzuzu), Nkhatabay, Dedza, Mchinji, Mangochi and Zomba.

53. The Judiciary has so far constructed seven (7) Child Friendly courts. These courts are in the districts of Blantyre, Lilongwe, Zomba, Mulanje, Salima, Nkhatabay and Mzuzu. The courts have all the key stakeholders and service providers housed under one roof for ease of coordination. The courts are also linked to one-stop centers in order to ensure speedy service for those children that are victims of both sexual and physical violence.

## **Issue 16**

**The Committee invites the State party to provide a brief update (no more than three pages) on the information presented in its report with regard to:**

- (a) New bills or laws, and their respective regulations;**
- (b) New institutions and their mandates, and institutional reforms;**
- (c) Recently introduced policies, programmes and action plans and their scope and financing;**
- (d) Recent ratifications of human rights instruments.**

54. Within the reporting period, the Malawi government has passed two important legislations for the protection of a children namely: Marriage, Divorce and Family Relations Act 2015 and Trafficking in Persons Act 2015.

55. As part of the implementation of the Trafficking in Persons Act, the coordination Committee for the Trafficking in Persons has been created within the Ministry of Home Affairs. The Coordination Committee includes Government departments, civil society and National Human Rights institutions. One of the functions of the Coordination Committee is to coordinate and oversee investigations and receive reports from the enforcement officers on the investigation and prosecutions of the offences under the Act, among others.

56. The Government of Malawi has developed a number of policies - the Gender Policy was reviewed, approved by Cabinet and disseminated. Community Development Policy, Social Welfare Policy have been finalised and are awaiting Cabinet approval. The National Plan of Action for Vulnerable Children has been disseminated and mainstreamed into district implementation plan.

## Issue 17

Please provide consolidated information for the past three years on the budget lines regarding children and social sectors by indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographic allocation of those resources. Please also provide information on the measures taken to ensure that the authorities are guided by the principle of the best interests of the child in their budgetary decisions.

<i>Sector Description</i>	<i>2010/2011 Approved Budget</i>	<i>2011/2012 Approved Budget</i>	<i>2012/2013 Approved Budget</i>	<i>2013/2014 Estimates</i>	<i>2014/15 Approved Budget</i>	<i>2015/16 Approved Budget</i>	<i>2016/17 Approved Budget</i>
Social Welfare Services	243 960 000	269 280 000	347 820 000	540 250 000	354 980 554	432 658 900	474 546 486
Community, Youth and Sports Development	298 970 000	334 310 000	431 450 000	607 940 000	1 391 428 031	5 892 103 179	1 686 569 643
Ministry of Education	39 124 678 411	42 261 852 168	57 851 211 972	79 397 765 964	75 122 142 620	106 233 035 818	146 583 322 579
Ministry of Gender budget	617 620 000	1 675 870 000	10 033 330 000	4 756 070 000	5 601 036 846	3 219 122 496	3 161 290 071
National Total	297 000 000 000	303 700 000 000	408 390 000 000	630 535 000 000	737 720 447 819	802 788 563 385	1 081 550 222 551
Ministry allocation of National budget	0.2%	0.6%	2.5%	0.8%	0.8%	0.4%	0.3%

## Issue 18

Please provide, if available, updated statistical data, disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number of children engaged in child labour in the informal economy, breaking the information down by type of work, including hazardous work.

57. Most child labourers are boys (64%). Girl labourers make 36%. Children involved in child labour work in the following sectors: agriculture (tobacco, fishing and animal herding), industry and services (domestic work, casual labour, begging and vending).

