

<b>Country</b>	<b>Malawi</b>
<b>SIGI 2019 Category</b>	<b>High</b>
<b>SIGI Value 2019</b>	<b>41%</b>

<b>Discrimination in the family</b>		<b>38%</b>
	Legal framework on child marriage	25%
	Percentage of girls under 18 married	27%
	Legal framework on household responsibilities	50%
	Proportion of the population declaring that children will suffer if mothers are working outside home for a pay	-
	Female to male ratio of time spent on unpaid care work	6.9
	Legal framework on inheritance	50%
	Legal framework on divorce	25%

<b>Restricted physical integrity</b>		<b>24%</b>
	Legal framework on violence against women	50%
	Proportion of the female population justifying domestic violence	16%
	Prevalence of domestic violence against women (lifetime)	38%
	Sex ratio at birth (natural =105)	105
	Legal framework on reproductive rights	75%
	Female population with unmet needs for family planning	19%

<b>Restricted access to productive and financial resources</b>		<b>37%</b>
	Legal framework on working rights	100%
	Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay	20%
	Share of managers (male)	84%
	Legal framework on access to non-land assets	25%
	Share of house owners (male)	55%
	Legal framework on access to land assets	25%
	Share of agricultural land holders (male)	68%
	Legal framework on access to financial services	25%
	Share of account holders (male)	62%

<b>Restricted civil liberties</b>		<b>62%</b>
	Legal framework on civil rights	100%
	Legal framework on freedom of movement	75%
	Percentage of women in the total number of persons not feeling safe walking alone at night	69%
	Legal framework on political participation	25%
	Share of the population that believes men are better political leaders than women	-
	Percentage of male MP's	83%
	Legal framework on access to justice	25%
	Share of women declaring lack of confidence in the justice system	63%

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0%, 25%, 50%, 75% or 100%. See data source [here](#).

Source: OECD (2019), Gender, Institutions and Development Database, <https://oe.cd/ds/GIDDB2019>.

## Discrimination in the family

### a) Overarching legal framework for marriage

In 2015, Malawi passed the Marriage, Divorce and Family Relations Act. Key provisions in the bill include the recognition and same legal status for civil, customary and religious marriages, as well as marriage by reputation or permanent cohabitation. Informal unions that fall into the latter categories must meet certain requirements (e.g. length of relationship, cohabitation, existence of children) for the marriage to be legally recognised. The new law also offers additional protections for the welfare and maintenance of spouses, unmarried couples and their children, and single mothers (Marriage Divorce and Family Relations Act, 2015).

Most recently, the Government of Malawi amended the Constitution to align it with the minimum age of marriage of the Marriage, Divorce and Family Relations Act. Previously, the Constitution allowed for the marriage of children from age 15 years to 18 years with parental consent. Now the amendment places a restriction to marriage to those 18 years or older (Girls not Brides n.d.).

Same sex marriage is yet to be recognised in the country. In 2011, the president approved an amendment in the penal code that criminalizes same sex relations between consenting adults, placing a punishing of up to five years in imprisonment (Joint Malawi Civil Society Organisations, 2015). Further, under the amended Marriage Act, marriage is defined as a union between two persons of the opposite sex, as is also stated in the Constitution (Section 22) (The Marriage, Divorce and Family Relations Act, 2015).

### b) Child marriage

The prohibition of child marriage is underscored in several pieces of legislation, including of the Child Care, Protection and Justice Act 2010 (Section 81 and 82) which prohibits child marriages as well as the betrothal and pledge of a child; and the Marriage, Divorce and Family Relations Act 2015 which sets the universal minimum age for marriage at 18 years old for women and men. The Government of Malawi amended the Constitution in 2017 to reflect the minimum age of marriage as defined in the Marriage, Divorce and Family Relations Act to 18 years old for women and men with no expectations. This amendment now bans the former provision of allowing parental consent for marriage for girls and boys between the ages of 15 to 18 years (Girls not Brides n.d.).

