

FINAL REPORT

MALAWI: Country Gender Profile

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MALAWI

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List of Abbreviations

AIDS	Acquired Immune Deficiency Syndrome
CHRR	Centre for Human Rights and Rehabilitation
CIDA	Canadian International Development Agency
CRECCOM	Creative Centre for Community Mobilization
DFID	Department for International Development
EHP	Essential Health Package
FPE	Free Primary Education
GAD	Gender and Development
GBV	Gender Based Violence
GER	Gross Enrolment Ratio
GESP	Gender Equality Support Programme
GoM	Government of Malawi
HIV	Human Immunodeficiency Virus
IHS	Integrated Household Survey
ILO	International Labour Organisation
MARDEF	Malawi Rural Development Fund
MDG'S	Millennium Development Goals
MDHS	Malawi Demographic and Health Survey
MFI	Micro Finance Institutions
MGDS	Malawi Growth and Development Strategy
MGTT	Malawi Gender Trainers Team
MMR	Maternal Mortality Rate
MoEVT	Ministry of Education and Vocational Training
MoH	Ministry Of Health
MPRSP	Malawi Poverty Reduction Strategy Paper
NAC	National AIDS Commission
NER	Net Enrolment Ratio
NGOGCN	Non Governmental Organizations Gender Coordinating Network
NGP	National Gender Policy
NORAD	Norwegian Agency for International Development
NSO	National Statistical Office
QECH	Queen Elizabeth Central Hospital
SADC	Southern Africa Development Community
SARDC	Southern Africa Research and Documentation Centre
SRGBV	School Related Gender Based Violence
SSP	Safe Schools Programme
SWAP	Sector Wide Approach
TEVETA	Technical, Entrepreneurial, Vocational Education and Training Authority
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIMA	University of Malawi
USAID	United States Agency for International Development
VDC	Village Development Committee
WHO	World Health Organization
WIDSAA	Women in Development Southern Africa Awareness
WLSA	Women and Law in Southern Africa Research and Educational Trust

1. Basic Profiles

This section presents the available statistical data on the following sectors, the socio economic sector, the health sector and the education sector. Most of the statistics presented are mainly obtained from the World Bank website, Malawi Growth and Development Strategy which is the overarching policy for economic growth and poverty reduction and for localizing the millennium development goals (MDG's), the Malawi Health and Demographic Survey (2004) and the Integrated Household Survey (2005). Where necessary information and statistics from other sources has been highlighted.

1-1 Socio-Economic Profile

Economic Indicators: Source World Bank

Year	GNI/Capita	Growth rate of Real GDP	GDP (Current \$)	GDP/Growth Rates of Deflators (%)
2004	160.0	7.1	1.9 Billion	12.5
2005	160.0	2.6	2.1 Billion	15.5

Demographic Indicators: Source World Bank

Year	Total Population	% of female Population	Population growth rate	Total Fertility Rate	Life Expectancy
2004	12.6 Million	52	2.2	5.9	37.5
2005	12.9 Million	52	2.2	Not available	37.5

Public Sector Expenditure: Source World Bank

Year	Health	Agriculture	Defence	Service
2004	11.62	38.9	Not available	44.0
2005	8.86	34.7	Not available	45.9

Labour Indicators

Percentage distributions of persons aged 15 years and over in wage employment according to background characteristics: 2005 Source IHS 2005

Background Characteristics	Professional and Technical	Administrative and managerial	Clerical and Related	Service	Sales	Agriculture, Fishermen etc	Production and Related	Labourer etc
Total	12.4	1.3	6.5	4.6	22.1	11.8	17.1	24.1
Male	11.1	1.3	5.1	5.0	22.1	12.5	19.7	22.8
Female	17.3	1.2	11.6	3.4	20.6	9.3	8.2	28.5

Labour Force Participation rate, Employment rate, Unemployment rate among males and females above 15 Years of Age; 2005 Source IHS 2005

Labour Force Participation rate			Employment rate			Unemployment rate		
Male	Female	All	Male	Female	All	Male	Female	All
93.9	91.6	92.7	94.6	90.0	92.2	5.4	10.0	7.8

Participation of Women in Decision Making

Representation Of Women In Politics And Decision Making Positions In Malawi's Public Sector As At 22 nd August 2006: Source Ministry Of Women and Child Development Lilongwe Malawi					
POSITION	TOTAL	MALE	FEMALE	% MALE	% FEMALE
Cabinet Ministers	22	16	6	72,7	27,3
Deputy Minister	14	13	1	92,9	7,1
Members of Parliament	191	164	27	85,9	14,1
Principal Secretaries	51	46	5	90,2	9,8

Ratification and Signature of International Law for Women

The Convention On the Elimination of all Forms of Discrimination Against Women (CEDAW) 1979	1987
The SADC Declaration On Gender and Development and Its addendum	1997
The Protocol to the African Charter on Human and Peoples Rights on the Rights of Women In Africa	2005

Law For the Benefit of Women

The Prevention of Domestic Violence Act (2006)	Protects Women From Acts and or omissions of Violence in the Home
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WID/GAD Policy

The National Gender Policy (2000-2005)	An advocacy tool for a holistic approach for equitable participation of men, women, boys and girls in the development process.
The Malawi Growth and Development Strategy (2006)	Advocates for equitable participation of women in the decision making areas.

National Gender Machinery

The Ministry of Women and Child Development	The line Ministry charged with the responsibility of coordinating all gender related programmes in the country
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1-2 Health Profile

National HIV Prevalence Estimates, 2005¹

Indicator	Value	Low	High
National adult prevalence(15-49)	14.0%	12%	17%
Number of infected adults	790,000	660,000	950,000
Number of infected adult women (15-49)	440,000	370,000	530,000
Urban adult prevalence	21.6%	18%	26%
Number of infected urban adults	240,000	200,000	290,000
Rural adult prevalence	12.1%	10%	15%
Number of infected rural adults	550,000	458,000	660,000
Number of infected children (0-14)	83,000	69,000	100,000
Number infected over age 50	59,000	49,000	71,000
Total HIV+ population	930,000	780,000	1,120,000
Number infected over age 50	59,000	49,000	71,000
Total HIV+ population	930,000	780,000	1,120,000

Source (NAC: 2005)

Maternal Mortality rate Source MDHS 2000/2004

Year	Rate
2000	1120/100,000
2004	984/100,000

Nutrition Indicators for Adult Females and Males in Malawi

Source: Progress on the Beijing +10 Report by Ministry of Gender and Community Services 2004

Nutrition Indicator	Females	Males
Underweight	24%	37%
Waist Hip ratio	20%	30%
BMI <18	35%	33%
Vitamin A Deficiency	90%	82%
Anemia	27%	13%
Iron Deficiency Anemia	11.4%	2%

¹ NAC has completed the surveillance report on HIV prevalent rates for 2006. However these have not yet been published.

1-3 Education Profile

Primary school net enrolment and gross enrolment rate by sex of pupil

Source: IHS 2005

Net Enrolment Rate			Gross Enrolment Rate		
Male	Female	Total	Male	Female	Total
78.5	81.4	80.0	112.9	106.1	109.5

Drop Out rate and Reasons for dropping out: Source IHS 2005

	Drop Out rate	Reasons for Dropping Out of School					
		Acquired all education/Too Old	No Money For fees/Uniform	Married / became Pregnant	No Longer Interested	Had to work Home and other reasons	Total
	5.1	6.7	28.3	11.0	32.0	22.1	100
Sex of House hold head							
Male	4.9	7.8	25.9	12.3	32.5	21.6	100
Female	5.9	3.6	34.9	7.3	30.7	23.4	

Literacy rate, proportion never attended School and reasons for never attending school: Source IHS 2005

Background Characteristics	Proportion Literate	Prop Never attended School	Reason For Never attending School					Total
			No Money For school fees/Uniform	Orphaned	Disabled / Illness	Not Interested/Parents did not allow	No school Nearby	
Malawi	63.9	24.9	44.9	21.4	14.6	12.8	6.3	100
Sex								
Male	75.8	15.8	47.2	16.4	14.8	14.1	7.5	100
Female	52.4	33.6	43.8	23.6	14.5	12.2	5.8	100

2. Government Policy on Gender and the National Machinery on Gender

2-1 General Situation of Women in Malawi

General Situation of Women in Malawi

- The total population is about 12.9 million
- 52 percent of the population is female
- In 2005 the literacy rate was 63.9 and out of this 75.8 was male and 52.4 were female.
- The total fertility rate stands at 5.9
- Population growth rate has been 2.2 from 2004 to 2005

Malawi is a landlocked country south of the equator in sub-Saharan Africa. It is bordered to the north and northeast by the United Republic of Tanzania; to the east, south, and southwest by the People's Republic of Mozambique; and to the west and northwest by the Republic of Zambia. The country is 901 kilometres long and ranges in width from 80 to 161 kilometres. The total area is 118,484 square kilometres of which 94,276 square kilometres is land area. The remaining area is mostly composed of Lake Malawi, which is about 475 kilometres long and runs down Malawi's eastern boundary with Mozambique.

