

Communiqué

High-Level Stakeholder Round Table on Implementation of Decisions of African Human Rights Bodies in Respect of Malawi

22–23 October 2025 | Sunbird Capital Hotel, Lilongwe, Malawi

From 22 to 23 October 2025, the Centre for Human Rights at the University of Pretoria and Youth and Society (YAS), with support from the Raoul Wallenberg Institute on human rights and humanitarian law (RWI) convened a stakeholder dialogue and Round Table on the Implementation of decisions issued by African Human Rights Bodies in Respect of Malawi.

The two-day event, which was hosted at the Sunbird Capital Hotel in Lilongwe, brought together an exceptional array of participants united by a common goal — to strengthen the implementation of regional human rights decisions and ensure that the benefits of these commitments are realised in the daily lives of Malawians.

The Round Table on 23 October brought together key representatives from the Ministry of Justice - led by the Honourable Solicitor General and Secretary for Justice, Mrs. Gertrude Lynn Hiwa, SC, the Malawi Human Rights Commission, civil-society organisations, academia, and international partners, united by a shared commitment to strengthen implementation of regional human-rights decisions and close the gap between international obligations and domestic realities.

The dialogue was attended by officials from the Ministry of Justice, the Malawi Human Rights Commission and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), the Malawi Law Society President, as well as representative civil-society organisations, academia and media.

The dialogue acknowledged Malawi's active engagement with regional mechanisms, including being so far the only country within the Southern Africa sub-region that accepted the jurisdiction of the African Court on Human and Peoples' Right to receive from individuals and CSOs communications on human rights challenges that require the Court's intervention.

At the same time, it was noted that Malawi stands at a critical crossroads in its human rights journey, wrestling with deep-seated systemic challenges linked to limitations in human and financial resources, weak inter-agency coordination, and low levels of public awareness. At the heart of the challenge lies a fragmented government machinery, with multiple ministries operating in silos, in the pendency of establishment of a cohesive coordination mechanism to effectively implement human rights decisions.

The legal landscape in Malawi is also particularly nuanced, in that while there are progressive steps in amending laws – such as revising the definition of child age in the penal code – their implementation reveals deeper cultural resistance. For instance, even with legal changes around sexual consent, societal mindsets remain stubbornly unchanged, creating practical challenges in prosecution and justice delivery.

During the roundtable discussions, stakeholders identified a set of coordinated actions required to accelerate the effective implementation of decisions and recommendations issued by regional and international human rights bodies in respect of Malawi. Participants stressed that effective implementation of human rights decisions is both a legal duty and a moral imperative.

They also highlighted the significance of sustained cooperation among government institutions, civil society, and international partners in strengthening Malawi's compliance with regional obligations and reinforcing the credibility of the African human rights system.

They agreed to a roadmap that reflects shared commitments among government institutions, national human rights institutions, Parliament, civil society organizations, media actors, and development partners.

The key strategic actions adopted to this end are:

I. Institutional Coordination and Governance Architecture

1. Establish a National Implementation Coordination Platform led by the Ministry of Justice (MoJ) and the Malawi Human Rights Commission (MHRC), bringing together relevant ministries, the Office of the Attorney General, Treasury, civil society organizations, and children's representatives to ensure coherent follow-up of decisions and recommendations.
2. Adopt a National Service Charter on Implementation, Clearly defining institutional responsibilities, internal processes, and timelines for the transmission and follow-up of decisions received from regional mechanisms.
3. Strengthen Inter-Agency Communication Mechanisms
Enhance coordination between MoJ, Attorney General, Treasury, and client ministries to facilitate timely budgeting, execution of remedies, and accountability.
4. Pursue Legislative and Policy Reform
Develop statutory or policy frameworks formally prescribing handling procedures, mandates, and oversight responsibilities relating to regional judgments and recommendations.

5. Map National Power Structures

Identify key decision-makers, approval chains, and prioritisation authorities in the processing of monetary awards and structural remedies flowing from human rights decisions.

6. Enhance Government Capacity for Engagement

Training for ministries and state agents on engagement with regional mechanisms, including reporting, hearings, and follow-up procedures.

II. Monitoring, Tracking and Public Accountability

7. Create a Digital Tracking Tool and Review System

Develop a publicly accessible monitoring dashboard and convene annual multi-stakeholder review dialogues to identify bottlenecks and solutions.

8. MHRC Monitoring and Reporting

MHRC to develop a national monitoring framework and mainstream implementation progress in its annual reporting to the President, Parliament and its engagements with ACERWC and ACHPR.

9. Strengthen Parliamentary Oversight

Integrate review of implementation status into portfolio committee work, enhancing MPs' understanding and enforcement of state obligations arising from regional mechanisms.

III. Public Awareness, Media and Community Empowerment

10. Build Media Capacity and Public Information Dissemination

Training journalists on reporting regional human rights decisions; simplifying communication through radio programmes, local-language summaries, and visual materials.

11. Community-Level Empowerment

Recognise women, children and youth as rights-holders; strengthen local-level monitoring through paralegal networks and community-based organisations.

IV. Civil Society Engagement and Advocacy

12. Structured Civil Society Monitoring and Complementary Reporting

CSOs with observer/affiliate status to prepare joint shadow reports to African Court, Commission, ACERWC, and OHCHR; produce scorecards and policy briefs assessing progress and gaps.

13. Form a Malawi Implementation Coalition/Alliance

Co-ordinating civil society advocacy, strategic litigation support, engagement with Parliament, and diplomatic outreach.

V. Financing and Resource Mobilisation

14. Advocate for Increased Public Financing

Require Treasury to prioritise resource allocation for compliance measures including compensation payments, investigations, and legal reforms.

15. Establish a Dedicated Budget Line

Create an earmarked vote within the MoJ specifically for implementation of human rights decisions.

16. Analyse Budget Expenditure and Gaps

Conduct budget tracking to expose disparities between government commitments and spending priorities; mobilise technical and financial support from development partners.

VI. Immediate Follow-Up Institutional Commitments

17. Government Implementation Matrix

Moj to compile an implementation matrix covering all cases from ACTHPR, ACHPR, and ACERWC with timelines and focal persons, and adopt cumulative implementation reporting practices.

18. Enhanced Diplomatic Engagement

Position implementation as a political and international relations priority to safeguard Malawi's reputation and treaty credibility.

VII. Knowledge Tools and Stakeholder Capacity Development

19. Develop a Practical Guidance Manual

A "How-To" handbook explaining regional human rights processes and required domestic actions, targeted at officials, CSOs, Parliament, and community leaders.

Collectively, these priority actions are intended to restore coordination, strengthen accountability, and generate national-level ownership in advancing Malawi's treaty-based human rights obligations.

The round table concluded with renewed optimism and a shared commitment to ensuring that Malawi's leadership in human rights continues to serve as a model for Africa — one grounded in justice, accountability, and the dignity of every person.

Issued in Lilongwe, Malawi, on 23 October 2025.

For media inquiries:

Centre for Human Rights, Faculty of Law, University of Pretoria Contact:

Mr. Brian Kibirango brian.kibirango@up.ac.za/

Yolokazi Mfuto – yolokazi.mfuto@up.ac.za

Youth and Society (YAS), Malawi Contact:

Mr. Charles Kajoloweka charleskajoloweka50@gmail.com/

Ms. Mwandida Theu – mwandidatheu@gmail.com