Despite these legal prohibitions, child marriage and related harmful practices continue to be practiced. Under customary and religious tradition, puberty is commonly used as a marker to determine whether a person is ready for marriage (Human Rights Watch, 2014). In some communities, the ritual of initiating girls into womanhood may be practiced. The ritual serves to prepare girls for marriage by training them on how to engage in sexual acts, where some as young as 10 years old are forced to have sexual relations with older men (US Department of State, 2017). A contributing factor in the perpetuation of child marriage tends to be the economic situation of families. Often in rural areas, girls will be married at very young ages to improve a family's financial situation, to repay a debt, or to

receive a loan or livestock (a practice otherwise known as "Kupimbira") (Human Rights Watch, 2014; US Department of State, 2017).

### c) Household responsibilities

By law, women share equal rights and protections as men regardless of the marital status (Constitution 2004, Art 24). Further, the law affords both women and men equal legal status in any form of marriage (civil, customary, religious, cohabitation) (The Marriage, Divorce and Family Relations Act, 2015).

Even so, discriminatory stereotypes and deep-rooted patriarchal attitudes continue to dictate the roles and responsibilities of women and men in the household and in society at large (CEDAW, 2015). In many communities in Malawi, unpaid care work is commonly performed by volunteer care givers, mainly women (Joint Malawi Civil Society Organizations, 2015). In rural areas, while women do participate in the economic generating activities of the household (e.g. commercial farming), they do not have any control of the finances of the household. In practice, the man is the head of the house and therefore the overall decision maker in the household. In some cases, there are reports that family finances are spent by men on alcohol or prostitutes (Joint Malawi Civil Society Organisations, 2015; CEDAW 2015).

With regard to children, both women and men have the same rights to be the legal guardian (Child Care, Protection and Justice Act 2010, The Marriage, Divorce and Family Relations Act, 2015). Under the new Marriage Act, spouses have equal duty to provide for their family both financially (proportionate to their income) and non-monetarily (such as child rearing).

### d) Divorce

Under the Marriage, Divorce and Family Relations Act (2015), any party to the marriage may petition for a divorce on the grounds that the union has irrevocably broken down (e.g. adultery, rape, abandonment, cruelty, or mental illness). Further, the Act serves to ensure that the property is equitably divided and re-allocated upon dissolution of marriage based on various factors such as the income, assets, obligations, and the direct and indirect contributions made by either spouse to determine property division. Moreover, either spouse may apply for a petition for maintenance with respect to financial support to be used for shelter, food or education for themselves or their children (Marriage, Divorce and Family Relations Act, 2015). With regard to the custody of children, the court shall also have the power to award custody in favour of either of the parents based on the best interests of the child (Marriage, Divorce and Family Relations Act, 2015).

Particularly in rural areas, de-facto divorce proceedings and the division of marital property adhere to customary practices, which vary from one ethnic group to another. In Malawi, ethnic groups are generally guided by matrilineal or patrilineal structures, which have an influence on the ownership of property and are often discriminatory towards women (Berge, Kambewa, et al, 2014; Women's Legal Resource Centre, 2011). For example, in matrilineal societies, the couple lives in the women's place of origin after marriage, allowing the wives to continue to have access to familial land. Upon divorce however, these wives may have to relinquish their land to their maternal uncles who are generally seen as the heads of the clan. In patrilineal societies, women move to the domicile of her husband, losing rights to her familial land. Once divorced, women may immediately lose rights to her husband's (or jointly) held land (Women's Legal Resource Centre, 2011).

In 2011, the Malawian government adopted the Deceased Estates (Wills, Inheritance and Protection) Act providing female and male heirs with the same inheritance rights to their ancestral property. The Act also sets protection for female surviving spouses by ensuring the same rights that would be afforded to male surviving spouses and criminalizing property dispossession and grabbing (Deceased Estates Act, 2011). Moreover, the act has provisions for the deceased who had more than one spouse, even though bigamy is prohibited under civil law (Deceased Estates Act, 2011).

In practice, particularly in rural areas, inheritance is guided by the matrilineal and patrilineal customary law (WLSA, 2014). In both systems, there are disparities between women and men in the access, control and ownership of customary lands, where the disparities favor men (WOLREC, 2011). In matrilineal systems, while the inheritance of property is passed down the matrilineal line, the maternal uncle is traditionally the key decision maker who has full authority over the ownership of familial property. While ownership is allowed for married women in matrilineal societies, it is still the view that the husband should have the ultimate authority over the use of land. In patrilineal societies, inheritance generally passes through sons or male relatives, excluding all groups of women from land ownership with the exception of woman acting as a proxy for her children (WOLREC, 2011).

