




Preventing Violence Against Women and Girls in Malawi:

A Policy Brief to Support Decision Makers

Violence against Women and Girls (VAWG) continues to cause injustices in various spheres of life and according to the Malawi Demographic Health Survey (DHS, 2015), **41% of women aged 15 to 49 have experienced either physical or sexual violence, and 96% of incidences are perpetrated by men.**¹




Success in preventing VAWG depends on dedicated leadership, with foresight and focused attention.

Policy and decision makers must act urgently and decisively to address this acute problem. This is especially critical in view of the gendered impacts of the COVID-19 pandemic. VAWG is a recognized public health issue, and risks to women have intensified during the COVID-19 pandemic. The UN and other development partners in Malawi appreciate the need to pay serious attention to VAWG amidst COVID-19, so much so that they call it ‘the shadow pandemic’.² Indeed, during COVID-19, Malawi, like many other countries, has witnessed an increase in VAWG cases especially physical and sexual violence while at the same time, response services are being disrupted.³ When it comes to violence, it is clear that Malawi is not a safe place for women and girls.

Lessons from research and programming show that VAWG is preventable. Efforts of stakeholders in Malawi need political will for focused, time-sensitive coordination, sustainable funding and equitable grassroots organising. Success in preventing VAWG depends on dedicated leadership, with foresight and focused attention. It is also essential for decision makers to collaborate with the women’s movement for coordinated action in ensuring that the lives of women and girls of Malawi can be free from violence.

This policy brief is intended to support policy and decision makers to effectively address VAWG. First, we provide a brief overview of VAWG and relevant policy commitments. Next, we review the specific context in Malawi, highlighting gaps to address and strengths to build on. Finally, we conclude with several urgent actions that are necessary for meeting our national commitments to prevent violence against women and girls.



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1 National Statistical Office (NSO) [Malawi] & ICF. (2017). Malawi Demographic and Health Survey 2015-16. Zomba, Malawi, and Rockville, Maryland, USA. NSO and ICF. <https://dhsprogram.com/pubs/pdf/FR319/FR319.pdf>

2 UN Women. (2020). COVID-19 and Ending Violence Against Women and Girls. UN Women. <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2020/issue-brief-covid-19-and-ending-violence-against-women-and-girls-en.pdf?la=en&vs=5006>

3 UN Women. (2020). What happened after COVID-19 hit: Malawi. UN Women. <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2021/report-on-the-un-women-global-response-to-covid-19-en.pdf?la=en&vs=1258>

I. Overview Of VAWG, Policies and Legislation

Violence against women affects nearly **one in three** women around the world. In Africa, physical violence against women is particularly high, with nearly half of countries reporting a prevalence of over 40%.⁴ **The most common form of VAW is intimate partner violence (IPV) by a former or current partner with Sub-Saharan Africa at a 33% prevalence rate.**⁵

VAWG also has a large financial toll on societies overall, as women who experience violence are unable to fully participate in their places of work, communities, and families. While many factors may exacerbate violence (such as poverty and alcohol use), gender inequality is the root cause of violence against women, as reflected in the definition in Box 1.

Prevention efforts transform the root causes that lead to VAWG in the first place. Response efforts secure services, resources, and support for VAWG survivors. Prevention and response interventions require different approaches. Both are essential for eliminating violence against women and supporting survivors to access justice and heal; as noted above, this brief is focused on the prevention of violence

Box 1. Definition of VAW

Violence against women “is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women, and that violence against women is one of the crucial social mechanisms by which women are forced into a subordinate position compared with men.”
United Nations Declaration of the Elimination of All Forms of Violence Against Women.

Existing Frameworks And Commitments To Prevent VAWG

Over the past two decades there has been extraordinary growth in international, regional and national efforts to address VAWG in Africa. By linking to these important frameworks, policy and decision makers can enhance their leadership, credibility and impact.

International Commitments

Through Sustainable Development Goal 5: Achieve gender equality and empower all women and girls - the UN set a new global framework for progress in eliminating VAWG. In addition, bi-lateral organizations, private foundations, and international resourcing initiatives have scaled up investments in programmes and research aimed at VAWG prevention.

