

MALAWI HUMAN RIGHTS COMMISSION



25TH NOVEMBER, 2020: STATEMENT ON THE COMMEMORATION OF THE 16 DAYS OF ACTIVISM AGAINST GENDER-BASED VIOLENCE 2020

As we commemorate the 16 Days of Activism Against Gender-Based Violence, the Human Rights Commission (MHRC) wishes to state categorically that all forms of Gender Based Violence (GBV) must stop now! In particular, violence against women and girls remains one of the most widespread, persistent and devastating human rights violations in our world today. Unfortunately, it is often unreported due to the stigma and shame surrounding it, and the impunity enjoyed by many of its perpetrators. The 16 Days of Activism against GBV therefore reminds us that this fight is not that of the survivors alone but that it is everyone's responsibility to speak out and take action against GBV with the aim to having a GBV free Malawi.

This year's theme, **"Unite to End Gender-Based Violence: Fund, Respond, Prevent, Collect!"** This particular year, this theme is profound because Malawi has recently seen a sharp rise in GBV cases, particularly sexual gender-based violence with cases of rape and defilement being reported almost on a weekly basis and sometimes daily. More cases have been reported including where biological fathers and grandfathers have defiled their own daughters and granddaughters. The inactions and delayed actions constitute a violation of the rights of the child as indicated in the Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. The Convention on the Elimination of All Forms of Discrimination against Women and domestic laws such as the Constitution of the Republic of Malawi, the Penal Code, the Prevention against Domestic Violence and the Gender Equality Act are amongst many of the progressive laws Malawi has which aim to end GBV.

However, despite the strides Malawi has made in combating GBV, we continue to note an increase in the number of recorded cases of rape and defilement in the country. The Malawi Police Service has recorded a 42 % increase in rape cases from 2018 to October 2020 with 157 cases reported from January to October 2018; 168 cases reported from January to October, 2019 and 223 cases reported from January to October, 2020. October 2020 alone has seen 60 registered rape cases! Quite shocking is the 34% increase in defilement cases from 2018 to 2020. Men and boys defiled 1,293 girls between January and October 2018; 1,440 girls between January and October 2019 and 1,738 girls

between January and October, 2020. Sadly, many more remain unreported either due to a culture of silence, the need to protect the perpetrator who in some cases is a family member or a known member of our society and harmful cultural and societal practices.

It should be mentioned that, as front-line responders, law enforcers, CSO's, health professionals, community volunteers, traditional leaders and more, women and men are making critical contributions to address GBV, let us not forget the Covid-19 pandemic and the impact it has had and continues to have on society, particularly on women and girls. Let us remember that most caregivers, at home and in our communities, are also women, most of whom are also at home with their abusers while being cut off from normal support services. This is therefore a call to service providers both in the public and private sector to enhance services, including innovative ones in such a time as this with the aim to **Unite to End Gender-Based Violence: Fund, Respond, Prevent, Collect**. It is also a call to everyone to take part in this fight.

We commend the President, His Excellency Dr. Lazarus Chakwera for condemning GBV and setting up a National Taskforce on Sexual Violence. We also commend service providers, including the Malawi Police Service for their quick response in investigating some of the GBV cases but we also urge the Police and the Judiciary to expedite the prosecution of GBV cases, irrespective of who the perpetrator is. The Commission therefore calls upon Government to allocate adequate resources towards awareness and enforcement programmes in a bid to end GBV. The Commission remains committed in line with its mandate under the Constitution, the Human Rights Commission Act, and the Gender Equality Act, to monitor duty bearers' efforts in ending gender-based violence and thereby ensuring the protection of human rights and in particular the rights of women and girls.



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Rev. Patrick Semphere
Chairperson.

25th November, 2020