

4.4.3.6 *Human Rights*

Human rights are also an essential part of democracy and are fundamental to poverty reduction. Declarations of human rights are intended to protect the poor from mistreatment by more powerful individuals and organisations such as Government, and guarantee access of the poor to basic services. Prior to 1994, Malawi's human rights record was amongst the poorest in the region, if not the world. Since then its record has improved. The Constitution through Sections 12 and 13 explicitly guarantees the right to basic economic and social rights. In addition, Government has ratified major international human rights instruments as well as key human rights related International Labour Conventions. A number of civil society organisations (including churches and NGOs) play the role of additional watchdogs. However, there is still limited observance and enforcement of human rights provisions. Issues of human rights have not yet taken centre stage because of conflicts between customary practices and the bill of rights, low level of professional skills in human rights organisations and inadequate systems to monitor human rights violations. In addition, the many human rights institutions in Malawi do not have clear roles and do not use their limited resources effectively.

1. Ensure observance of human rights

In order to address these problems, the capacities of the many human rights organisations will be developed by Government and its development partners. This will involve clearly defining their roles, hiring and training personnel and increasing funding where the organisations demonstrate their effectiveness. In addition, all public servants, particularly those in enforcement agencies, will be trained in human rights issues. Finally, efforts will be made to raise the awareness of citizens about their constitutional rights and obligations.

4.5 Cross Cutting Issues

In addition to the above components of the MPRS, there are a number of cross-cutting issues that are crucial and have been mainstreamed in the four Pillars. A detailed discussion of these cross-cutting issues is meant to underline their importance for poverty reduction.

4.5.1 HIV/AIDS

Malawi has one of the highest HIV infection rates in the world. HIV infection rapidly penetrated the population during the early 1980s and the impact of this in terms of illness and death is now being increasingly felt throughout the country. Recent estimates made by the National AIDS Commission indicate infection rates in women attending antenatal clinics varying from 13 percent in rural areas to nearly 25 percent in urban areas³⁷. In recognition of the fact that there is about 30 percent risk of mother to child transmission, the current high infection rates of HIV in women of child-bearing age suggest that many children are born HIV infected. The National AIDS Commission estimates the number of infected children at 65,000 in 2001³⁸.

Conservative estimates put the HIV infection rates in the 15-49 age group at around 15 percent nationally³⁹, and this rate is significantly higher in urban areas (25 percent) than in rural areas (13 percent). The HIV infection in people aged 15-49 is concentrated in younger age groups, particularly women. There is evidence that HIV infection in younger females aged 15-24 is about 4 to 6 times higher than the infection rate in their male counterparts. The NACP further estimates that 46 percent of all new adult infections in 1998 occurred in youth aged 15 to 24. Of these new infections, 60 percent of the new infections in young people occurred in women and 40 percent occurred in men. These already high infection rates seem to continue growing in spite of the apparent high awareness of HIV/AIDS amongst the general population. It should however be noted that most of these HIV infected individuals do not yet know their status.

The impact of the HIV/AIDS pandemic threaten all developmental efforts. For example, around 70,000 children become orphans every year, adding to the already large number of orphan, estimated at about 850,000⁴⁰. Further, there has been a three to four fold increase in tuberculosis (TB) cases, from 5,000 cases in 1985 to about 25,000 cases in 1999. High infection rates also cause increased absenteeism from work due to AIDS related illnesses and funerals, increased medical bills, funeral costs, and payment of premature death benefits. In

³⁷ National AIDS Commission (2001) *National HIV Prevalence Estimates from Sentinel Surveillance Data*

³⁸ National AIDS Commission (2001) *National HIV Prevalence Estimates from Sentinel Surveillance Data*

³⁹ *ibid.*

⁴⁰ Ministry of Gender, Youth and Community Services estimates

general, HIV/AIDS will continue to divert labour from productive activities to care provision, thereby increasing food insecurity and threatening the survival of communities.