Regional Commitments

Across Africa, there has been a rise in the implementation of regional policy commitments to ending VAWG. This is exemplified by the Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa – the **Maputo Protocol**⁶, adopted in 2003 and went into force in 2005. It expands definitions of VAWG to include economic violence and recognizes violence in the family, at work, in the community and in conflict. At sub region level, the **SADC Protocol on Gender and Development (2008)**⁷ provides for the empowerment of women, elimination of discrimination and promotion of gender equality through gender responsive legislation, policies, programmes and projects.

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4 Raising Voices & African Women’s Development Fund. (2019). *Preventing Violence Against Women—A Primer for African Women’s Organisations*. https://raisingvoices.org/wp-content/uploads/2019/08/Raising_Voices_Primer_English.pdf

5 W.H.O. (2019). *Violence against women Intimate partner and sexual violence against women*. World Health Organization. <https://apps.who.int/iris/bitstream/handle/10665/329889/WHO-RHR-19.16-eng.pdf?sequence=1&isAllowed=y>

6 Maputo Protocol

7 SADC Protocol on Gender and Development 2008

National Commitments

Due to increased activism and funding, Malawi has formalized their responsibility to prevent VAWG in national policies and legislation. Malawi has passed progressive legislation on VAW and this is evidence of the important role of policymakers as agents of change. The Malawian legal framework—including the Constitution—establishes a strong foundation for upholding individual rights, including non-discrimination and safety. In addition, the **Prevention of Domestic Violence Act (2006)**⁸ and the **Gender Equality Act (2013)**⁹ provide important protection for women and girls against physical, sexual, psychological, or economic violence as well as “social or customary practices” deemed harmful. **The Marriage, Divorce and Family Relations Act (2015)**¹⁰ and subsequent **Constitutional Amendment (2018)** protects women and girls from the abuses peddled by the patriarchy of early marriage and the domesticity.



Among ever-married women in Malawi age 15-49, 42% have experienced physical or sexual violence from a spouse.

ii. Current VAWG Landscape

Understanding VAWG in Malawi

The most common form of VAWG in Malawi is intimate partner violence (IPV). Among ever-married women in Malawi age 15-49, 42% have experienced physical or sexual violence from a spouse. Among never married women, a current/former intimate partner is the most common perpetrator (38%) of violence.¹ Among women age 18-24, 22% experienced sexual abuse before the age of 18 years with 68% of victims experiencing multiple incidents of sexual abuse.¹¹ The violence that women and girls face presents a major barrier to their realization of full and equal rights and has severe emotional, physical, sexual, and economic consequences.



The unequal status of women and hierarchical power relations leave women more vulnerable to violence in both the formal and informal spaces of Malawi.

Violence is the result of a gender hierarchy that positions men above women and grants them more power while, at the same time, defines women as subservient and inferior. This unequal and unjust dynamic licenses men to use power over women, including violence as a means of “discipline” and sexual control, creating systems that excuse and normalize VAWG in private and public spaces. These systems operate within personal, community, institutional and national levels, therefore, facilitating structural violence. VAWG as a product of patriarchy, explains why it is mostly women and girls that suffer this kind of violence. Although both men and women can experience sexual and gender-based violence (SGBV), the root causes are different; violence against women and girls is caused by structural gender inequality. The unequal status of women and hierarchical power relations leave women more vulnerable to violence in both the formal and informal spaces of Malawi.



⁸ The Prevention of Domestic Violence Act 2006

⁹ Gender Equality Act 2013

¹⁰ The Marriage, Divorce and Family Relations Act 2015

¹¹ UN Women. (2019). Perceptions Study on Social Norms around Violence Against Women and Girls in Malawi. UN Women. <https://www2.unwomen.org/-/media/field%20office%20africa/attachments/publications/2019/perceptions%20study%20on%20social%20norms%20around%20violence%20against%20women%20and%20girls%20in%20malawi-web.pdf?la=en&vs=144>

The Women's Movement

The country's vibrant women's movement represents a key strength that also contributes to enforcing the progressive legislations described under 'National Commitments' above. For instance, the **Women's Manifesto (2018)**¹² lays out an advocacy agenda on the fulfilment of women's rights, coordinated by diverse women's rights organisations (WROs) and institutions participating in the Women's Manifesto Movement. At the local level, 'Women Forum and Community Action Groups' lead community mobilisation and engagement and provide critical support for women experiencing violence.