Malawi's most striking topographic feature is the Rift Valley, which runs the entire length of the country, passing through Lake Malawi in the Northern and Central Regions to the Shire Valley in the south. The Shire River drains the water from Lake Malawi into the Zambezi River in Mozambique. To the west and south of Lake Malawi lie fertile plains and mountain ranges whose peaks range from 1,700 to 3,000 metres above sea level.

The country is divided into three regions: the Northern, Central, and Southern Regions. There are 28 districts in the country. Six districts are in the Northern Region, nine are in the Central Region, and 13 are in the Southern Region. Administratively, the districts are subdivided into traditional authorities (TAs), presided over by chiefs. Each TA is composed of villages, which are the smallest administrative units and are presided over by village headmen.

Malawi's total population in 2004 was estimated at 12.3 million, of which about 60 percent is under the age of 20 (MDHS, 2004). Women comprise 52 % of the population. Agriculture is the basis of the economy contributing about 40% to the gross domestic product (GDP). More than 80% of the population depends on agriculture for livelihood, located in the smallholder sector (Malawi Government IHS 2002, 2005). This means that the majority of women are to be found in the smallholder agriculture sector that is characterized by low incomes due to low productivity and unfavourable input/output prices ratios (WLSA/SARDC 2005: 6)².

Malawi has two lineage patterns, patrilineal and matrilineal. Under patrilineality, descent is through males, and residence is patrilocal. The wife leaves her village and resides in her husband's village. On the other hand, in matrilineality, descent follows the female

² Beyond Inequalities 2005, Women in Malawi -A Socio Economic and Political Profile of Women in Malawi for 1997 – 2005.

lineage. Marriages are matrilineal (WLSA Malawi, 2002). In both matrilineal and patrilineal societies the position that women assume is inferior to the male members within the systems as decisions are mostly made by the men with women on the receiving end. It has also been argued (WLSA Malawi, 2002, *supra*) that in terms of social security, the patrilineal system may provide such security to women and children as men feel they have an obligation to take care of their families. Contrary to popular belief, in the matrilineal system, due to the matrilineal residence, men do not feel obliged to make any investments as they feel that they will not live in that village forever.

Furthermore they do not feel they have an obligation to take care of their children since tradition dictates that the maternal uncle is the one that is supposed to assume that responsibility. This therefore puts women at a disadvantage, and they are usually overburdened to care for their families single-handedly after divorce or the death of husbands (WLSA Malawi, 2002 cited in WIDSAA / SARDC *Supra*). When one looks at the poverty statistics as presented in the Integrated Household Survey, 2005; the distribution of poverty levels across regions reflects the nature and character of patrilineality and matrilineal societies³. The Southern Region of Malawi which is mainly matrilineal (with the exception of Nsanje and South of Chikwawa) is the poorest region.

According to the Integrated Household Survey (2005), the current status of poverty shows that 52.4 percent of the population lives below the poverty line. This translates into about 6.3 million Malawians who are poor, with the poorest people in the Southern Region (Mainly matrilineal) and rural areas poorer than urban where poverty rates are at 25.0 percent⁴. The poor still have poor socio-economic indicators with food security a continuing threat to better life, ability to integrate the poor into the economic fabric, and malnutrition.

Female headed households are worse-off. This is evidenced by the fact that 51% of the people in male-headed households are poor. On the other hand, 59 percent of people in female-headed households are poor. By place of residence, it may be noted that the poverty rates by male and female headship are slightly higher in rural areas than at national level. About 55 % of people in male-headed households in the rural areas are poor compared to 60% those who reside in female-headed. The rates are seen to be lower in the urban areas where nearly one in four people in male-headed households are poor compared to about a third of those in female-headed households (IHS, 2005: 138-9).

The Poverty Vulnerability Assessment for 2006 suggests that the major factors affecting the level of household poverty are 3: household size, education, access to non-farm employment, access to irrigation, proximity to markets and trading centres, and access to tarmac roads. Access to larger landholdings and engagement in cash crop production also play an important role. Recent trends in human development indicators broadly support the fact that there has been little progress in reducing poverty. The Human Development Index has stagnated since the mid-1990s. (MGDS, 2006).

³ This reflects the views of the author and not the IHS interpretation of statistics.

⁴ The data from the IHS2 is not directly comparable to the past poverty levels. A change in survey instruments and methodology required an effort to compute the poverty rates for the previous IHS using the current methodology. In this exercise, poverty estimates from IHS1 were estimated using regression models to impute expenditure per capita based on comparably measured household characteristics. The IHS1 poverty rates were calculated at 54%.

2-2 Government Policy on Gender

Government Policy on Gender

Article 3(1) of the National Gender Policy states the general goal of the policy document which is to “mainstream gender in the national development process to enhance the participation of women, men, boys and girls for sustainable and equitable development for poverty eradication”.

2-2-1 The National Gender Policy

The National Gender Policy (NGP) was passed in 2000. It is a short term Policy that was developed as an integral part of Malawi’s development objectives to enhance the overall government strategy of growth through poverty eradication.⁵ The Policy is developed around 6 thematic areas that embrace the government’s priority development concerns. The thematic areas include:

- ❖ Education and training
- ❖ Poverty eradication and empowerment
- ❖ Reproductive health
- ❖ Governance and human rights
- ❖ Natural resources and environmental management
- ❖ Food and nutritional security

The Policy was a guiding framework for the implementation of gender mainstreaming activities in Malawi until 2005 (MOGCS, 2003). It has therefore expired.

2-2-2 The National Gender Programme

Following the development of the National Gender Policy, a National Gender Programme was launched in 2004. The principal aim of the National Gender Programme is to operationalise the National Gender Policy. The programme describes a strategy of gender mainstreaming through the development process to bring about gender equality and the empowerment of women.

Eight priority areas of focus were identified by the programme, which corresponds closely to the six thematic areas identified in the National Gender Policy. The eight areas are:

- (a) Institutional strengthening;
- (b) Education;
- (c) Health;
- (d) HIV/AIDS;
- (e) Agriculture; food and nutrition security;
- (f) Natural resources and environment;
- (g) Poverty and economic empowerment; and
- (h) Governance and human rights.

The programme attributes the slight change focus between the areas prioritized in the gender policy and the gender programme to the recognition of the significant links between the HIV/AIDS epidemic and gender and the important role that women play in the agricultural sector.⁶

⁵ The National Gender Policy

⁶ Ministry of Gender and Community Services (As it was then called); “National Gender Programme”2004, page v

2-3 National Gender Machinery: The Ministry of Women Child Development

The Ministry of Women Child Development

- After the Nairobi Forward Looking Strategies UN Conference, the leadership in the Ministry intensified efforts to establish a national office to address some of the issues raised at that conference.
- A National Commission of Women in Development (NCWID), was established under the Ministry in 1986
- The Ministry set up the WID office in 1993 and decided to formally adopt the GAD approach in 1998.

The Ministry of Women and Child Development is the national machinery of all gender related issues in Malawi. It is a line ministry. The budget allocation to this Ministry for the year 2006/7 is MKW 804, 459, 000. The Malawi Government has tasked the Ministry of Women and Child Development to create a paradigm shift in the development agenda by coming up with policies and governing principles that to bring about equality between men and women through the national gender policy⁷. The Ministry is one of the least powerful Ministries and has limited influence on the national agenda although the Minister does sit in Cabinet. It is greatly understaffed and has a very high senior staff turn over (White 2003⁸).

The Structure of the Ministry



The Vision of the Ministry is to facilitate the creation of a vibrant, self-reliant and empowered Malawian society. The Mission Statement is “to facilitate the socio-economic empowerment of women, men, girls and boys to enable them become self - reliant and active participants in the process of national development through community based approaches”.

⁷ However the National Gender Policy has since expired

⁸ M.A dissertation Supra

The Ministry's policy objectives are:

- To improve the socio-economic status of women and men and promote their rights through programmes for economic empowerment, nutrition, legal protection, welfare, and reproductive health including family planning and safe motherhood.
- To improve the survival, protection and development of children.
- To assist the needy and disadvantaged members of the population such as orphans, the aged, destitute, abandoned children, juvenile delinquents, the youth, victims of abuse and drug addicts to become productive members of their families and society. .
- To improve the living standards of people in both rural and urban areas by increasing their levels of awareness of the various development programmes and encourage local initiatives and participation in the development process. .
- To increase literacy levels among adults especially women and promote self-reliance in order to make them active participants in the Poverty Alleviation Programmes.
- To promote and advocate gender equality in the planning and implementation of development programmes.
- To promote sustainable livelihood and health among the youth⁹.

This Ministry recognizes the following as challenges with regards to the implementation of the objectives as outlined:

- High level Adult illiteracy which is worse among women;
- With the escalating HIV/AIDS pandemic, the problem of orphans is worsening, with an estimated 1,200,000 orphans requiring assistance;
- Escalating unemployment among youths;
- Persistence of gender inequality at almost all levels;
- Low economic status of women;
- Increasing violation of children's rights;
- Inadequate preparation of children to develop their full potential to learn, grow and develop into responsible adulthood and increasing cases of juvenile delinquency;
- Negative attitudes by members of communities towards development work and over-reliance on Government for handouts due to misunderstanding of democracy¹⁰.