There are clear links between HIV/AIDS and poverty. Poverty is one of the major underlying factors driving the epidemic. People living in the state of serious and worsening poverty are more vulnerable to HIV infection due to a number of factors. Firstly, they have poor access to health care facilities, both because they cannot afford to pay for quality care and that the general free health services are inadequately resourced as a result of the overall national poverty. This poor access to health care means that the people are in poor general health enhancing risk of HIV infection and progression of AIDS.

Secondly, in search of income for subsistence and survival, people living in poverty participate in labour migration which results in breakdown of male and female relations, increasing likelihood of multiple sexual partners or casual sexual partners and risk of HIV infection. In addition, women in poverty can be forced to enter into high risk sexual relationship in battering sex for subsistence. This increases their vulnerability to HIV infection. Finally, people who are poor also have poor access to information, including information on HIV/AIDS issues which is critical for them to make informed decisions and choices about their sex and sexuality. This is compounded by the fact that the poor also have poor access to education services and are generally illiterate to benefit from IEC campaigns.

Just as poverty deepens the HIV epidemic, the epidemic also deepens poverty in a serious vicious cycle. The HIV/AIDS affects the productive people in all sectors, who are central to poverty reduction. At national level, national productivity is reduced, and ability to provide social services diminished because of HIV/AIDS. Further, at community and individual level HIV/AIDS diverts household incomes to care, and reduces time spent on productivity thereby worsening poverty. Indeed unless HIV/AIDS is addressed comprehensively, including all the three components of a national response, namely prevention, care and mitigation, all attempts at poverty reduction will not succeed. HIV/AIDS erodes gains made on reducing poverty at a faster rate than any attempt to improve the poverty situation. Therefore, efforts to reduce poverty must go hand in hand with efforts to contain the HIV/AIDS epidemic.

These effects of HIV/AIDS on the productive population requires improvement of human resources planning and training in all sectors. In addition, it calls for well-designed

workplace programmes for prevention and mainstreaming HIV/AIDS as a factor of human resources management in all sectors. Given current levels of poverty and incomes in Malawi, it is highly unlikely that most Malawians will be able to afford any future effective AIDS drug. The only sustainable and effective strategy to combat HIV/AIDS is therefore prevention through behavioural change. However, there is increasing evidence that the response against HIV/AIDS will be more effective where prevention efforts are combined with care and impact mitigation services. To address the HIV/AIDS problem, Government has designed a Comprehensive National Strategic Framework, coordinated by the National AIDS Commission and supported by cooperating partners. The Strategic Framework directs the National HIV/AIDS response in the period 2000-2004. It forms the basis for formulating policies, operational programmes, projects and activities. The Strategic Framework has three main objectives: to reduce the incidence of HIV/AIDS, to improve the quality of life of those infected, and to mitigate against the economic and social impacts.

1. Reduce incidence of HIV/AIDS

The first strategy is to prevent HIV infection among the youth so as to maintain a youth free of HIV infection. This will involve incorporating HIV/AIDS in school curricula at all levels including teacher-training colleges. Further, adolescent reproductive health services will be increased, including voluntary counselling and testing, management of sexually transmitted infections, encouraging people to abstain from extra-marital sexual activities and increasing condom distribution and education on proper usage. Emphasis will also be put on the promotion of use and distribution of female condoms. Secondly, efforts will be made to improve implementation of HIV prevention activities for the general public including commercial sex workers. This will involve programmes for controlling mother to child transmission of HIV, voluntary counselling and testing services at all levels, strengthened blood safety, improved condom promotion, distribution and use, and promoting infection prevention practices in health facilities.

2. Improve quality of life of those infected with HIV/AIDS

The main strategy under this objective is to improve the management of HIV related conditions, including putting in place guidelines for treating Opportunistic Infections (OI) to improve care at both hospital and community levels. In addition, it is crucial that Government puts in place clear guidelines and policies for Anti-Retrovirals (ARVs) and negotiate for reduced prices to enable poor people to afford them. Finally, Government will

put in place standards and regulations on the management and control of drugs in general to ensure availability and access.

