

TALKING POINTS BY COMMISSIONER CHAVULA OF MALAWI HUMAN RIGHTS COMMISSION.

1.0 MHRC AS A NATIONAL HUMAN RIGHTS INSTITUTION

- An independent National Human Rights Institution (NHRI) established by the Constitution of the Republic of Malawi under Section 129 with the primary function of protecting and investigating violations of the rights accorded by the Constitution or any other law.
- It's mandate according to Section 12 of the Human Rights Commission Act is to promote and protect human rights in Malawi in the broadest sense possible and to investigate violations of human rights on its own motion or upon complaints received from any person, class of persons or body.

2.0 Achievements

- The Commission has maintained its "A" accreditation status by GANHRI, in keeping with the Paris Principles. As an "A" NHRI, the Commission has a unique independent standing at the United Nations Human Rights Council.
- The Commission has been granted affiliate status by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). The status signals that Malawi is viewed by the body as a strong human rights institution capable of championing the rights and welfare of children in the country and on the African continent.
- The Commission has raised its visibility to the people of Malawi as reported by key stakeholders consulted. This includes an active social media presence and feedback on cases that the Commission is working on. In this connection, the Commission has also done well in terms of targeting millennials.
- The Commission has managed to develop constructive relationships with key government agencies, international agencies and donors. In this connection, support from donors has increased.
- The Commission has established an ATI Unit to facilitate operationalization of the ATIA, which has also included the development of ATI Regulations and development of ATI Guide.

3.0 Areas that require Commission support

Supporting implementation of the commissions strategic plan (2024-2029) through:

- Improving accessibility of the commission by the most peripheral members of the community.
- Strengthening existing capacities of commissioners and upgrading of secretariat staff in programming including public interest litigation, research, treaty party reporting, resource mobilization, gender transformative approaches, investigation, documentation (knowledge management) and monitoring and evaluation.
- Conducting Public Inquiry/ research on the enforcement of judgments in gender related cases.
- Conducting Awareness on gender related laws-Gender Equality Act , Deceased Estate Wills and Inheritance act, Prevention of Domestic Violence Act, Child Care Protection and Justice Aact, Trafficking In Persons Act, Penal Code etc.
- Supporting women's leadership: Assess women's participation in public and political life. (In view of the up-coming 2025 tripartite elections which will assist in the continued advocacy for law reform to allow gender quotas in Parliament). Monitor political campaigns to ensure fair representation of women candidates and document the extent of women's participation in different roles including election officials and political party representatives.
- Investigating cases of human rights violations towards the elderly such as delayed pensions, discrimination, being exiled from communities for witchcraft accusations and being physically assaulted or killed for witchcraft accusations.
- Conducting public interest (amicus curie) litigation:
 - i. SRHR in Malawi vis-à-vis international and regional human rights standards. (Whether the Gender Equality Act provides for SRHR in line with international and regional standards).
 - ii. The enforcement of court orders: distribution of matrimonial property, child maintenance etc.