2-3-1 Gender Units/Focal points

A number of Gender units have been established at the national level to set up gender focal points in organisations. For example, the university has established a Gender Studies unit aimed at conducting training and research on gender. Other Units have been established in Government Ministries such as the Ministry of Agriculture, the Ministry of Defence, The Ministry of Education Science and Technology among others.

⁹ This information is found on Government Of Malawi website: www.malawi.gov.mw

¹⁰ Information sourced from government website cited above

2-3-2 Gender Training

The Malawi Gender Training Team (MGTT) was established in 1996 by the Ministry of Women and Child Development. The team is multidisciplinary in composition and aims to develop the capacity of various sectors through gender training. Since its inception, the MGTT has conducted training courses in gender sensitisation and planning with UN officials, UNVs, parliamentarians, police, magistrates, religious leaders, and NGOs. However, the MGTT has not been conducting a lot of work in the last three years and members lack effective capacity in cutting edge analytical tools in gender analysis and mainstreaming. In any case the training that has been conducted has been confined to awareness-raising and not particularly training on how to mainstream gender in the various sectors.

3. Current Situation of Women by Sector

3-1 Education

Education

- The government introduced Free Primary Education (FPE) in 1994
- This increased enrolment from 1.9 million to 3.2 million an increase of 68%
- The drop out rate for girls in middle primary school is higher for girls than boys.
- At secondary level, the student ration is estimated at 72 per cent for boys and 28 percent for girls.
- At University, it is 74.4 per cent for boys and 25.6 per cent for girls.

Education in Malawi is managed by the Ministry of Education and Vocational Training ¹¹ (MoEVT). The current budget allocation of this ministry for the year 2006/7 is MKW12, 466,228,909. The vision of the MoEVT is to attain a stage in the educational development where all citizens shall:

- be functionally literate and numerate;
- acquire relevant survival skills and knowledge at a functioning level of competence shall be healthy and prosperous;
- possess and utilize communication, interpersonal skills and full tolerance of diversity for amicable and beneficial integration in a free and peaceful Malawi
- Support socio-economic cultural and industrial development within a culture of peace.

The Mission of the MoEVT is to provide accessible quality and relevant education to all Malawian children and youths so as to improve literacy & numeracy and acquire essential skills and knowledge for survival and competent performance as citizens, workforce and leaders, consequently reduce poverty amongst the people of Malawi.

The Ministry's plans and objectives are to achieve the following major and attainable objectives: -

1. Increase access to quality and relevant education by all children at all levels of education: primary, secondary and tertiary.
2. Improve quality and relevance of the education being provided.
3. Narrow then close the gender gap and gap between rural and urban, between special education and normal education and between dominant groups and minority groups.
4. Diversify funding sources to increase education financing;
5. Provide effective and efficient management in education;
6. Improve and expand education planning at all levels;
7. Combat HIV/AIDS and eliminate its impact on the Education Sector.

3-1-1 Achievements

The most notable achievement in the education sector is the introduction of Free

¹¹ The information on the Ministry of Education Science and Technology is obtained from the government website www.malawi.gov.mw

Primary Education (FPE) in 1994, which saw enrolment, increase from 1.9 million to 3.2 million an increase of 68%. This has greatly improved access to education.

Further, The Government of The Republic of Malawi Reported its first ever report on Children's Rights to the Committee on the Rights of the Child. This was done in the 29th Session of the Committee's sitting in January, 2002. The government highlighted that for example, apart from providing free primary education, measures had been put in place to sort out recurrent problems that affected children in school directly. The government also reported that current programmes placed access to general basic education at the centre of poverty reduction strategies. Funding for the 4,765 primary schools around the country was steadily being increased. The Government was now grappling with the problem of disparity in access to education between boys and girls due to customary factors some of which related to violence.

3-1-2 Gender and Access to Education

In Malawi, although most children now attend school, access to education for some marginalised groups, particularly among the poorest households is still a highly problematic issue (DFID, 1998:1). One of the salient outcomes of low levels of educational participation in the past has been the extremely high illiteracy rates in Malawi. Research has revealed a number of reasons to why girls do not participate in education to a large extent. The following are some of the reasons why this happens:

- i. First, orphan hood is contributing highly to non-enrolment of girls than boys, since girls are primarily expected to look after the home and family if the mother or both parents have died (Kadzamira and Ndalama, 1997). This is becoming common as the AIDS epidemic takes its toll on communities leaving many children as orphans (supra).
- ii. Second, cultural practices, beliefs, and attitudes have been identified by researchers as one of the major constraints to girls' education. Some of these are early marriages and pregnancies, participation in initiation ceremonies, marriage patterns (matrilineality) (Kainja, 1990; Kadzamira and Ndalama, 1997).
- iii. Third, the belief that it is more worthwhile to educate boys than girls and that boys are more intelligent than girls as they perform better in school (Swainson, Bendera, Gordon, Kadzamira, 1998:10¹²).
- iv. Fourth, a joint study by the University of Sussex and African educators noted that despite the international drive to get more girls into schools, very little attention has been paid to the hurdles young girls face in the education system. A report called "An Investigative Study of the Abuse of Girls in African Schools"¹³, documented sexual aggression against girls aged 11 to 14 in a number of junior secondary schools in the two southern African countries. Among the schools sampled in Malawi there were incidents of teachers having affairs with schoolgirls. The reluctance of school and district education authorities to take action against teachers engaged in sexual relations with pupils was cause for concern. Researchers noted that "high levels of apathy, with the lack of information on procedures" meant that little was done, "unless the case is a high-profile item in the national media". Equally worrying were instances of parents colluding in the affair, usually in the hope that the teacher would marry the girl. While it was difficult to gauge the extent to which girls were forced into sexual relationships with teachers, poverty had pushed many of them into relationships they may not

¹² Swainson, N. Bendera, S. Gordon, R. Kadzamira, E (1998) found at www.dfid.gov.uk/pubs/files

¹³ Leach, F. Fiscian, V. Kadzamira, E. Lemani, E. Machakanja, P. (2003) also found at above website

- have considered otherwise. Transactional sex, as a means for girls to pay school fees and living expenses, also appeared to be common, the study found.
- v. Lack of an effective reporting system has been found to be a critical issue in many studies.¹⁴

3-1-3 School Related Gender Based Violence (SRGBV)

School related gender based violence in Malawi has been a subject of serious academic research and debate (Leach, Fiscian et al, 2003) as well as activist research and advocacy (Bisika, Ntata, Konyani, 2005)¹⁵. The study by Leach¹⁶ et al revealed that in Malawi school related gender based violence manifests itself in various ways which includes male teachers as well as older male pupils routinely propositioning girls for sex, sugar daddies seeking out school girls for sex in exchange for money or gifts, teasing bullying and beating girls by boys and teachers, forcing girls to have to have relationships and sex with boys and teachers, verbally abusing girls, sexually harassing girls, forcing girls to marry so as to enjoy the benefits of lobola (bride wealth). In the national survey commissioned by Action Aid and UNICEF (Bisika, Ntata, Konyani, supra) with a population sample of 1496 covering nine districts spread strategically across the country 48% of the respondents highlighted the school as the place where violence related to touching of private parts without permission. The report also shows that 51% of all incidences of violence were perpetrated by fellow pupils. Teachers were mentioned by 3.8 % of the population sample.

SRGBV affects the education sector in a number of ways. Although the school drop out rates for boys and girls are persistently high and almost the same in the lower standards of their primary education as a result of inherent problems both within the school system such as relevance of the curriculum, high repetition rates, and lack of resources and outside the school system such as poverty that affect both boys and girls. However from middle level of their primary education, the trend changes and the drop out rates for girls increase consistently pointing to gender specific challenges that girls face (GOM/MOGCS: 2000; Semu et al 2003). Studies that have been conducted in Malawi indicate that girls drop out of school due to such reasons as early marriages, pregnancy, reproductive responsibilities in the home, poor clothing, sexual harassment by teachers as well as lack of role models (GOM/NEC, 2002).

3-1-4 School Distance

The official policy is to have a school within a 5km walking distance, but this is far from the reality in most rural areas in Malawi. Policy changes have tried to increase access by turning some distance education centres into community day secondary schools, with the aim of reducing the distance that children travel to the nearest school. In many rural communities, the nearest secondary school is estimated to range from 5 to 15km. The walking distance between school and home makes girls vulnerable to sexual abuse, enticement by sugar daddies and other issues which affects their continued stay in school. Further, lack of boarding facilities for girls at the community day secondary schools disadvantages them, often forcing them into unwanted relationships, as they share rooms with boys or men. These challenges persist even at tertiary level and consequently into the job market.

¹⁴ White, Seodi (2006) School Related Gender Based Violence- Malawi; Rules, Processes and Solutions. Report Commissioned By Safe Schools Project In Zomba In Association with DEVTech Inc Washington DC

¹⁵ Bisika, T. Ntata, P. Konyani, S. (2005) Violence against Girls and Education. A Research Commissioned by Action aid. Centre for Social Research, (CSR) Zomba

¹⁶ An Investigative Study of the Abuse of Girls in African Schools, 2002 (supra)

3-1-5 School Costs

Despite the free primary education, many households still find the costs associated with schooling prohibitive, as the children go up the education ladder. These costs increase at higher levels when more stationery and better quality clothing is required, increasing the likelihood of dropout for poorer students or that if parents have to choose who to send to school they would ordinarily choose the boy over the girl in the belief that the girl would get married and does not need school as much as the boy.