Gaps to Address

The main problem in regard to preventing VAWG is that the lack of political will makes our interventions reactive and therefore, always behind the problem. Oftentimes our policy and decision makers are focused on responding to violence against women and girls; only taking action after violence occurs rather than working to prevent violence in the first. This reactive mode is related to several other issues:

- **Weak implementation of laws and policies**

Despite the existence of relatively strong laws and policies to address VAW, implementation and enforcement remain weak due to limited funding and resources; inadequate knowledge among duty bearers in applying, interpreting, and enforcing laws; inadequate monitoring and oversight mechanisms; among others.

- **Limited programming addressing gender-inequitable norms and practices.** Gender transformative approaches are essential for VAW prevention. There is a dearth of long-term funding available to support such programming in Malawi. Most programming is project driven, with short implementation timeframes, which undermines sustainability, ownership and impact.

- **Structural inequalities and women's lack of access to resources and services, which has been exacerbated by the COVID-19 pandemic.** This pandemic has highlighted already existing gender inequalities and gaps in VAWG response services and prevention programming.

¹² Women's Manifesto 2018

III. Recommended Actions



a) Political will and coordination: Strengthening laws and policies

There is an urgent need for political will to:

- **Prioritise implementation and enforcement** of existing legislation addressing VAW, in particular by developing regulations and training duty bearers in operationalising the said policies and legislations.
- **Review and adopt the next National Plan of Action (NPA) against Gender Based Violence¹³**, ensure it is fully funded and includes a robust monitoring and evaluation framework.
- **Enact Gender Responsive Budgeting (GRB) legislation** so VAWG is more locally funded and owned. This will facilitate proactive VAWG preventive budgets such as comprehensive sexual reproductive health rights (CSHRH) and VAW Prevention Edutainment. GRB will also facilitate the set-up of accountability mechanisms/frameworks that hold constitutional human rights institutions financially accountable, audit national policies and institutions like the COVID-19 taskforce on VAWG prevention policies and provide implementation oversight. With these accountability mechanisms in place, parliament can follow the VAWG funding and ensure that constitutional bodies are giving timely reports.
- **Identify—and hire—expert trainers to orient duty bearers on the Gender Transformative Curriculum validated in 2019.** This will deepen understanding and adherence to fundamental principles of gender equality throughout the education and justice sector institutions (both formal and informal) allowing for higher quality implementation of policies to prevent VAWG (among others).



b) Collaboration with the Women's Movement

- **Collaborate with women's movements to promote grassroots advocacy and focus on violence prevention and service provision at the community level.** Doing so effectively will require that reporting, enforcement and accountability mechanisms related to SGBV are accessible and effective, especially during this COVID-19 period.
- **Facilitate direct grant-making to community based women's rights organisations,** particularly groups addressing: the root cause of VAWG, the multiple and systemic forms of female oppression, and the culture of victim blaming and excusing VAWG that is so prevalent at individual and institutional levels. Strengthening these CBOs and CSOs will help prioritise meaningful sustainable solutions to women and girls at community level and access to quality services.
- **Promote opportunities for key actors within the Women's Manifesto Movement** to meaningfully participate and provide input into policy forums, as well as connect to other WROs to strengthen cross learning and collaboration across the women's movement.
- **Ensure that WROs retain leadership of all VAW initiatives,** including the 'Male Engagement Strategy' initiated by the Ministry of Gender. This is essential to keep women's needs and priorities at the centre.

¹³ National Plan of Action (NPA) against Gender Based Violence



As a decision maker in Malawi, you have a tremendous opportunity to take actions that address help prevent violence against women and girls in our country. The women's movement looks forward to supporting your leadership, collaboration and action. For more information, reach out to Malawi Human Rights Resource Centre (MHRRC) at info@humanrights.mw.