For widows in Malawi, their access to land is largely dependent on the “good will” of their male relatives (WOLRC, 2011). Widows however are often stigmatized and may end up living in extreme poverty. In some communities, widows are subjected to funeral rites such as “widow purification,” which may include loss of social status and property dispossession (Joint Malawi Civil Society Organisations, 2015).

### *More*

Under the Marriage, Divorce and Family Relations Bill (2015), there is a clear prohibition on polygamy of which includes penalties of imprisonment and monetary fines. Yet, the practice continues to be practiced in the country and there is a lack of harmonization on polygamy in legislation (e.g. Deceased Estates Act has provisions for polygamous marriages) and the prevailing authority of customary laws (US State Department, 2016). Women living in rural areas, who are less educated as well as women who reside in the northern region of the country are more likely to have co-wives (DHS, 2017). Many women who find themselves in this situation choose not to divorce their husbands because they financially and socially depend on them (Joint Malawi Civil Society Organisations, 2015).

## **1. Restricted Physical integrity**

### **a) Violence against women**

In 2005, Malawi ratified the protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa (“The Maputo Protocol”). According to the state’s Constitution, any international agreement ratified by an Act of Parliament shall form part of the law of the Republic if so provided for in the Act of Parliament ratifying the agreement (Art. 211, 1966).

The protection of the rights of women with regard to their physical wellbeing is provided for in the state Constitution (section 13, 24, and 2004). Moreover, the Penal Code 1930 (section 137) states that

any person who unlawfully and indecently assaults any woman or girl shall be liable to imprisonment for fourteen years. In 2006, the government passed the Domestic Violence Act, and in 2010, the Child Care, Protection and Justice Act; both key pieces of legislation that provide protections for women and young girls, including physical, sexual, psychological, or financial abuse as well as any “social or customary practice that is harmful to the health or general development of the child”, thus providing the potential for wide protections.<sup>37</sup> (CDC, UK, and UNICEF, 2014). In 2013, the Violence against Children and Young Women Survey (VACS) was conducted in Malawi, the first national survey of its kind. Additionally, a National Action plan was developed to support the implementation of these laws, The National Response To Combat Gender Based Violence 2008-2013, and the more recent updated plan, the National Plan of Action to Combat Gender-Based Violence in Malawi 2014 – 2020.

Despite these institutional mechanisms to prevent violence against women, it still is a widespread problem in the country. Factors contributing to its prevalence include corruption and lack of training in enforcement agencies, prevailing religious and cultural beliefs that discriminate against women, and ingrained stereotypes and patriarchal attitudes regarding the roles and responsibilities of women and men in the family and in society (Joint Malawi CSO, 2015; CEDAW, 2015). Further, there is a lack of adequate services and protection for survivors of violence, including weak reporting mechanisms and the absence of awareness campaigns to sensitize women about their rights, allowing violence against women to thrive (Center for Reproductive Rights, 2015).

### **b) Domestic violence**

In 2006, the government passed the Prevention of Domestic Violence Act , wherein it defines “domestic violence” as “includes physical, sexual, emotional or psychological or financial abuse committed by a person against a spouse, child, any other person who is a member of the household, dependant or parent of a child of that household”. The Act also recognizes domestic relationships that are or have been in existence of more than 12 months. To further support the law, the state developed the National Plan of Action to Combat Gender-Based Violence in Malawi 2014 – 2020, which makes provisions to ensure integrated services for survivors of violence, including shelters, health, psychosocial and legal services.

In practice, spousal abuse is an accepted practice in some parts of the country stemming from adverse stereotypes and attitudes towards wives and women; a recent survey on violence against women examined attitudes towards the role of gender in domestic partner violence and found that both women and men endorsed beliefs such as, that ‘men should decide when to have sex’, that ‘men need more sex than women’, and that ‘women should tolerate violence in order to keep their family together’ (CDC, UK, and UNICEF, 2014).