3-1-6 Vocational Training

Vocational training is offered in a number of post-secondary institutions run by both government and private institutions. The 2005 annual capacity was 1441 and 18,000 in the public and private colleges respectively, and these are dominated by men. The enrolment ratios are 67 percent men and 33 percent women. The trend usually follows the pass rate during the School Certificate of Education Examinations. A number of courses are offered by these institutions ranging from technical education, secretarial and office practice, forestry, fisheries and agriculture, computing, accountancy, nursing and other health-related professions. There is some evidence of gender discrimination in terms of the type of courses offered at these institutions. The subjects and the career choices of men and women tend to reinforce the gender stereotypes commonly held by society about what women and men are capable of doing. Girls are concentrated in secretarial courses with very few enrolling in the technical courses such as bricklaying, carpentry and motor mechanics. Some efforts are being made to improve participation of women in vocational training, especially in non-traditional fields. The Government of Malawi through the Ministry of Labour and Vocational Training established a Technical, Entrepreneurial, Vocational Education and Training Authority (TEVETA) in 1999, which introduced a quota system of 30 percent women both in formal and informal apprenticeship.

3-2 Health

Health

- In Malawi, there is only one doctor for every 43,000 adults
- Maternal Mortality Rate is 984 deaths per 100,000 live births
- In 2005 the estimated adult national prevalence was 14.02% giving a total of 790,000 infected adults
- There is evidence the HIV infection rate in females aged 15 to 24 is about 4 to 6 times higher than the infection rate in their male counterparts

3-2-1 The Ministry Of Health

Programmes and Activities under health are coordinated by the Ministry Of Health. The current budget allocation for the year 2006/7 is MKW10, 937,476,022. A Joint Programme of Work (POW) has been developed through a consultative process with the Ministry and various donor programmes contributing to a Sector-wide approach (SWAp). The goal of the Ministry of Health (MOH) and its partners is to “raise the level of health status of all Malawians by reducing the incidence of illness and occurrence of premature deaths in the population”. The main strategy selected to achieve this goal is through the delivery of a cost effective package of health services, the Essential Health Package (EHP). This package has the potential to deal with more than 90 per cent of the causes of morbidity and mortality in Malawi. The Sector Wide Approach (SWAp) to health development which is now in its third year of implementation provides a framework and environment that facilitates cooperating partners and government to work together in the implementation of the EHP Joint Program of Work (2004-2010).

This same health sector strategy will contribute to the Malawi Growth and Development Strategy through the protection of the most vulnerable. “A healthy, educated, productive population is essential to achieve poverty reduction, sustain economic growth, and eliminate hunger and vulnerability”. In addition to contributing to economic growth, the efforts over the medium term of the implementation of the Malawi Growth and Development Strategy are expected, amongst other objectives, to contribute to:

- Reversal of the negative trend in maternal mortality rates, decrease child mortality
- Decrease cases of diseases such as malaria
- Reduce the negative impact of HIV/AIDS on the economy, on service delivery, and on the quality of life of PLHV, OVCs, and others affected by the disease.
- Sustained reductions in stunting and wasting¹⁷

The challenges faced by the health sector include:

- High child mortality and morbidity
- High maternal mortality and morbidity
- High HIV sero-prevalence and deaths due to HIV/AIDS related illnesses
- High morbidity and mortality in the general population due to infectious diseases

¹⁷ This information has been obtained from the Annual Report of the Malawi Health Sector 2005/6

- Limited access effective health care due to low geographical access and financial access to health services;
- vertical and disintegrated service delivery of services targeted at populations at risk
- shortages and misdistribution of trained health personnel;
- Shortages of essential drugs, medical supplies and equipment; and inadequate resource availability coupled with inefficient and inequitable distribution.
- Weak inter-sectoral linkages resulting in uncoordinated planning, policy formulation and programme implementation.

3-2-2 Gender and Health

In Malawi, there is only one doctor for every 43,000 adults. Malawi's MMR has increased from 620 deaths per 100 000 live births in 1992 to 1120 deaths per 100 000 live births in 2000 (MDHS 1992 & 2000). However, according to recent estimates, maternal mortality ratio in Malawi is 1800 per 100000 live births (WHO, UNICEF, UNFPA 2000).¹⁸ At the same time, it should be noted that the 2004 MDHS estimates that since 2000, the MMR has dropped to 984 deaths per 100,000 live births. However, these ratios have been questioned because they are unreliable. The report acknowledges that "it is unlikely that maternal mortality has gone up and then down again so dramatically, especially since the reference periods for the estimates overlap each other. Maternal mortality ratios measured this way are subject to very high sampling errors, and cannot adequately indicate trends over the short term" (MDHS, 2004:248).

A number of factors working together have contributed to the high rates in Malawi. A study conducted from 1998 to 2002¹⁹ by White Ribbon Alliance in Southern Malawi revealed a number of critical barriers to obstetric care use. Educational status plays a dominant role in health seeking behaviour; female literacy rates ranged from 21% to 75% with higher institutional delivery rates in those districts with higher female literacy. Education had a dose response with maternity service attendance. Those women with primary school education were 4 times more likely to use institutional facilities than those with no education. Those with secondary school education were 5 times were likely to use institutional facilities, and those with post graduate education were 7 times more likely to use institutional facilities. Further more, those with knowledge of danger signs were twice more likely to deliver in a health centre than those with minimal knowledge. Pregnant women also face challenges in accessing the health structures. This is because of the long distances that women have to travel to the nearest hospital. The mean distance to hospitals is 21 km while two-thirds of pregnant women live more than 15 km away from a hospital. It is not rare for women to die from manageable pregnancy-related complications.

The study further found that distance is a barrier to access, with the majority of women living 2 to 5 km from a health centre. Walking was the main method of transport, despite the severity of the obstetric condition. 31% of women take longer than 2 hours to reach facilities and 10% take longer than 4 hours. Cultural practices such as administration of herbs to induce labour and beliefs associating obstructed labour with infidelity are widespread and contribute to access delays. It is therefore estimated that only 43% of births in Malawi being attended to by health workers.

¹⁸ Reported in the Assessment report of Malawi's Emergency Obstetric Care Services Report, MoH 2005

¹⁹ White Ribbon Alliance (1998-2002): A research report on Barriers to utilisation of maternity services Southern Malawi

A report by Tsoka²⁰ in 2002 also indicate that the underlying factors for maternal mortality in Malawi include poor diet, low access to maternal health care services, high incidence of malaria compounded by limited availability of free drugs at community level, high incidence of HIV/AIDS among pregnant mothers and high demand of maternal health services due to low intake of modern family planning methods. Another factor is teenager pregnancies which in some cases lead to complications during delivery or attempted abortions.

3-2-3HIV/AIDS

HIV/AIDS is a major public health, economic and social problem. It is also the leading cause of death in young adults, the most productive age group. In 2005 the estimated adult national prevalence was 14.02% giving a total of 790,000 infected adults. In the total population, there were an estimated 930,000 persons living with HIV/AIDS in 2005. The estimated prevalence was 21.6% in urban areas and 12.1% in rural areas.

There is evidence the HIV infection rate in females aged 15 to 24 is about 4 to 6 times higher than the infection rate in their male counterparts (UNDP, 2001) cited in BSS survey, (supra). The highest prevalence of HIV/AIDS is in the Southern region of Malawi (NAC, supra). Most of the new HIV infections every year occur among young people (NAC, supra). As far back as 1999, it was estimated that 40% of all newly reported cases occurred in people under the age of 30 years. Of these, almost 60 % occurred in women and girls. Cultural factors that promote ritual and casual sexual intercourse, widow inheritance, initiation practices and the generally low socio-economic status of women render them vulnerable to HIV infection (BSS, supra). In addition the various cultural practices prevent women from negotiating safer sex. Therefore, specific patterns of HIV transmission, incidence and prevalence are structured by gender and social inequalities.

Power imbalances between men and women are inhibiting women from enjoying their most fundamental human rights. This includes the right to sexual freedom, excluding all forms of sexual coercion, exploitation, and abuse; the right to sexual autonomy and safety of the sexual body; the right to bodily integrity, freedom from degrading and inhuman treatment, the right to property. In one way or the other an infringement of these rights translates into HIV infection for women. Women's subordinate position in Malawian society restricts the possibilities for women to take control of their lives to combat HIV/AIDS, leave a high-risk relationship or have adequate access to quality health care.

3-2-4 Women as Carers

Women bear the brunt of the inadequacy of health services, as they fill up hospitals looking after the sick, as the so-called "guardians". A study by WLSA Malawi examined the rights of people living with HIV and AIDS and noted that women are the main providers of primary care at home and in hospitals. Government has relegated its primary duty of care for its citizens to women for free. This is due to the fact that the gender role division of labour assigns to women the role of caring for the sick, thereby depriving them of the time to take care of their own health needs and engage in productive action. When they fall ill themselves, they may also be subject to gender-based violence. In a recent study commissioned by the Joint Oxfam programme in Malawi (White and Kachika, 2004) on incidences of gender based violence in Thyolo and Mulanje, it was discovered that medical personnel sometimes demand sexual

²⁰ Tsoka M etal (2002) Malawi Report of the Millennium Development Goals

favours from women in exchange for medicine.