3. Mitigate against the economic and social impacts of HIV/AIDS

The mitigation of the impact of HIV/AIDS is essential if poverty reduction is to become a reality. Impact mitigation needs to be integrated into planning at all levels and across all sectors and actors. The first strategy is to provide frameworks that support those who are affected indirectly by the HIV/AIDS pandemic, such as orphans, widows, widowers and households. This will include supporting legislation on inheritance, introducing less labour intensive crops, and providing food to affected households. The second strategy is to work with herbalists and traditional healers. The third strategy is to include a budget line item in all line ministries for workplace programmes and other HIV related interventions. Finally, Government will improve the management and co-ordination of the HIV/AIDS response at national level, focusing on the strengthening of the National AIDS Secretariat and District AIDS committees.

4.5.2 Gender Empowerment

Inequalities and disparities between women and men are still very pronounced in Malawi and this is one of the major causes of poverty among women and men. It has to be noted that poverty has a gender dimension due to various social, economic and cultural constraints, options, opportunities and needs. As such, addressing gender inequality is a critical prerequisite for attaining increased economic growth and sustainable human development.

From independence to the 1980s, Malawi's efforts in the area of gender focused on targeting various initiatives at women, such as credit, family planning, domestic science and home economics. This Women in Development (WID) approach sidelined men and failed to address the fundamental causes of gender inequality. Further, the approach did not recognize women as active participants and beneficiaries in the development process. As a result, the impact of the interventions was less than anticipated. Consequently, a Gender and Development (GAD) approach has been adopted in recent years, which explicitly deals with gender relationships and includes both women and men in all initiatives. However, insufficient attention has been paid to the implementation of these initiatives. As a result, poverty in Malawi has increased in recent years with visible gender disparities in all sectors of the economy, becoming more persistent in agriculture, education, employment, health, politics and decision-making at all levels. Malawi is ranked 163 out of 174 countries in the

world, with a Gender Development Index (GDI) of 0.374, implying large disparities between women and men.

There is a positive relationship between the level of education and movement of social indicators. In Malawi social indicators reveal low education levels among women, with a 44 percent adult literacy rate for women against 72 percent for men. This affects women's access to gainful employment and other economic resources, and further contributes to the poor infant mortality and morbidity rates, high fertility rate, high HIV infection rate. This emphasises the need for greater gender equality in education.

Full-time female farmers make up 70 percent of the agricultural labour force. However, women continue to have limited access to agricultural extension, training and inputs. This situation is exacerbated by migration of men to towns and estates to seek paid employment, leaving behind low literate women to manage the farms and families. Consequently, over 71 percent of men are in formal employment compared to only 24 percent of women who are mostly concentrated in lowly paid and female-related traditional jobs such as nursing, teaching, home-craft and secretarial jobs.

Currently, very few women are in decision-making positions with almost 91.5 percent of all management positions being occupied by men compared to 8.5 percent females. There are only 17 women Members of Parliament compared to 193 men and only 8 women Cabinet Ministers against 29 men. As such, most of the decisions are male biased and perpetuate gender disparities.

In view of the current situation the national challenge on gender and empowerment is to create an enabling environment where, women, men, girls and boys are empowered to actively participate in, and benefit from socio-economic activities that meet their basic and strategic needs for poverty reduction and sustainable development. The following strategies will therefore be implemented in the context of the National Gender Policy and its mainstreaming:

1. Strengthen the institutional capacity for implementation of the National Gender Policy

Attaining this objective will involve strengthened sectoral linkages between the Ministry of Gender and other stakeholders, by establishing gender focal points in stakeholder institutions and developing tools for gender monitoring and evaluation. Once these linkages have been made, Government will build capacity for gender responsiveness, planning, implementation, monitoring and evaluation by training the gender focal points on gender analysis and establishing a gender documentation centre. Finally, Government will develop a policy on engendering Budgets.