## Issue 19

Please provide, if available, updated statistical data disaggregated by age, sex, ethnic origin, national origin, geographic location and socioeconomic status, for the past three years, on the number and/or rates of:

- (a) Children separated from their parents;
- (b) Children living in child-headed households;
- (c) Children placed in institutions and with foster families;
- (d) Children adopted domestically or through intercountry adoptions;
- (e) Children who have benefited from the government welfare system;
- (f) Allocation of resources to the primary health-care system;
- (g) Infant mortality and child mortality;
- (h) Teenage pregnancy and girls receiving medical and professional services for pregnancy and childbirth;
- (i) Abortions;
- (j) Sexually transmitted infections, including HIV/AIDS;
- (k) Enrolment and completion rates, in percentages, of the relevant age groups in pre-primary schools, primary schools and secondary schools;
- (l) Dropouts and repetitions.

Below is data for on the enrolment, completion, dropout and repetition rates of students

Indicator	Sex		
	Male	Female	Total
Enrolment (Primary)			
2013	2 247 189	2 250 352	4 477 541
2014	2 334 107	2 336 172	4 670 278
2015	2 398 605	2 405 589	4 804 194

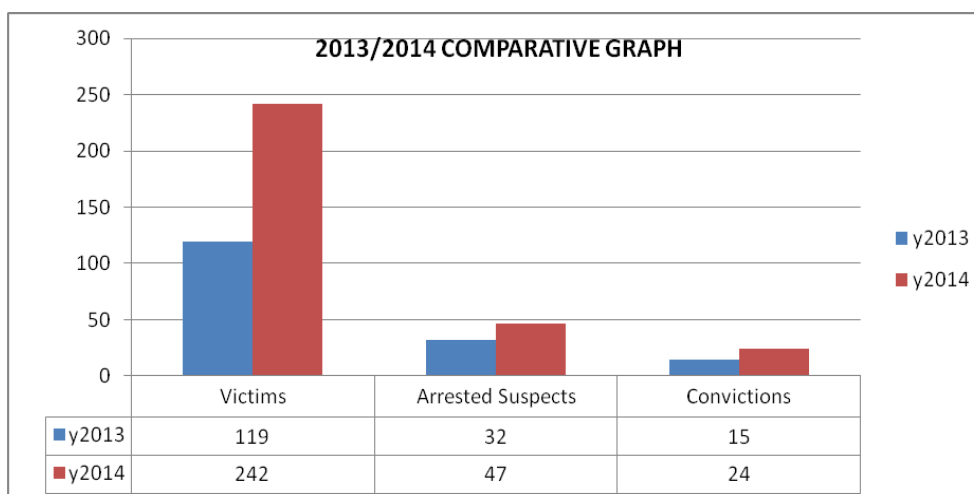
<i>Indicator</i>	<i>Sex</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>
<b>Enrolment (Secondary)</b>			
2013	165 799	141 417	307 216
2014	184 817	161 787	346 604
2015	190 623	167 410	358 033
<b>Completion Rate (Primary)</b>			
			<i>Average</i>
2013	57%	47%	52%
2014	56%	47%	51.5%
2015	56%	47%	51.5%
<b>Completion Rate (Secondary)</b>			
			<i>Average</i>
2013	45%	58%	52%
2014	60.3%	46.9%	54.8%
2015	60.6%	48.7%	55.2%
<b>Dropout Rate (Primary)</b>			
			<i>Average</i>
2013	4.2%	4.6%	4.4%
2014	3.8%	4.2%	4.0%
2015	3.6%	4.0%	3.8%
<b>Dropout Rate (Secondary)</b>			
2013	4.8%	4.8%	4.8%
2014	3.9%	6.4%	5.2%
2015	3.2%	5.3%	4.3%
<b>Repetition Rate (Primary)</b>			
			<i>Average</i>
2013	19.1%	18.3%	18.7%
2014	19.2%	18.8%	19.0%
2015	22.4%	21.3%	21.9%
<b>Repetition Rate (Secondary)</b>			
2013	4.9%	3.9%	4.4%
2014	4.2%	5.5%	4.9%
2015	3.2%	4.3%	3.8%
<b>Special Needs Learners attending regular Primary</b>			
2013	N/A	N/A	2.0%
2014	2.3%	2.1%	2.2%
2015	2.5%	2.3%	2.4%
<b>Special Needs Learners attending regular Secondary</b>			
2013	1.0%	1.2%	1.1%
2014	1.2%	1.3%	1.3%
2015	N/A	N/A	1.3%

