



**46th session of the Human Rights Council
Geneva, 22 February - 23 March 2021
Item 6: Adoption of the final report UPR Malawi (A/HRC/46/7)**

Madam President,

The International Catholic Child Bureau (BICE) and the African Network for Prevention and Protection of Child Abuse and Neglect (ANPPCAN) Malawi Chapter welcome Malawi's engagement in the Universal Periodic Review process and note with appreciation the measures and public policies adopted since its last review in 2015, including :

- **The National Strategy for Adolescent Girls and Young Women (2018-2022) ;**
- **The National Program for the Abolition of Child Marriages (2018-2022).**

However, the high number of recommendations issued by several States on different child related issues, including child marriage¹, child trafficking², birth

¹ A/HRC/46/7, §§ 122.64 Redouble efforts to implement legal provisions prohibiting harmful practices (such as child or forced marriage, female genital mutilation, “widow cleansing” and ceremonies that lead to abuse), ensuring prompt and thorough investigation of all offences and providing all necessary assistance to the victims (Brazil);122.65 Effectively implement the existing legal provisions prohibiting harmful practices, including female genital mutilation and child, early and forced marriage, and ensure that all reports of harmful practices are investigated and that victims have access to effective remedies (Latvia); 122.66 Continue efforts to eradicate harmful practices, in particular female genital mutilation, forced and early marriage, polygamy and others (Ukraine); 22.141Enact appropriate measures and legislation to fight against all forms of discrimination and violence against women, including harmful practices such as child, early and forced marriage and female genital mutilation (Italy); 122.162 Continue its fight against child marriage, child labour and child trafficking, and better protect the rights of the child (China); 122.164 Enhance the protection of children, especially by implementing laws on child marriage and by strengthening accountability in cases of sexual abuse, child labour and trafficking (Germany); 122.168 Take specific measures in order to reduce child marriage (Angola);122.169 Adopt all necessary measures to eradicate child marriage, and develop comprehensive awareness campaigns and programmes on the provisions that criminalize harmful practices and on the damage they do to children, as well as campaigns on the harmful effects of child marriage on girls'physical and mental health and well-being (Argentina);122.170Harmonize laws and adequately fund the National Strategy on Ending Child Marriage (2018–2023) with a view to taking all necessary measures to end child, early and forced marriage (Belgium);122.171Strengthen the legal and institutional framework to combat child marriage (Burkina Faso);122.172 Strengthen the efforts being made to put an end to child marriage (Sudan);122.173 Increase efforts to end child marriage in practice and ensure that the existing legal protections against child marriage are fully implemented (Japan);122.174 Continue with efforts aimed at improving the situation of child rights, especially regarding the prevention of child marriage, child trafficking and child labour (Libya);122.175 Take all measures to eliminate child marriage and put in place comprehensive awareness campaigns and programmes on the provisions criminalizing harmful practices and the negative consequences thereof on children (Luxembourg);122.176Strengthen measures to eradicate child marriage, criminalize the crimes of the sale of children and child pornography, and reinforce the conditions to make compulsory and free primary education effective (Mexico);122.177 Continue the efforts to end child marriage with an increased budget allocation for implementation of the national strategy (Myanmar);122.178 Allocate adequate funding for the implementation of the National Strategy on Ending Child Marriage and to invest in girls' education as an important intervention to prevent child marriage (Netherlands);122.179 Adopt all measures to end child marriage and review budget allocations in order to spare enough funds for the implementation of the National Strategy on Ending Child Marriage (Turkey); 122.180 Address early childhood and forced marriage (Sierra Leone);

registration³, worst forms of child labor⁴, as well as violence, neglect and sexual abuse⁵ committed against children, alerts about the magnitude and the strong negative impact of these phenomena on the rights of the child. The COVID-19 pandemic has worsened the situation. For example, according to a report by the Ministry of Gender, during the closure of schools, early pregnancies and forced marriages among adolescents increased significantly as pointed out by the High-Commissioner for Human Rights in her updates of 26 February. Hence, in Mangochi District alone in the East of the country, there was an exponential increase in early pregnancies compared to the same period in 2019 where (only) 166 girls aged 10-14 have experienced early pregnancies. The same trend is observed in Phalombe where 1,000 teenage girls became pregnant; there are 400 in Mzimba, 324 in Nsanje, 64 in Blantyre, 58 in Nchinji, and 20 in Kasungu⁶. Unfortunately, these girls will no longer continue their studies. Ultimately, this situation jeopardizes efforts for gender equality, the enhancement of women's empowerment and their participation in the decision-making processes.

Malawi should provide adequate resources to effectively implement its programs for children and, in particular, take the necessary steps to:

- **Prosecute and punish those who violate the 18-year constitutional age of consent to marriage adopted since 2017;**
- **Facilitate the return to school of girls who are victims of early pregnancy;**
- **Criminalize child sexual abuse with dissuasive sanctions;**
- **Join the Global Partnership to End Violence against Children to translate its regional and international obligations, commitments and pledges into concrete actions;**
- **Integrate the protection of children from domestic violence and abuse in schools and in the community into its recovery program.**

Thank you Madam President

² A/HRC/46/7, §§ 122.99 Vigorously investigate and prosecute sex and labour traffickers, including those who engage in forced labour and those who use child labour, and appropriately sentence convicted perpetrators, including government officials complicit in such crimes (United States of America); 122.101 Ensure that all cases of children, child prostitution and child pornography are effectively investigated, and perpetrators prosecuted and punished (Zambia); 122.102 Continue to fight against human trafficking and its root causes, as well as against the sexual exploitation of women and girls, in accordance with targets 5.2 and 8.7 of the Sustainable Development Goals, by setting up programmes to increase skills and women's income (Switzerland); 122.103 Ensure the protection of victims of trafficking by prioritizing access to justice for victims and the effective prosecution of the perpetrators of such acts (Switzerland); 122.104 Prioritize prosecution of sex trafficking and conclude the cases within a reasonable time, as well as providing training to judges, prosecutors and security forces (Israel).

³ A/HRC/46/7, § 122.163 Maintain efforts to promote and protect the rights of children and adolescents, including in relation to birth registration, the eradication of child exploitation and the reduction of infant and maternal mortality (Cuba).

⁴ A/HRC/46/7, § 122.166 Redouble efforts to finalize the child labour policy and the child protection policy to protect children from the worst forms of child labour (South Sudan).

⁵ A/HRC/46/7, §§ 122.164 Enhance the protection of children, especially by implementing laws on child marriage and by strengthening accountability in cases of sexual abuse, child labour and trafficking (Germany); 122.167 Criminalize the sexual abuse of children (Montenegro); 122.100 Take steps aimed at criminalizing child sexual abuse (Zambia).

⁶ A/HRC/46/NGO/108, written communication submitted by BICE to the 46th session of the Human Rights Council.