2. Establish gender sensitive formal and informal legal environment

Firstly, Government will identify and document negative traditional practices, beliefs and values and disseminate information on the effects of these. Secondly, Government will facilitate a review of laws and legislation that impact negatively on women.

3. Eradicate gender based violence

Government will prevent occurrence of gender based violence and further establish and operationalise mechanisms for support of victims of violence and strengthen institutional capacity of all relevant stakeholders. This will involve expanding victim support units in police stations, sensitizing the public on expanding community based groups monitoring gender based violence, and incorporating gender based violence issues into the curriculum of training institutions.

4. Enhance women's participation in leadership and decision making processes

This will involve providing leadership and assertiveness training to women and girls, including training programmes and monitoring and evaluation of the effectiveness of the training.

4.5.3 Environment

Poverty and the environment are linked in a complex, cyclical relationship. High population growth, high illiteracy and poverty lead to environmental degradation by forcing the poor to rely on natural resources for survival (especially as regards fuelwood energy, agriculture, water, fisheries and wildlife). As a result, Malawi's natural resources are threatened by the demand placed on them by the poor leading to unsustainable levels of usage. It has been estimated that the discounted, economic loss in 1994 associated with the loss in soils,

forestry, fisheries and water was US\$240 million⁴¹ (See Pillar 1). It is estimated that 70-80 % of Malawi's biomass is burned in any one season from the burning of crop residue, bush and forest fires, use of fire for hunting and clearing grazing pasture, from wanton pyromania and for fuelwood. This burning is leading to catchment damage and erosion and there is now evidence that aquatic chemical changes in Lake Malawi can be attributed to the atmospheric fall out from fires.

The high degradation rates of the environment in turn exacerbate poverty, since the poor depend on the environment and natural resources for survival. In particular, soil erosion and degradation, deforestation, depletion and degradation of water resources, threats to fish resources and bio-diversity and the degradation of the human habitat that are caused by poverty themselves reduce the ability of the poor to survive and thrive. There is therefore urgent need to reverse this downward spiral.

In recent years, a number of measures have been taken to break this cyclical relationship. The National Environmental Action Plan (NEAP) of 1994 led to the National Environmental Policy of 1996. In order to implement the Policy, the Environment Support Programme was introduced in 1996 to be an umbrella investment framework for the integration of environmental concerns into national planning. This includes the production of bottom-up State of the Environment Reports and inclusion of mitigation actions in Environmental Action Plans at national, district and area levels. As a result of this effort, awareness of environmental issues has increased, and the concept of Community Based Natural Resource Management (CBNRM) has become established. CBNRM empowers communities to have joint control over their own natural resources, discouraging individual overuse and reducing damage from external actors.

However, despite all these efforts environmental degradation continues apace. The resulting environment strategy has three basic components:

1. Strengthen legal and institutional framework

This will involve mainstreaming environmental management into the local government administration, in particular the new assembly councillors. CBNRM will be encouraged through district by-laws, accelerating the devolution of responsibility for environment

⁴¹ National Environmental Action Plan, 1994

monitoring and planning to the local level, and ensuring that the new Land Policy is consistent with CBNRM by providing, in return for a licence fee, the private sector and communities time-bound, conditional access rights to resources. The concept shall be to treat environment as economic goods and to see that they are properly valued. Further strategies dealing with natural resources are described under Pillar 1.

2. Develop alternative livelihood strategies

The development of alternative livelihood strategies will ensure that the poor can survive and thrive without damaging the environment. This will be achieved by establishing a supportive technology development and transfer mechanism so that the poor change their behaviour, particularly with regards to use of fuel wood for energy and the wanton burning of biomass. Issues of energy are discussed under Pillar 1 as part of rural infrastructure. In addition, Government will promote trade and markets in non-consumptive, value-added products from natural resources so that the poor can benefit more by making and selling products from natural resources than by consuming (especially burning) those resources. Similarly, fiscal incentives such as tax breaks or small grants will be made available to communities (and private investors) so that they can practice sustainable resource management and income generation. Finally, under-developed resources such as deep-water fisheries and forest plantations will be commercialised. Strategies in these areas are described under Pillar 1 as part of natural resources.