Table 2  
Nationwide GBV Cases, 2013 & 2014

<i>Case description</i>	<i>2013</i>	<i>2014</i>
Unlawful Divorce	482	1 112
Forced Marriage	131	186
Property Grabbing	48	410
Child Abuse	84	668

<i>Case description</i>	<i>2013</i>	<i>2014</i>
Failing to lender support to children	1 858	1 912
Defilement	250	584
Denying pregnancy	126	130
Early marriage	258	164
Forced marriage	112	164
Incest	4	18
Extra Marital affairs	1 120	1 888
Rape	42	82
Family Desertion	849	1 632
Common assault	698	1 518
Teen pregnancy	9	80
Wife/Husband Abuse	34	944
<b>Total</b>	<b>6 105</b>	<b>11 492</b>
Cases Mediated	4 274	8 274
Cases Referred	610	1 149
Cases Taken to Court	1 221	3 069

Source: Malawi Police Service, June 2015.



Malawi Police Report 2015.

<i>Beneficiaries of Social Welfare Services</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Children on School Bursary	2 526	7 020	9 546
Juvenile Offenders in Rehabilitation Centres	271	294	565
Juvenile Offenders Rehabilitated	222	15	237
Children in Foster Homes	529	454	983
<b>Total</b>	<b>3 548</b>	<b>7 783</b>	<b>11 331</b>
Number of Orphanages			54

## Issue 20

Please provide, if available, updated statistical data, disaggregated by age, sex, socioeconomic background and national origin, for the past three years, on the number and/or rates of migrant children in detention settings, including juvenile and adult detention centres, and in police custody, and information on how long children are held in police custody, with reference both to those children in need of care and protection and those in conflict with the law.

### Number of children in prisons accompanying their mothers

<i>Name of prison</i>	<i>Number children</i>
Zomba	3
Mulanje	1
Kasungu	2
Domasi	2
Maula	1
Chichiri	4
Chikwawa	1
Rumphu	1
<b>Total</b>	<b>15</b>

## Issue 21

Please provide data, disaggregated by age, sex, type of disability, ethnic origin and geographical location, for the past three years, on the number of children with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Not attending school;
- (g) Abandoned by their families.

<i>Disability</i>	<i>Primary school learners with special needs</i>											
	<i>Boys</i>						<i>Girls</i>					
	<i>Blind</i>	<i>Deaf</i>	<i>Hard of Hearing</i>	<i>Learning Difficulties</i>	<i>Low Vision</i>	<i>Physical Impairment</i>	<i>Blind</i>	<i>Deaf</i>	<i>Hard of Hearing</i>	<i>Learning Difficulties</i>	<i>Low Vision</i>	<i>Physical Impairment</i>
2012	265	1 449	9 815	23 318	9 373	5 012	175	1 169	9 707	20 399	9 174	3 802
2013	254	1 577	9 549	21 471	9 513		212	1 355	9 458	19 210	9 260	
2014	245	1 684	11 135	25 443	10 604	4 922	229	1 401	11 096	22 196	10 280	3 807
2015	252	1 892	12 984	25 762	12 929	5 702	255	1 645	13 419	23 438	12 508	4 498

Secondary school learners with special needs

<i>Disability</i>	<i>Boys</i>						<i>Girls</i>					
	<i>Blind</i>	<i>Deaf</i>	<i>Hard of Hearing</i>	<i>Learning Difficulties</i>	<i>Low Vision</i>	<i>Physical Impairment</i>	<i>Blind</i>	<i>Deaf</i>	<i>Hard of Hearing</i>	<i>Learning Difficulties</i>	<i>Low Vision</i>	<i>Physical Impairment</i>
2012	49	66	235	264	632	249	30	70	233	283	622	178
2013	48	52	318	410	590	218	52	61	282	467	569	185
2014	42	106	351	443	970	286	48	64	366	450	938	234
2015												