

## THE MALAWI NATIONAL HIV/AIDS POLICY

### *Summary of Sections that Most Apply to Adolescent Girls:*

In 2003, the Malawi National AIDS Commission (NAC) released the National HIV/AIDS Policy, which outlines the government's responsibilities to Malawian citizens with respect to HIV/AIDS and the factors that contribute to HIV infection. This policy brief summarizes the sections of that policy that are most relevant to adolescent girls.

### **PROTECTION, PARTICIPATION AND EMPOWERMENT OF VULNERABLE POPULATIONS**

Chapter 5 discusses the government's responsibilities to protect and empower vulnerable populations, including (among others) women and girls, children and young people, and people engaged in transactional sex.

#### **Women and Girls**

Section 5.2 outlines the Government of Malawi's responsibility to:

- Ensure that women and girls have **equal access** to:
  - Information and education programmes about HIV/AIDS;
  - Means of preventing HIV transmission; and
- • Health care, including women-specific and youth-friendly sexual and reproductive health services.
- Ensure that women and girls have **protection against violence**, including sexual violence and rape.
- Ensure that women and girls have **protection against traditional practices** that are harmful to their health.
- Ensure women's rights to **equality within the family**, including in divorce, inheritance, child custody, property, and employment.
- Ensure women's **rights within the workplace**, including equal pay for equal work, access to senior positions, protection against sexual harassment, and reduction of conflicts between professional and family responsibilities.
- Ensure that girls (and boys), both in and out of school, have **access to life skills education**, which addresses gender inequalities and HIV prevention, care, and support.
- Protect the rights of women to have **control over their sexuality and sexual and reproductive health**. Women must be able to make decisions in these matters free of coercion, discrimination and violence.

#### **Children and Young People**

Section 5.5 outlines the Government of Malawi's responsibility to:

- **Strengthen and enforce existing legislation** to protect children and young people against abuse and exploitation.
- Ensure that children and young people have access to **youth-friendly sexual and reproductive health information and education** so they can protect themselves from HIV and other sexually-transmitted infections (STIs).
- Incorporate **reproductive and sexual health education**, including peer education, into the school curriculum. Ensure that similar information is made accessible to youth out of school.
- Ensure that all **career, traditional, and faith-based counselors are trained** to counsel youth on protecting themselves from early sex, unplanned pregnancy, and STIs.
- Ensure that **traditional initiation counselors** incorporate accurate, appropriate sexual and reproductive health education into traditional and cultural initiation processes.
- Provide **multi-purpose youth centres** to ensure the well-being and development of young men and women, contributing to the prevention of STI transmission. This should be done along with institutions providing education and youth services.
- Ensure that **educational institutions have and enforce policies to prevent sexual abuse, harassment, and exploitation** of students by peers or teachers and school staff, and to prevent staff from engaging in sexual relations with students.

#### **People engaged in transactional sex, including prostitution**

Section 5.7 outlines the Government of Malawi's responsibility to:

- Ensure that people engaged in transactional sex have access to **confidential and respectful health care**, particularly sexual and reproductive health care, life skills, condoms, and HIV/AIDS treatment.
- Implement **multi-disciplinary interventions** with life skills and sexuality education to support young people engaged in transactional sex.

*(Continued on reverse)*

- Ensure that people engaged in transactional sex take **responsibility for protecting themselves** and their sexual partners.

### INTERACTIONS WITH TRADITIONAL AND RELIGIOUS PRACTICES AND SERVICES

Chapter 6 discusses interactions between cultural practices and HIV/AIDS. The rationale is that the following practices (among others) increase the risk of HIV infection: forced sex for young girls coming of age (fisi), polygamy, extra-marital sexual relations, marital rape, widow and widower inheritance, wife and husband exchange (chimwanamaye), temporary husband replacement (mbulo), and death cleansing (kupita kufa).

Section 6.1.2 outlines the Government of Malawi's responsibility to address the role of cultural practices in HIV/AIDS and to:

- Promote and encourage **monogamous marriages and fidelity**, in partnership with civil society, traditional leaders and religious leaders.
- Promote **correct and consistent use of condoms in marital sex** where there is real or apprehension of HIV infection. Non-governmental partners should work in conjunction with the government on this.
- Ensure the availability of **support services for spouses who assert their rights to safer sex** and as a result are abused or thrown out of the home.
- Ensure that citizens are empowered to **make independent decisions regarding widow/widower inheritance** to reduce the risk of HIV transmission, and that support services are provided to those who are victimized as a result.
- Promote **VCT for those who willingly choose to practice widow and widower inheritance**. This should be done in partnership with civil society, religious leaders, and traditional leaders.
- **Sensitise traditional leaders and their subjects on the dangers of customary practices** like: forced sex for young girls coming of age (fisi/kuchotsa fumbi), wife and husband exchange (chimwanamaye), temporary husband replacement (mbulo), and death cleansing (kupita kufa). The policy specifies that this should be done in partnership with civil society and traditional leaders.
- **Sensitise childless couples and HIV-positive partners on alternatives** like fostering, adoption, and medical options. The policy specifies that this should be done in partnership with civil society, religious leaders, and traditional leaders.

**In addition, this section outlines the following responsibilities for traditional and religious leaders:**

- Traditional leaders and religious leaders must sensitise their communities on the dangers of widow/widower inheritance and discourage this practice.
- Traditional leaders must stop or modify unsafe customary practices to make them safer or promote alternative customary practices that do not place people at risk of HIV infection.

### PREVENTION, TREATMENT, CARE AND SUPPORT, AND IMPACT MITIGATION

**Chapter 3 discusses prevention, treatment, care, and support. The following sections specifically address adolescent girls:**

- **Prevention of Mother to Child Transmission (PMTCT):** The government and its partners must promote and strengthen programmes that prevent HIV infections and unplanned pregnancy, especially in young women of child-bearing age. (Section 3.2.2.4)
- **Treatment of STIs:** The government must ensure that STI treatment services are appropriate for and accessible to women, young people, and vulnerable populations. (Section 3.2.2.5)

#### RESOURCES

[http://data.unaids.org/Topics/Human-Rights/malawi\\_national\\_policy\\_en.pdf](http://data.unaids.org/Topics/Human-Rights/malawi_national_policy_en.pdf)

#### ABOUT LET GIRLS LEAD AND AGALI

*The Adolescent Girls' Advocacy and Leadership Initiative (AGALI)* is a program of Let Girls Lead. AGALI improves the health, education, and lives of adolescent girls in Latin America and Africa. AGALI strengthens the capacity of leaders to advocate in favor of girl-friendly policies and programs and provides seed funding to support their work on behalf of adolescent girls.

#### FOR MORE INFORMATION VISIT:

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