### **c) Rape**

Sexual Violence, and in particular rape, is criminalized by law under the state’s Penal Code (section 132) as well as in Marriage, Divorce and Family Relations Law (Section 62). The penal code, defines rape as “any person who has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent if the consent is obtained by force or means of threats or intimidation of any kind, or by fear of bodily harm, or by means of false representations as to the nature of the act,” excluding the potential for men or boys to be victims of rape. The offence is punishable with death or

imprisonment for life with or without corporal punishment (Penal Code, 1930). In Malawi, rape is widespread, where reportedly rape arrests and convictions were an almost a daily occurrence (US Department of State, 2017).

Marital Rape is not specifically mentioned in the penal code, however women can seek justice through other state legislation, including the Prevention of the Domestic Violence Act (2006), which considers sexual abuse by an intimate partners as a form of domestic violence; as well as the Marriage, Divorce and Family Relation Law (2015), which protects women undergoing judicial separation from their husbands. Still, by not explicitly regulating spousal rape, the law remains unclear and is at the discretion of the courts to interpret the law, which allows for inconsistencies in its application and thus women unprotected (Center for Reproductive Rights, 2015).

#### **d) Sexual harassment**

The Gender Equality Act (2012) makes clear that sexual harassment in all forms of “unwanted verbal, non-verbal or physical conduct of a sexual nature” is prohibited, in the public space and work place. The Act further stipulates that the offence is subject to fines and imprisonment. Civil Society organisations in Malawi report that sexual harassment is often underreported due to the fear of losing one’s job and the lack of mechanisms in place to report sexual harassment in the work place (Joint Malawi CSOs, 2015).

#### **e) Female genital mutilation**

To date, there is no specific legislation addressing Female Genital Mutilation (FGM). The Child Care, Protection and Justice Act (2010) does prohibit harmful cultural practices, which it broadly defines as “social or customary practice that is harmful to the health or general development of the child”, but it does specifically include FGM. In 2014, a UN Human Rights Committee report expressed concern with regard to the practice of FGM on girls between ages of 10 and 15 years in some regions of the country (Universal Period Review, 2014; US State Department, 2017).

#### **f) Abortion**

The state Penal Code (Sections 149-151, 1930) criminalizes abortion in all cases except to save a woman’s life. The restrictive law has garnered much attention as unsafe abortion is the second leading cause of maternal mortality in the country and Malawi has one of the highest maternal mortality rates in the world (IPAS, 2015; Center for Reproductive Rights, 2015). It has been noted that the Malawi Law Commission has put efforts for law reform and recently submitted a revised Abortion Bill for consideration by the Parliament (IPAS, 2015).

In practice, there are few recorded cases of legal abortion due to general lack of awareness on the law and fear of prosecution. As a result, many women seek illegal abortion services, including untrained providers, traditional healers or self-induced methods (Center for Reproductive Rights, 2015).

#### ***More***

The Gender Equality Act prohibits harmful practices, where an offender is liable of a fine and imprisonment for five years. The Act defines a harmful practice as “ a social, cultural or religious practice which on account of sex, gender or marital status does or is likely to (a) undermine the dignity

health or liberty or any person, or (b) result in physical, sexual, emotional or psychological harm to any person (Gender Equability Act, 2012).

Even so, such practices continue to persist, including abusive rituals against young girls and widows. In some communities, the ritual of initiating girls into womanhood is practiced. The ritual serves to prepare girls for marriage by training them on how to engage in sexual acts, where some as young as 10 years old are forced to have sexual relations with older men (US Department of State, 2017). There is also the harmful practice of "widow cleansing or purification", where widows are forced to have sex with male in-laws, shave their head, and/or lose their social status and property following the death of the husband. In other communities, it is an accepted practice for widows to be "inherited" by a brother-in-law or other male relative (Joint Malawi CSOs, 2015; US Department of State, 2017).