3-2-5 Reproductive Health Issues

Only 22 percent of women aged 15-45 ever use contraceptives compared to the SADC regional average of 25% (SADC, 2000:240). However 97% of all women, aged 15-49 know at least one method of family planning. However, only 39% of women and 56% of men have ever used a modern method and only 26% of currently married women are using modern contraceptives. This represents a dramatic increase in use from 7% in 1992 to 14% in 1999. Although the figures admittedly are still low (Semu et al). The low figures represent cultural attitudes whereby the society values child bearing (Semu et al supra). There are also beliefs especially among rural communities that contraceptives are bad for women's health and that they cause cancer (Research notes, White, 2001). Although Banja La Mtsogolo clinics (a reproductive health NGO) are placed in most parts of the country almost all districts, and provide family planning methods at relatively low prices compared to current market prices, rural women felt that the prices are still prohibitive. Second they feel that BLM clinics are centralized at the Boma (Central place for Government in all districts in Malawi) which is far away from most villages and they cannot therefore afford transport costs every month to reach these clinics (White, supra 2001).

3-2-6 Degree of Unsafe Abortions as a Problem

Incomplete abortions are the most common reason for admission to gynaecological wards in Malawi (Coombes, 2001). This is underscored by recent evidence, which shows that Central hospitals in Malawi are attending to high numbers of women seeking post abortion care. In an examination of records in Malawi's Central Hospitals between 1999 and early 2006, Kamuzu Central Hospital had registered 2384 cases, while Queen Elizabeth Central Hospital (QECH) has registered 3178 cases; and Zomba Central Hospital had registered 1239 cases (Linyenga 2006). In a recent assessment of the availability of Emergency Obstetric Care in Malawi (MoH/GoM, 2005) out of the 48 hospitals assessed, complications of abortion accounted for the 2nd most frequent direct obstetric complication (at 30% of obstetric cases). And a key informant discussion²¹ with nursing staff in the Gynaecological Ward of QECH uncovered that the hospital receives an estimated 15-20 gynaecological cases a daily basis, half of which are complications related to abortions. According to both nursing staff and specialists in the Department of Gynaecology and Obstetrics at QECH, a good number of patients who come for post abortion care are adolescents. This evidence shows that more women, including adolescents, undergo life threatening backstreet abortion, and possibly many more face unrecorded deaths if they have not accessed post abortion care. This is highly likely given the fact that according to the assessment of availability of Emergency Obstetric Care in Malawi²² 94% of the country's health centres do not provide this critical reproductive health service (MoH/GoM, 2005). Yet, health centres are most accessible to people, rather than hospitals. In fact, various studies in Malawi have consistently established the fact that one of the contributing factors to Malawi's unacceptably high mortality rates is unsafe abortion. In 1998, Stewart et al (1998) found that 20-30% of maternal deaths annually are due to complications of abortions. An audit conducted in Southern Malawi in 2003 established that 10.2% of direct maternal mortality rates were due to complications of abortions (Ratsma, 2003).

²¹ Conducted to support this desk review

²² Of which post abortion care is one of the first 6 critical components/services

3-3 Agriculture, Forestry, and Fisheries

Agriculture, Forestry, and Fisheries

- The agricultural sector employs about 80 per cent of the workforce, and contributes over 80 per cent of foreign exchange earnings.
- In both matrilineal and patrilineal systems of marriage women have few or no independent rights to land property due to the mixture of traditional customs and market economics.
- Fishing is an exclusive male domain.

3-3-1 Agriculture

The Malawi growth and development strategy recognizes Agriculture as the most important sector of the economy as it employs about 80 per cent of the workforce, and contributes over 80 per cent of foreign exchange earnings. The major foreign exchange earner is tobacco followed by tea and sugar. The current budget allocation to this sector for 2006/7 is MK17, 137,262,837. According to the IHS (2005) since the liberalization of burley tobacco to smallholders, many farming households have adopted tobacco production. Almost 20 percent of the farming households in Malawi grow tobacco. In terms of sex of household head, male-headed households have the largest proportion growing tobacco 23 percent compared to 10 percent for the female-headed households.

Above all agriculture also contributes significantly to national and household food security. However, agriculture in Malawi is characterized by low and stagnant yields, over dependence on rain-fed farming which increases vulnerability to weather related shocks, low level of irrigation development, and low uptake of improved farm inputs among others. Low profitability of smallholder agriculture has also been influenced by environmental degradation, weak links to markets, high transport costs, weak farmer organizations, poor quality control and lack of information on markets and prices. This means that the majority of women are to be found in the smallholder agriculture sector that is characterized by low incomes due to low productivity and unfavourable input/output prices ratios. The result is that 65.3% of the population lives on less than 20 US cents per day (NSO, Integrated household survey) and of these more than 70% are women (Malawi Government 2003).

In this regard, the goal of the government is therefore, to increase agriculture's contribution to economic growth, by not only increasing production for food security, but also for agro processing and manufacturing for both domestic and export markets. Emphasis will be on enhancing agricultural productivity, promoting food security and agro processing of key crops. (MGDS, 2006:14)

To this effect the main strategies include:

- Strengthening linkages of farmers to markets by connecting rural communities, targeting rural roads and developing farmer organizations and market information,
- Encouraging the expansion and intensification of staple food production by smallholders,
- Providing effective extension services with more decentralized service delivery for agribusiness skills,
- Increasing the use of pest resistant varieties and promotion of pest management,
- Ensuring that existing land rights are recognized, clarified and secured by appropriate legislation, and

- Encouraging and expansion of horticultural crop production for agro-processing.
- Promoting irrigation farming

3-3-1-1 Women and Access to Land

In terms of access to land first of all it must be understood that the Malawi National Land Policy divides land into three categories. Government land comprises of land that is acquired and owned privately by the government for specified national use, i.e. government buildings, schools, hospitals. It also involves land that the government has leased to individuals, companies or institutions, for which ground rent is paid. Public land comprises land that Village Headpersons, Chiefs and public officials hold on behalf of the people of Malawi. They in turn grant leaseholds and permission to use this land to the people. Private land this comprises: all land exclusively held, occupied or owned under freehold tenure (possession). It also involves customary land which is land that is managed by a recognized Traditional Authority (T/A), and allocated exclusively to a particular community, corporation, institution, family, clan, or individual. Leasehold estates are also part of private land. The law or government policy does not preclude anyone from buying or acquiring freehold or leasehold land and widows are at liberty to do so. The problem emanates with customary land. The Malawi National Land Policy of 2002 has put in mechanisms to regulate such land which is held by chiefs in trust for the people of land. Such attempts by the National Land Policy have not been effected as there is no effective implementation plan for that to happen. Primarily this land is guided by customary rules and practices emanating from matrilineality and patrilineality as the case may hold.

In a research conducted in 9 districts in Malawi, regarding women and inheritance property rights²³, the main finding of the study was that there are gaps and lags in the institutions for assigning women property and inheritance rights, and that this raises a hideous spectre of gender inequality in matters of land ownership and inheritance. The research revealed that in both matrilineal and patrilineal systems of marriage women have few or no independent rights to land property due to the mixture of traditional customs and market economics²⁴.

3-3-2 Forestry

In Malawi, the rural population which constitutes about 85% of the total population depends entirely on forests and trees for their fuel wood, timber and poles among other uses. The Ministry of Natural Resources reports that 90% of energy requirements in Malawi are met by wood fuels derived from natural and planted forests (Malawi Government); National Gender Programme 2005). The government manages a number of forest reserves throughout the country. As protected areas, these forests are usually manned by forest guards (mostly male). The research conducted in Dedza and Mulanje showed that the guards are stationed at various points within a forest in order to protect natural resources from encroachers and to preserve trees and animals. They also sell wood for building purposes. As part of forest conservation, the policy is to charge those who want procure firewood a fee of K7.00 (equivalent of US\$0.05)²⁵. In turn, they get a pass/permit to collect firewood for the day. This is not necessarily charging for the

²³ Ngwira N. Chiweza, A. Kanyongolo, N. and Kayambazinthu, E. 2002, Women's Property and Inheritance Rights Study, Preliminary Findings: Draft Report. Gender Studies and Outreach Unit, Chancellor College Zomba.

²⁴ Ngwira, N. Women's Property and Inheritance Rights and the Land Reform Process in Malawi (2003) p.7

²⁵ K130.00=1 US\$

firewood, but the fee is set to bring a culture of responsibility to preserve nature on the part of the community.

Traditionally women and girls are responsible for fetching fuel wood for domestic purposes. As such girls and women are the ones who frequent the forest reserves in order to fetch firewood. In fact, an earlier study established that one of the forms of sexual violence experienced by women in Mulanje and Thyolo districts occurred through the rape or sexual coercion of women by forestry guards (White & Kachika, 2003). This is critical problem for women which need to be addressed.