3. Create mass environmental awareness

This will be achieved through integrating environmental issues into the school curriculum, providing training for communities in environmental management, initiating mass media campaigns based on prioritised environmental concerns (for example, anti-bush fire campaigns) and the dissemination of information to communities and political leaders. This will include the distribution of information on sustainable resource use with the targeted input distribution.

4.5.4 Science and Technology

Science and technology (S&T) contributes significantly to socio-economic development. This notwithstanding, Malawi is characterised by low application of science and technology in all sectors of the economy largely arising from poor integration of science and technology in socio-economic development planning. The low content of science and technology in national economic development programmes is a barrier to economic growth leading to the

high levels of poverty among Malawians. This situation is exacerbated by weaknesses in the national system for science and technology manifested in a weak framework for planning decision-making indicated by the lack of national guidance with respect to science and technology, inadequate attention to programmes that promote, coordinate and finance science and technology indicated by insufficient funding for S&T programmes and poor science culture, weak research and development institutions indicated by low quantity and quality of S&T human resources and poor institutions' infrastructure, and low quality scientific and technology services indicated by lack of and ineffective S&T information services.

Government has taken measures to address these constraints with the development of a new S&T policy as the starting point. The policy attaches great importance to the assurance of political commitment to S&T, integration of S&T into national development planning, maximization of productivity through the application of S&T, promotion of international cooperation, creation of a conducive policy environment for the advancement of science and technology, investment in and retention of S&T human resources, promotion of sustainable socio-economic development; and promotion of S&T culture among civil society.

In view of the current situation the objectives of S&T are to improve the capacity and capability of the national system for science and technology; intensify promotion and transfer of technologies to key livelihood systems; increase investment in research and development in Science Engineering and Technology (SET); enhance the role of science and technology in the expansion, diversification and sustainability of national production systems; improve and increase productivity of national production systems; and encourage value addition to raw materials and indigenous knowledge systems. The achievement of these objectives will create the enabling environment for S&T to contribute to poverty reduction in a sustainable manner. The following strategies will be implemented in the context of the National Science and Technology Policy and its mainstreaming.

1. Strengthen national science and technology capacity

Government will build the capacity of the national system for science and technology. This will be achieved by improving the framework for planning and decision-making through the adoption of a new National Science and Technology Policy and the establishment of a National Commission for Science and Technology Act. In addition, Government will, in partnership with the private sector, improve the promotion, coordination and financing of

science and technology; and outline a comprehensive human resources development and management programme for science and technology.

2. Intensify the application of science and technology

Key measures to be taken will be to improve sustainable productivity in the major livelihood systems of agriculture and livestock production, enterprises and fisheries by implementing national technology transfer programmes in these livelihood systems. Research in science and technology will be diversified through multidisciplinary research institutions including the Malawi Industrial Research and Technology Development Centre (MIRTDC) which is the only industrial research institute. Intensified application of science and technology will be facilitated by the creation of a science and technology culture in order to encourage appreciation of S&T in Malawian society.

3. Enhance utilization of information and communication technologies

Enhanced utilization of information and communication technologies will improve mass communication, information retrieval; and facilitate the establishment of national and sectoral databases thereby enhancing access to the technologies whose use will reduce poverty.

Government will provide a favourable ICT regulatory and operating environment by developing a national ICT policy and related action plans which will integrate ICT utilization and development into Malawi's social economic and poverty reduction strategies. In particular, the Government will enhance provision of infrastructure for enhanced communication and information exchange, invest in ICT for education, vocational training, health, agriculture, financial management, governance, and development of ICT skills.