### **3. Restricted Access to productive and financial resources**

#### **a) Secure access to land and assets**

Under the state's constitution, women and men have the right to own, acquire and maintain property, individually or jointly with others, regardless of their marital status (section 24, 2004). Further, the National Law Policy 2002 identifies women as a vulnerable group whose land rights have been "denied on the basis of customs and traditions that are no longer relevant, or they are totally disregarded due to prejudice and lack of effective representation". Yet, the Policy does not offer further provisions to protect women's right to land.

In principle, the state's Constitution is the ultimate authority in the interpretation of all laws, including common and customary law. However, in practice, customary law continues to be practice in some communities. With respect to customary lands, Malawi has a dual matrilineal and patrilineal ownership structure, in which both reinforce discriminatory practices against women (Ngwira, 2013; Joint Malawi CSOs, 2015). Under both systems, decisions pertaining to customary land are primarily made by men and property rights are vested in men (WSLA, 2014). For example in patrilineal societies, women are excluded from land ownership as land is allocated and inherited through the male line (Joint Malawi CSOs, 2015). In matrilineal systems, while women have ownership rights, men still control most of the decisions as they are considered the head of the household (SALC, 2015; CEDAW, 2015).

Other factors that may contribute to gender differentiated land rights include high levels of female illiteracy, women's lack of knowledge on their land rights, or the stigma and misconceptions of women living with HIV. With regard to the latter, a woman with HIV may be deprived of her land by patrilineal kin when her husband dies, or she may relinquish her land to relatives when they feel she is unable to manage the land due to health conditions (Ministry of Health, 2003; FAO, accessed 2017).

#### **b) Secure access to formal financial resources**

By law, both women and men have the right to engage in economic activity, including equal rights to open their own bank account and to access to loans and credit (Constitution of the Republic of Malawi, 2004; World Bank, 2015).

However, in practice, the frequency of women accessing loans from formal institutions is much lower than men, due to a lack of financial literacy, collateral and entrepreneurship as well as and discriminatory cultural practices (Joint Malawi CSOs, 2015). Rather, women, in particular those in rural areas, tend to obtain loans from community based financial institutions such as Village Savings Banks (CEDAW, 2015; Joint Malawi CSOs, 2015).

### c) Workplace rights

There are several protections under the law against discrimination of all forms in the workplace. These include the Malawi Constitution 2004, the Employment Act 2000, and Gender Equality Act 2004. These protections include the prohibition of discrimination in the recruitment, training, terms and conditions, promotion and termination of an employee, the provision of equal remuneration for equal work, and allowances for pregnant women. With regard to the latter, the Employment Act entitles female employees at least eight weeks of maternity with full income paid by the employer, but limits this to every three years. It also guarantees the women full benefits and entitlements during as well job security during her leave (Section 47, 2000). The law currently does not have provisions for paternity leave.

Still, women continue to experience discrimination the labour market in Malawi (CEDAW, 2015). In large part, women occupy the informal sector where there is low pay, no social protections and high job insecurity. Some women are blocked from specific industries, such as manufacturing, and on the whole women remain in lower income jobs compared to men, partly due to the lack of enforcement of polices relating to equal pay. This lack of enforcement also extends to laws relating to maternity leave, where there is evidence that some women have lost their jobs due to their pregnancy, but under the guise of another justification (Joint Malawi CSO, 2015).

### *More*

In Malawi, the laws on prostitution are unclear. The Penal Code does not criminalise prostitution but targets those, male or female, who exploit sex workers (Penal Code, Section 145-146; SALC, 2013). However, it is often the case that the sex worker and not the client are punished with criminal sanctions (SALC, 2013). Moreover, due to stereotypes and the stigmatisation surrounding sex work, the women engaged in it may be unable to access health care, sexual and reproductive health services, or are the victims of police violence, unlawful arrests and extortion (Joint CSO, 2015).

## 4. Restricted Civil liberties

### a) Citizenship rights

The Constitution provides women with the same rights as men to acquire, change and retain citizenship and nationality (section 24). The Citizenship Act of 1966 provides more specifications on citizenship rights, including the right for women and men to confer their citizenship to their children, provided that the father or mother is a citizen of Malawi by birth and is a person of African race (Citizenship Act, 1966). The Act also sets provisions for married persons, where it discriminates against women in respect of their ability to retain their nationality and their ability to confer nationality to a foreign spouse, a direct contradiction of the rights set forth in the state's Constitution (Global

Campaign for Equal Nationality Rights, 2016; CEDAW, 2015). Under the Citizenship Act, both women and men, irrespective of marital status, have the same rights to register the birth of their child (Citizenship Act, 1966).