3-3-3 Fisheries

Malawi boasts of five lakes²⁶ where the fishing industry flourishes. Most of the fishing however takes place in districts along the biggest lake called Lake Malawi. The lake stretches from the Southern Region to the Northern Region of the country. The lake is a high commercial zone and a huge market place for a lot of business people in Malawi whose commodity for sale is fish. However, as a fishing and marketing zone the lake is predominantly male. In fact, the fishing activity is exclusively male. Women usually participate in this industry as fish buyers for home use as well as reselling. The genderisation of this labour market brings along sexual dynamics in which some fishermen have used the disadvantaged position of women of being at the receiving end to obtain sexual favours. The study revealed that women feel compelled to engage in sexual relationships with the fishermen in order to access fish (WLSA Malawi, 2003). Government policy has not created space and opportunity for women to engage equitably in the fishing market.

²⁶ Lake Malawi, Lake Malombe; Lake Chilwa; Lake Chiuta; Lake Kazuni

3-4 Economic Activities

Economic Activities

- Women enjoy less opportunities, benefits, treatment and remuneration as compared to their male counterparts.
- Few women in Malawi have the capacity to access commercial bank loans and mortgages.

3-4-1 Present Situation of Female Workers in Some Quarters of the Employment Sector

Women continue to enjoy less opportunities, benefits, treatment and remuneration as compared to their male counterparts. In the tea and coffee industry, there are differences in the wages for women and men though they do similar work. Women are paid MK31 (\$0.15) per day while men are paid K42 (\$0.25) per day. There is no reasonable justification for this disparity, except that the women are being discriminated against because they are women²⁷.

Similar observations have also been made by the umbrella body of workers union (MCTU) concerning the textile garment, leather and security sector. About 10% of 8000 workers in the textile and 10% of the 15000-25000 workers in the security sector are women. Their salaries are very low, characterized by poor working conditions and there is no job security for most of them since most of the jobs are on temporary basis. Married women especially those are also denied such benefits as housing and medical allowances on the assumption that they will use their husbands' employment benefits. Reports also indicate that some women are given a maternity leave which is less than the one recommended in the Employment Act. The Act recommends a minimum maternity leave of 2 months but some women are given only one month leave²⁸.

3-4-2 Support for Entrepreneur Development Such As Micro-Finance and Vocational Training.

Although it is assumed that there is a significant increase in the number of women accessing credit, the fact that often times they do not have control over the usage of the credit and profits. This is due to the gender disparities that exist in Malawi. In addition to this, there is state interference in credit schemes designed for women.

In 2005, a year after a new government was elected into power, the GoM established the Malawi Rural Development Fund (MARDEF), to the tune of approximately US\$4 million (MK5 billion) with an objective to provide rural entrepreneurs with capital for business start up and expansion. The total loan portfolio for all MFIs combined is estimated at US\$2 million, 50% of the single government fund. This fund is being disbursed to groups at a heavily subsidized interest rate of 15% (the current market rate is 27%) through the Malawi Savings Bank, a 100% government-owned commercial bank with no expertise and experience in microfinance. The identification of loan beneficiaries is being conducted through geographically-divided political constituencies in all the districts of Malawi. The fund is creating an adverse effect on outstanding MFIs portfolios as the heavily subsidized interests are creating a disincentive for current clients to repay their loans at the market rates resulting into huge defaults and delinquency amongst current

²⁷ White S (2001): Research report on Access to Justice in the Shire Highlands Sustainable Livelihoods commissioned by OXFAM, Malawi.

²⁸ Malawi Congress of Trade Union Reports.

loanees.

Although there is no law that bars women from taking bank loans in their own name and right, many commercial lending institutions have insisted on a male guarantor if the woman has no sufficient collateral. Most institutions have gone round the problem by using the group system which acts as guarantor for its members.

The major contributing factor to the problem of collateral requirement is the poor credit culture in Malawi, whereby clients feel no obligation to repay loans. This has prompted commercial lending institutions, especially commercial banks, to demand collateral in form on tangible assets that can be seized upon failure to fully repay a loan.

Effects on Women

The majority of Malawian women who are poor and based in the rural areas remain disempowered due to the fact that they obtain endless small loan cycles from MFIs, and, even though a few manage to graduate to the medium to large enterprise sector, they are unable to secure loans from commercial banks due to lack of collateral. Few women in Malawi have the capacity to access commercial bank loans and mortgages, and their graduation from the micro and small level of enterprise to medium and large is practically unachievable. As women rely on group pressure as an alternative to collateral, the majority of women remain in dysfunctional groups and are unable to obtain individual loans. Therefore government needs to improve infrastructure in rural areas to ensure that microfinance and other business advisory services reach the rural poor, the majority of which are women.

3-4-3 Informal Sector

Women tend to be underrepresented in all sectors of the economy in Malawi, with perhaps the exception of the informal sector. Women have been involved in cross border trade; albeit at a smaller scale than men, because now no killing paper work is needed to get foreign exchange. Most of the women have been dealing in groceries from South Africa and Zimbabwe, or clothes from countries like Thailand. So on one level it can be said that women have been benefiting from cross border trade, though there is only anecdotal evidence. But the women who benefit tend to be those with good levels of education and access to credit from either formal or informal/family sources. The very poor in villages have not benefited.

On the down side this policy nexus, has led to the neglect of productive activities. Through this effect and other factors the economy has shrunk. These factors include the withholding of donor support, acute food shortage, and hence high expenditures on food imports, that create a vicious circle back through government over-expenditure and borrowing, and also monetizing deficits, leading back to high inflation rates and interest rates. In year 2002, the economy shrank by 1.8% and in 2001 by 1.5 %.

Jobs have not been created at the rate to keep up with labour supply, as the manufacturing sector has not grown. This means that families have to make do with less due to unemployment. When there is high competition for alternative resource uses women's gender roles are starved of resources causing physical and psychological harm to the women who are duty bearers. In most cases they are driven into the petty informal sectors as evidenced by the explosion of women selling snacks in the cities. In some cases these were solely women's activities e.g. selling fast foods and confectionery by the roadside, but now the jobless men compete with them for these spaces, as they set

up makeshift shacks to sell chips etc. These 'jobs' generate limited income and have high opportunity costs of what does not get done or done well at the household, like childcare, as the women spend long days on the road sides or in market places (WIDSAA/SARDC, 2005).

3-5 Governance and Women's Human Rights

Governance and Women's Human Rights

Although the 1995 Malawi Constitution guarantees equal rights to men and women, in reality immense obstacles to equality perpetuate gender disparities in many aspects of life. Gender disparities exist in areas such as education, agriculture, health, employment, credit accessibility, and political participation.

3-5-1 The Law and Women's Rights

The role of the law in Malawi has contributed to sustaining these gender disparities. There is a large disjuncture between women's constitutional rights and customary laws and this causes serious barriers for women's empowerment. Customary laws generally dictate unequal gender relations, compounding the discrimination that women face by public and private institutions. Consequently, obstacles to gender equality persist in Malawi because of existing discriminatory statutory and customary laws and practices. Customary laws and norms deny women their constitutional rights and jeopardize women's access to property, inheritance and divorce. For example, wives are often victims of discriminatory inheritance practices in which the deceased husband's family unlawfully takes property. Such discriminatory customary laws and practices are in need of being removed and/or amended in order to come in line with constitutional provisions.

Furthermore, while the Malawi Constitution provides for the protection of the rights of both men and women, the law enforcement machinery is limited in its capacity to protect the rights of women. Although some women may know their rights and intend to use the formal court system, certain interrelated factors prevent or discourage women from accessing justice delivery systems in Malawi. In addition, a lack of information and awareness among women about their legal rights and provisions further prevents the prevailing obstacles to equality from being challenged. Furthermore, there is a general lack of access to legal services and education, and justice delivery systems are not gender responsive. Although legal measures exist in society that protect women and girls from some forms of violence, the existing discriminatory legal system often leaves women without adequate judicial recourse.

3-5-2 Domestic Violence

The true lived reality for women in Malawi is that domestic violence remains the most notorious manifestation of gender based violence. Though the exact extent of the problem is not measurable, Kachika (2006)²⁹ notes that some of the qualitative and quantitative indicators of the high prevalence rates of domestic violence in Malawi are:

- An analysis of a recent study by CHRR (2005)³⁰ shows that though the study was on gender based violence generally, domestic violence emerged as the central issue of discussion amongst the respondents in the 8 districts³¹ visited.
- A further analysis of a baseline study conducted by Saur, Semu and Hauya (2003)³² in three districts in Malawi³³ indicate that out of the various acts of violence that are

²⁹ Domestic Violence in Malawi: An analytical review of grounded realities for women (2006)

³⁰ Community Perspectives on GBV in Malawi: A Survey of Knowledge, Attitudes and Practices (2005)

³¹ Chitipa, Karonga, Mchinji, Lilongwe, Dedza, Salima, Mangochi, and Zomba

perpetrated (i) between men, or (ii) between men and women; or (iii) between women; or (iv) between parents and children- the majority are perpetrated between people in a domestic relationship

- Similarly, an analysis of rapid survey conducted by White and Kachika (2003)³⁴ in two districts³⁵ in Malawi also demonstrates that while acts of gender based violence are perpetrated against women by people in positions of authority (like the Village Development Committee- (VDC)-, hospital personnel and forestry personnel), most acts of gender based violence prevalent in the districts that both men and women alluded to occur in the home, and between people within domestic relationships.
- A Public Hearing conducted by the Malawi Human Rights Commission on Domestic Violence in Malawi (2001)³⁶ indicates that domestic violence is one of the most serious problems in the country.

