

**Proven
Solution**

Ending Gender-Based Violence



HeForShe

Malawi

Eliminating early and forced child marriages

Global Context

Globally, an underaged girl is married every second. It is estimated that over 700m girls are in child marriages. Child marriage is common across Malawi, with a prevalence rate of 42%, higher than the regional average for sub-Saharan Africa at 37%.

The problem is mostly caused by poverty, and some cultural beliefs and norms which reinforce gender-stereotyped roles and marginalization of women and girls in the family. These cultural norms, coupled with structural and institutional factors, lead to women having limited access to socio-economic opportunities, including health and education. As a result, most women and girls have unequal status in the society and some underage girls end up being married.

In response, the Government amended the Republican Constitution to raise the marriage age to 18 years and defilement to 16 years of age. The Government also enacted a number of progressive gender related laws on marriage and gender-based violence. We also engaged traditional, community and religious leaders to act as champions on ending child marriages. These efforts culminated in the general reduction of child marriage rates by 8% to 42% between 2015 and 2020.

“The fight against gender-based violence must always take an integrated approach. The first thing we need to do is to create a legal framework where women are protected by law and the laws must be enforced. But the legal frameworks also work best within a culture that is receptive to legal prescriptions. We, as a country, have learned that fighting gender-based violence should be a comprehensive social programme. Let us empower women and encourage them to say “nothing is to be done about me without my consent”.

**H.E. Arthur Peter Mutharika,
Former President of Malawi**

A large graphic of the number 42% in white and black outline on a pink background. The numbers are stylized with thick outlines and the percentage sign is also stylized with a thick outline.

In Malawi child marriage has a prevalence rate of about 42%

Key Stages of Implementation

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Step 1 Identifying and collaborating with key partners

In order to address an issue such as child marriages, the buy-in, collaboration and support of various stakeholders is critical. The Government mobilized traditional leaders as champions on ending child marriages; reviewed legal and policy frameworks; mainstreamed interventions in the national programmes; strengthened coordination, partnerships and networking; and promoted ownership of programmes among Government Ministries, Departments and Agencies.

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The first action was to identify leaders who influence legislative and institutional reforms at all levels. The Government engaged legislators, community, traditional, religious and private sector leaders, major artists, civil society organizations, development partners and academia, among others.

They unanimously adopted the HeForShe campaign. The urgency to end child marriages was then transferred to the national leaders from girls as victims. Heads of institutions and agencies were engaged to ensure that they became central in transforming harmful practices through by-laws that sanctioned violations of women's and girls' rights at the community level.

Partnerships and collaborations are foundational to the promotion of gender equality and women's empowerment.

Step 2 Securing community-level engagement

Our traditional leaders are custodians of culture. It is for this reason that the campaign engaged these leaders to champion transformation of social norms. This led to the gradual elimination of harmful cultural practices that perpetuate violence against women and girls at national and community level. The traditional leaders have also been involved in the annulment of child marriages through community by-laws. The by-laws are safeguarding women and children from all forms of child labor, child marriages and gender-based violence. The by-laws have also led to the development of a community awareness handbook on child and gender related laws, and District Committees to oversee the by-laws. The male chiefs have become champions under the HeForShe campaign for ending harmful cultural practices and returning girls back to school.

Engagement with traditional and community leaders is fundamental in transforming harmful cultural norms.

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Step 3 Making legislative reforms

Malawi developed a number of laws, policies, strategies and action plans aimed at preventing and ending child marriages. The laws include the Marriage, Divorce and Family Relations Act of 2015, which designated traditional leaders as registrars of marriages in order to register all marriages and annul marriages that violate this law; the Trafficking in Persons Act of 2015 that prohibits and considers elopement as trafficking; the 2017 amendment to Section 22 (7), 22 (8) and 23 (6) of the Constitution on the age of a minor and marriage age, which changed the marriage age from 16 to 18 years to align it with the Marriage, Divorce and Family Relations Act of 2015.

The amendments align the marriage age and definition of a child with Malawi's international obligations arising from such instruments as the Convention on the Rights of child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the African Charter on the Rights and Welfare of the Child

(ACRWC) and the SADC Protocol on Gender and Development. The changes also align with Sustainable Development Goals 5 and 16.2, which focus on gender equality and empowerment of all women and girls, and ending abuse, exploitation, trafficking and all forms of violence against children.

The changes in the legal frameworks were significant in Malawi's efforts to promote women and girls' rights and drive attitudinal and behavioral change in the country while harnessing the support of all relevant stakeholders in the implementation process. The legal instruments remain critical in the prevention and ending of child marriages in the country, and thus ending impunity for perpetrators. The Government of Malawi also developed the National Plan of Action to Combat Gender Based Violence in Malawi (2016-2021) and the National Strategy on Ending Child Marriage (2018 -2023).

Translating laws and policies into action at all the levels of programme impact is key to bringing long-term change.

Step 4 Mainstreaming gender in national development frameworks

The Government mainstreamed its gender commitments in the budgeted public work plans of all key Government agencies, including the Ministry of Education. Support systems for girls were set up in schools, including Mother Groups and Father Groups. In addition, there is improved sanitation, school feeding programmes and construction of hostels for girls. These interventions have helped to keep girls in school. The Ministry of Finance developed gender sensitive budgetary guidelines to ensure that the national budget is tailored to gender needs. Our development partners have also been key in funding initiatives under the Ending Child Marriage campaign.

Using existing Government plans and mainstreaming gender in national budgets is key to sustaining gains in women's empowerment and gender equality.



Step 5 Coordinating across sectors

In order to ensure holistic progress and achievement, Government mainstreamed gender targets and indicators in all plans in the public sector through Organisational Performance Agreements signed between the Office of the President and all public Ministries, Departments and Agencies (MDAs). The Ministry of Gender strengthened coordination through development of institution-specific gender policies in various MDAs such as public universities. The Ministry also strengthened the National Gender Technical Working Group (TWG). Through the TWG, partners implementing programmes on Gender Based Violence and ending child marriages provide progress reports. It also helps to plan and ensure that all parts of Malawi are targeted. These regular Technical Working Group meetings strengthen partnerships and networking.

Coordination of programmes and work plans is critical in managing results.

Resources

Resources remain limited, which prevents the Government from reaching out to the entire population. This limitation negatively affects the development of education and communication campaigns aimed at promoting behavioral change. We lack a sufficient number of mobile vans for community-based awareness campaigns, and visual aids such as plasma screens for street messaging and community awareness campaigns. We have an insufficient number of qualified and equipped media personnel involved in awareness. There is limited data management tools and monitoring and evaluation infrastructure.

 For more details, see www.gender.gov.mw

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