The Constitution also provides both women and men the freedom of movement and residence, including the authority to obtain passports and other travel documents for themselves and their children (section 39, 2004). It should be noted however that for married women passports may be issued upon the production of a marriage certificate indicating their husband's name. In 2017, the National Registration Bureau under the Ministry of Home Affairs and Internal Security launched the first mass registration of Malawian citizens for issuance of National Identity Cards to ensure universal registration.

### **b) Voting**

The right to vote is enshrined in the state's Constitution and is afforded to each citizen, female or male, who is 18 years of age or over (section 40, 2004). There is no evidence of barriers that are placed on women to prohibit them from participation during voter registration and participation (Joint Malawi CSO, 2014).

### **c) Political voice**

One of the fundamental human rights afforded by the state's Constitution is the right for every citizen, woman or man, to stand for political office (section 40, 2004). Malawi participates in the 50:50 campaign, which has been active in promoting women's equal representation and participation in decision-making at local and national levels throughout Southern Africa (SAD). To further promote political participation, the Gender Equality Act establishes a gender-neutral quota of 40:60, requiring the appointment of no less than 40% and no more than 60% of either sex in any department in the public service (Section 12, 2013). There are however no legislative quotas at the national or local level (Institute of Democracy and Electoral Assistance, n.d.). Further, the majority of political parties are absent of gender responsive policies and deliberately reject women as candidates on party tickets (Amundsen and Kayani, 2014).

Broadly speaking, women remain significantly underrepresented at all levels of decision-making in Malawi, including representation at both the national and local levels, in political parties and the diplomatic and public service (CEDAW, 2015). In 2012, a milestone achievement for increasing women's political voice was made when Joyce Banda was sworn in as President of Malawi; making her the first woman to hold the office in Malawi and the second female President in Africa. Her term however was short and was constantly challenged by political officials (Amundsen and Kayani, 2014).

Men have long dominated and continue to dominate the political sphere in the country (CMI, 2016) and this remains to be the case due to gendered stereotypes and deeply rooted negative attitudes towards women in leadership positions (Joint Malawi CSOs, 2015; CEDAW, 2015). Moreover, women's access to political life is largely hindered by women experiencing low levels education, no or limited exposure to politics, and lack of financial resources (CMI, 2016; Joint Malawi CSOs, 2015).

#### d) Access to justice

Under Section 41 of the state Constitution, each citizen is entitled to access to justice and legal remedies. The Constitution also stipulates that each citizen has the right to a fair and public trial, in which they or may not choose to testify, before an independent and impartial court. Moreover, there are other laws that protect women in civil matters, including the Gender Equality Act (2012), the Deceased Estate (Wills, Inheritance, Protection) Act (2011), and the Prevention of Domestic Violence Act (2006). To help facilitate accessing justice, the government adopted the Legal Aid Act (2010), which establishes a Legal Aid Bureau available to all citizens. It has been noted however that the Bureau is underfunded and understaffed and its services are not yet available to all regions in the country (CEDAW, 2015).

Despite these legal structures, there are still multiple barriers specific to women in obtaining justice, particularly women in rural areas. These barriers include women's lack of their legal rights, long distances to courts, lengthy court processes, inadequate training and knowledge of legal and judicial officers on newly enacted laws, language barriers, and insufficient protection and support available to women in gender based violence cases (Joint Malawi CSO, 2015). As a result, women often seek resolution in traditional courts, that while are "not gender sensitive and apply discriminatory provisions", have allowed women to access justice (CEDAW, 2015; Joint Malawi CSO, 2015).

Amundsen, Inge and Kayuni, Happy (2016) *Women in Politics in Malawi*, Chr. Michelsen Institute (CMI), Bergen, Norway Department of Political and Administrative Studies Zomba, Malawi.