Some positive changes in this area have happened along the way. A case in point is the enactment of the Prevention of Domestic Violence Law Act No 5 of 2006. This law was assented to by the head of state on 15th May of the same year. In Malawi the law represents the one of the greatest achievements ever undertaken in the fight for gender equality and in particular violence against women. The Enactment of The law on the Domestic Violence emanated from the Civil Society and in this case from Women and Law in Southern Africa, Malawi National Office.

These activities were prompted by WLSA (Malawi)'s research findings on the justice delivery system and its impact upon women in Malawi. This research uncovered the realities and experiences of women in Malawi with regards to the forms of violence perpetrated against them. Furthermore, this research revealed that formal and informal structures of the Justice Delivery System deliver justice from a male paradigm, rather than from a gendered paradigm.

The law recognizes various types of Domestic Violence such as economic, verbal, social, psychological and physical abuse and recognizes the following as Domestic Violence. The Act elaborates how a complainant may seek remedies as stated above.

Challenges with regards to implementation

Whilst the good news is that the law has passed as outlined, the bad news is that the majority of the law enforcers as well as the women for whom it is intended to protect do not know or understand the contents of the law. Second, whilst the passing of the laws shows political will by the government which includes parliament and the executive branch, it appears that the political will remains thus far. There is no political will to ensure that the law moves from the realm of a mere legal document to a tool that de facto protects survivors of domestic violence. This is indicated by the fact that although

³² Entitled "Nkhanza- Listening to People's Voices." A Baseline Study of Gender Based Violence- "Nkhanza"- in three Districts in Malawi. Commissioned by the GTZ/Ministry of Gender, Child Welfare and Community Services Project to 'Combat Gender Based Violence in Malawi.'

³³ Rumphi, Dedza and Mulanje

³⁴ Entitled "Gender Based Violence in Thyolo and Mulanje Districts: A Report on a Rapid Survey Conducted in Six Villages.

³⁵ Mulanje and Thyolo

³⁶ Entitled "A Report on the Public Hearing on Domestic Violence in Malawi," Unpublished Enquiry. *Cited in Discussing the Proposed Domestic Violence Legislation in Malawi, Multi Sectoral Perspectives, WLSA Malawi publication, 2003, p.11*

the law was passed in April 2006, the June-July budget sitting of parliament did not allocate ANY money to its implementation. Therefore there is need for critical stakeholders to clearly understand contents of the law as well as for parliament to allocate resources to its implementation.

3-5-3 Women's Participation in Political and Decision Making Positions

Few women hold decision-making positions within the social, political and economic arenas in Malawi. Women are under-represented at most levels of government, including ministerial bodies and in parliament. Currently, women hold only 14% of all seats in parliament.³⁷ Furthermore, only 10% of Malawi's Principal Secretaries are women, and only 3 out of 25 High Court judges are women.³⁸ Similarly, men dominate decision-making bodies at the district and village levels.

³⁷ Out of the current 177 Members of Parliament, only 17 are women.

³⁸ UN Gender Briefing Kit, 2002, p. 15

4. Gender Projects

The Following are some of the projects and programmes currently being carried by the development partners such as the UNFPA, The USAID, the Norwegian Government and the World Bank.

Projects/Programme	Implementing Agency	Donor	Gender Related Issues / Contents
National Machinery	Parliament	UNFPA	-Working with the Network of African Women Parliamentarians and the Ministry of Women and Child Welfare to lobby for the enactment of the Prevention of Domestic Violence Legislation and the Deceased Estates (Wills, Inheritance and Protection) Bill. - Conduct a radio Campaign on the Domestic Violence Legislation
National Machinery	Ministry Of Women and Child Development	NAC	To contribute towards the national goal which is to prevent the further spread of HIV infection and mitigate the impact of HIV/AIDS on the socio-economic Status of individuals, families, communities and the nation.
Gender Equality Support Project	NGO's	CIDA / DIFD	Sub-projects focused on gender-equality aspects of education, health, water and sanitation, and HIV/AIDS, violence against women and reproductive health.
SAFE Schools Program	NGO's	USAID	SSP aims to create safe school environments for girls and boys that promote equitable relationships and reduce school-related gender-based violence (SRGBV), which will result in improved educational and health outcomes.
The Ambassadors Girl Scholarship Programme (AGSP)	Creative Centre for Community Mobilisation CRECCOM	USAID	Supports girls in school by providing them with food, clothing, school supplies and hygiene products.
	The NGO Gender Co-ordination Network (NGO GCN)	NORAD	Supports the most of the activities of the network and the Secretariat

5. Gender Information Sources

5-1 List of Organizations/individuals Related to Gender

	Organisation Name	P.O. Box	City	email	Phone
International Organizations					
1	Action Aid	Box 30735	Lilongwe 3	admin@actionaidmalawi.org	01757500 01757504 01756508 09964200
2	CIDA	Private Bag A59 Lilongwe	Lilongwe		01775713
3	The British Council	P.O. Box 30222, Lilongwe	Lilongwe		01773244 01774467
4	The DFID	PO Box 30042, Lilongwe 3	Lilongwe		01772400
5	The Joint OXFAM Programme In Malawi OXFAM	Nurses Council House	Lilongwe Blantyre	smazengera@oxfam.org.uk lmihowa@oxfam.org.uk	01845633
6	The Royal Norwegian Embassy	P/Bag, B323, Lilongwe	Lilongwe		01774211
7	The UNDP	PO Box 30135, Lilongwe 3	Lilongwe		01773500
8	The UNFPA	PO Box 30135, Lilongwe 3	Lilongwe		01771402
9	The USAID	NICO House PO Box 30455, Lilongwe 3	Lilongwe		01772455
10	The World Bank	PO Box 30557, Lilongwe	Lilongwe		01770611

11	UNICEF	Box 30375,	Lilongwe		01770788
12	World Vision International	Box 692,	Lilongwe 3		
Local Organisations					
1	Catholic Commission for Justice and Peace	P.O. Box 30384	Lilongwe 3		
2	Active Youth Initiative for Social Enhancement	Box 90588	Blantyre 9	ayise@malawi.net	08837734 01655079 09931350 09470011
3	Church and Society, Blantyre Synod	Box 413	Blantyre	churchsociety@malawi.net	
4	Centre for Alternatives for Victimised Women and Children	Box 2793	Blantyre	alternatives@sdp.org.mw alternatives@37.com	01676459
5	Centre for Human Rights and Rehabilitation	Box 2340	Lilongwe	chrr@sdp.org.mw	01761700
6	Centre for Youth & Children Affairs	Box 30861	Lilongwe 3	ceyca@malawi.net	01727825 08567428
8	Civil Liberties Committee	Box 2553	Blantyre	cilic@malawi.net	01634063
9	CONGOMA	Box 480	Blantyre		
10	Creative Centre for Community Mobilisation-CRECCOM	Box 524	Zomba	CRECCOM@malawi.net	01525291
11	Eye of the Child	Box 31571	Blantyre 3	eyeofthechild@malawi.net	01674711
12	Institute for Policy Interaction - IPI	P.O. Box E14 Post Dot Net	Blantyre	ipi@africa-online.net	01674964 01660245 09968800
13	Malawi CARER	Box 30479	Blantyre 3	malawicarer@malawi.net	01670710
14	National Electoral Systems Trust (NEST)	Box 31888	Blantyre 3	nest@malawi.net	01671570 08894508
15	Save the Children USA	Box 30374	Lilongwe 3	nbamusi@llmw.savechildren.org	
16	Society for the Advancement of Women	Box 1207	Lilongwe	saw@africa-online.net	01757476 09957987

17	The Story workshop	P/Bag 266	Blantyre	media@malawi.net swet@malawi.net	01621657 01621335 08834787
18	YouthNet & Counselling	Box 471	Zomba	yoneco@sdnp.org.mw	01525674 09918611
19	GenderSupportNetwork	P/Bag A225	Lilongwe	ngogcn@malawi.net	01771081/171
20	CCJP (Mzuzu Diocese)		Mzuzu		
21	Women and Law in Southern Africa		Blantyre	wlsamalawi@hotmail.com wlsa@wlsamalawi.org	01841534 01841538
22	Church and Society (Livingstonia Synod)		Mzuzu	churchsociety@malawi.net	
23	Malawi Human Rights Resource Centre	Box 891	Lilongwe		01752629 01757181
24	Malawi Human Rights Commission	P/Bag 378,	Lilongwe 3	mhrc@sdnp.org.mw	01750947
25	National Initiative for Civic Education (NICE)	P/Bag 387,	Lilongwe 3		