Bergea Erling; Kambewab, Daimon; Munthalic, Alister; Wiigd, Henrik (2014) *Land Use Policy, Volume 41 - Lineage and land reforms in Malawi: Do matrilineal and patrilineal landholding systems represent a problem for land reforms in Malawi?*.

CDC, UK aid and UNICEF (2014) *Violence Against Children and Young Women in Malawi - Findings From a National Survey 2013*, Malawi.

Center for Reproductive Rights (2015) *Shadow Report - The Committee on the Elimination of Discrimination against Women Re: Supplementary information on Malawi*, Geneva.

Chr. Michelsen Institute (2016) CMI Brief vol. 15 no. 12 – *The Gatekeepers: Political Participation of Women in Malawi*.

Children's Rights International Network (CRIN) (2015) *MALAWI: Children's Rights References In The Universal Periodic Review - Twenty Second Session*. Available at: <https://www.crin.org/en/library/publications/malawi-childrens-rights-references-universal-periodic-review-0> - accessed on May 2017.

Girls Not Brides Child Marriage, Country Data – Malawi. Available at <http://www.girlsnotbrides.org/child-marriage/malawi/> - accessed May 2017.

Global Campaign for Equal Nationality Rights (2015) *Shadow Report Submission for Malawi – 62nd Pre-sessional Working Group of the Committee (9-13 March 2015)*, Geneva.

Government of Malawi, *Child Care, Protection and Justice Act*, 2010.

Government of Malawi, *Citizenship Act*, 1972.

Government of Malawi, *Constitution of the Republic Of Malawi*, 2004.

Government of Malawi, *Deceased Estates (Wills, Inheritance and Protection) Act*, 2011.

Government of Malawi, *Employment Act*, 2000.

Government of Malawi, *Gender Equality Act*, 2012.

Government of Malawi, *Laws of Malawi - Penal Code*, 1930.

Government of Malawi, *Marriage Divorce and Family Relations Act*, 2015.

Government of Malawi, *National Land Policy*, 2002.

Government of Malawi, *National Plan of Action to Combat Gender-Based Violence in Malawi 2014 – 2020*.

Government of Malawi, *Prevention of Domestic Violence Arrangement of Sections Arrangement of Section*, 2006.

Government of Malawi, *Registered Land Act*, 1967.

Government of Malawi, Ministry of Health (2003) *National HIV/AIDS Policy*. Available at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_protect/---protrav/---ilo\\_aids/documents/legaldocument/wcms\\_125540.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---ilo_aids/documents/legaldocument/wcms_125540.pdf) - accessed on May 2017.

Human Rights Watch (2014), *Malawi: End Widespread Child Marriage*.

Ipas Malawi and National Coordinator of COPUA (2015) *Shadow Report - Supplementary information on Malawi scheduled for review by the CEDAW Committee during its 62nd Session in November 2015*, Geneva.

Joint Malawi Civil Society Organisations (2015) *Shadow Report Submitted to Committee on the Elimination of Discrimination against Women (CEDAW) (2015)*, Malawi.

National Statistical Office Malawi and ICF (2017) *Malawi Demographic and Health Survey 2015-16*, Malawi.

Ngwira, Naomi (2013) *Women's Property and Inheritance Rights and the Land Reform Process in Malawi*, Institute for Policy Research and Analysis for Dialogue, Malawi.

Southern Africa Litigation Centre (SALC) (2013) *LEGAL MEMORANDUM - Interpretation of Section 146 of the Malawi Penal Code Introduction*. <http://www.southernafricalitigationcentre.org/1/wp-content/uploads/2013/08/Memorandum-on-s146-of-Malawi-Penal-Code.pdf>

US Department of State, (2017) *2016 Country Reports on Human Rights Practices – Malawi*.

Women and Law in Southern Africa Research and Educational Trust (WLSA-Malawi) and the Global Initiative for Economic, Social and Cultural Rights (GI-ESCR) (2014), *Parallel Report to the United Nations Human Rights Committee*, Malawi.

Women's Legal Resource Centre (WOLREC) (2011) *Women's access to land and household bargaining power: a comparative action research project in patrilineal and matrilineal societies in Malawi*, International Land Coalition.