5-2 List of Reports and References Related to Gender

Title	Author	Year	Publisher
Gender and HIV/AIDS towards Rights Based Approaches and Interventions, Report of the gender Audit Commissioned by Action aid.	Action aid Malawi	(2004)	Action aid Malawi
A literature review to support the situational analysis for the National Behaviour Change Interventions Strategy on HIV/AIDS and Sexual and Reproductive Health.	Coombes Yolanda	(2001)	Liverpool Associates in Tropical Health
Women Girls and HIV/AIDS Plan of action 2005 – 2010	GoM, Ministry Of Women and Child Development	(2005)	GoM, Ministry Of Women and Child Development
The National Water Policy; Water and Sanitation for all, always, Lilongwe, Malawi.	GOM/MOWD	(2004)	GOM/MOWD
Encouraging Greater Enrolment of Women in Science and Technology: The Malawi Polytechnic Experience” A case study prepared for a Regional training conference on improving tertiary education is Sub-Saharan Africa.	Gomile Chidyaonga –	(2003)	Unpublished and paper can be obtained from Author
Progress Report on the 1997 Gender and Development Declaration: Women in Politics and Decision Making Positions.	Government of Malawi/ Ministry of Gender, and Community Services	(2002)	Government of Malawi/ Ministry of Gender, and Community Services
Rural Housing Programme, Proposal for Programme Revitalisation. Lilongwe, Malawi	Government of Malawi/ Ministry of Housing,	(2003)	Government of Malawi/ Ministry of Housing,
Gender Mainstreaming Programmes in Malawi: PRSP and The National Gender Policy Implementation	Government of Malawi/Ministry of Gender and Community Services	(2003)	Government of Malawi/Ministry of Gender and Community Services
Progress on the Beijing +10 Report. Lilongwe, Malawi	Government of Malawi/Ministry of Gender and Community Services	(2004)	Government of Malawi/Ministry of Gender and Community Services
Women's' Water and Land Rights: The Situation of Malawi. Paper presented at a Regional Conference in South Africa.	Kachika Tinyade	(2003)	Unpublished and paper can be obtained from Author
Reducing Gender Inequities in education in Sub-Saharan Africa; Malawi case study. Final report. Zomba, Malawi	Kadzamira Esme	(1999)	Unpublished and paper can be obtained from Author

Educational Policy Choice and Policy Practice in Malawi: Dilemmas and Disjunctures.	Kadzamira E, Pauline R	(2001)	Institute of Development Studies, University of Sussex, Working Paper
Women in the Malawi Media World. Article published in lamp magazine no 35. Blantyre, Malawi	Karim Janet	(2002)	The lamp Magazine
Report on the Review of the Wills and Inheritance Act No 12 , 2003	The Malawi Law Commission	(2003)	The Malawi Law Commission
Overview and Issues of Gender-Based Law Reform in Malawi. Limbe: Montfort Press	The Malawi Law Commission	(2003)	The Malawi Law Commission
HIV and Its Impact on Land Issues In Malawi A paper presented at FAO/SARPN Workshop on HIV and Land on 24-25 th June, 2002, in Pretoria	Mbaya, S., Ngaru, M.,	(2002)	FAO/SARPN
Guidelines for Community Distribution of Contraceptives in Malawi	Ministry Of Health	(2004)	Ministry Of Health
Malawi National Safe Motherhood Programme: Malawi National Strategic Plan for Safe Motherhood	Ministry Of Health	(1995)	Ministry Of Health
Malawi National Reproductive Health Policy	Ministry Of Health	(2002)	Ministry Of Health
Emergency Obstetric Care Services in Malawi: Report on National wide Assessment	Ministry Of Health	(2005)	Ministry Of Health
Road Map for Accelerating the reduction of Maternal and Neonatal Mortality and Morbidity in Malawi	Ministry Of Health	(2006)	Ministry Of Health
Women's Property and Inheritance Rights and the Land Reform	Ngwira, Naomi	(2002)	www.SARPN.org
Socio Cultural Gender Based Factors that contribute to woman and girls vulnerability to HIV infection in Mulanje and Thyolo A Study Commissioned by the joint OXFAM programme in Malawi.	Olivia M'chaju Liwewe and Priscilla Upasani Matinga	(2005)	The Joint OXFAM Programme In Malawi
The Constitution of The Republic of Malawi	Government Of Malawi	(1994)	Ministry Of Justice and Constitutional Affairs
Malawi Gender Briefing Kit, Lilongwe, Malawi.	United Nations	(2002)	UNDP
Beyond Inequalities, Women In Malawi,	UNIMA Centre For Social Research/	(1997)	UNIMA/SARDC, Zomba and Harare.

	SARDC-WIDSAA		www.sardc.org
Malawi; National Human Development Report. Lilongwe, Malawi	United Nations Development Programme	(2001)	UNDP Lilongwe
In Search of Justice Women and The Administration of Justice In Malawi WLSA Malawi Blantyre	WLSA Malawi	(1999)	WLSA Malawi
Dispossessing The Widow; Gender Based Violence In Malawi, Kachere Publications/WLSA Malawi Zomba and Limbe	WLSA Malawi	(2002)	WLSA Malawi

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6. GoM (2006) **Malawi Growth and Development Strategy, From Poverty To Prosperity 2006 to 2011** Ministry of Finance, Lilongwe www.malawi.gov.mw
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8. GoM, (2005) **Behaviour Change Communication Strategy For women, Girls and HIV/AIDS** Ministry of Gender, Child Welfare and Community Services
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12. Kachika, T. (2006) **Legislative and Policy Framework on Access to Safe Abortion Services in Malawi** Report Commissioned by IPAS Africa Alliance
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16. Malawi Law Commission (2003) **Overview and Issues of Gender-Based Law Reform in Malawi** Law Commission Limbe:
17. MHRC (2006) **Gender Based Violence At The Workplace With a Focus On Maternity Leave** Report Lilongwe
18. Ministry of Health (2006) **Emergency Obstetrics care Services In Malawi, Report of A Nation Wide Assessment,** Lilongwe Malawi
19. Naomi Ngwira, Garton Kamchedzera, Linda Semu (2003) **Malawi Strategic Country Gender Assessment** commissioned by World Bank and UNDP
20. PACENET and CIDA GESP (2006) **Documentation of Human Rights Violations In Malawi** report Lilongwe.
21. The Malawi Law Commission (2000) **Law Commission Report on the Review Of The Penal Code** Government Printer, Zomba
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7. Glossary of Terms

Gender

Analytical concept to clarify the social role of men and women and interrelation between them.

Informal Sector

Part of the economy consisting of small competitive individual or family firms listed in the labour indicators. According to the definition of ILO, those engaged in this sector have simple technology, insufficient amount of capital, unidentified business location, minimum number of employees (or none of them), lack of legality and registration, and no capacity of bookkeeping.

WID (Women in Development)

Concept of development incorporating women's participation into development processes, taking it into account that women are active agents and beneficiaries of development.

Reproductive Health Rights

Is a fundamental aspect of women's well-being and includes the right to health care and health protection, safe abortion services, fertility regulation and infertility treatment and protection of women and girls from traditional practices that are harmful to health, the rights to benefits of scientific progress; health care and health protection; freedom from torture and inhuman treatment; information and education; privacy; life, liberty and security of the person.

Reproductive Rights

Rights related to reproductive self determination are based on women's autonomy, equality and physical integrity and include the right to privacy and confidentiality; freedom of thought; right to decide whether or not to marry and to found and plan a family; the right to decide whether and when to have children, to freedom from discrimination and the right to equality.

National Machinery

A state institution official mandated by a government to promote equal participation between men and women, and to coordinate and support the implementation of policies related to women.

Empowerment

To empower individuals or groups in political, economical and social sense

Affirmative action

Prioritized positive measure to promptly correct the difference, in the case that discriminated groups are placed in extremely unequal conditions to other groups, due to discrimination accumulated in the past.

Gini Index

Aggregate numerical measures of income inequality ranging from 0 to 100. A Gini index of zero represents perfect equality, while an index of 100 implies perfect inequality.

Total Fertility Rate

Average number of children whom a woman delivers in all her life.

Infant Mortality Rate

Annual number of infants who die among 1,000 newborn babies within 1 year after birth

Under - five Mortality rate

Annual number of infants who die among 1,000 newborn babies within 5 years after birth.

Maternal mortality rate

Annual number of mothers who die among 100,000 cases of delivery because of pregnancy related - complications.

Percentage of births attended by trained health personnel

The rate of births with the help of doctors, nurses, midwives, trained health personnel, or trained traditional birth attendants.

Percentage of Infants with low birth weight

The rate of newborn children of which the birth weight is less than 2,500 grams.

Ratio of girls to boys in primary and secondary education

The percentage of girls to boys enrolled at primary and secondary levels in public and private schools.

Adult literacy rate

The percentage of people ages 15 and above who can, with understanding, read and write a short, simple statement on their everyday life.

Share of women employed in the non-agricultural sector

Is the share of female workers in the non-agricultural sector (industry and services), expressed as a percentage of total employment in the non-agricultural sector. Industry includes mining and quarrying (including oil production), manufacturing, construction, electricity, gas, and water. Services include wholesale and retail trade and restaurants and hotels; transport, storage, and communications; financing, insurance, real estate, and business services; and community, social, and personal services.