



*Empowered lives.  
Resilient nations.*

## **00083041: Human Rights Support Project**

### **Mid-Year Review Report for 2016**

August, 2016

## Table of Contents

<b>Accronyms .....</b>	<b>3</b>
<b>Executive Summary.....</b>	<b>4</b>
<b>1.0 Situational Background.....</b>	<b>5</b>
<b>2.0 Assessment of Project Results.....</b>	<b>6</b>
<b>2.1 Progress Towards Achieving Outcomes and Expected Impact.....</b>	<b>6</b>
<b>3.0 Gender Mainstreaming.....</b>	<b>14</b>
<b>4.0 Key Partners and Inter-agency / Departmental Collaboration.....</b>	<b>15</b>
<b>5.0 Financial Status and Utilization .....</b>	<b>16</b>
<b>6.0 Challenges.....</b>	<b>16</b>
<b>7.0 Lessons Learned.....</b>	<b>17</b>
<b>8.0 Conclusion .....</b>	<b>17</b>
<b>9.0 Future Work plan .....</b>	<b>17</b>
<b>10.0 Annexes.....</b>	<b>20</b>
<b>Annex 1: Project Plan for the Period of Review (AWP)</b>	
<b>Annex 2: Financial Report</b>	

## Acronyms

AWP	:	Annual Work Plan
CAT	:	Convention Against Torture
CP	:	UNDP Country Programme
DCP	:	Democratic Consolidation Programme
ECOSOC	:	Economic, Social and Cultural Rights Committee
HRNAP (NAP)	:	National Human Rights Action Plan (HRNAP)
ICC	:	International Coordinating Committee of National Human Rights Institutions
MGDS	:	Malawi Growth and Development Programme
MHRC	:	Malawi Human Rights Commission
MIE	:	Malawi Institute of Education
MIM	:	Malawi Institute of Management
MoJCA	:	Ministry of Justice and Constitutional Affairs
OoO	:	Office of the Ombudsman
UNDAF	:	United Nations Development Assistance Framework
UNDP	:	United Nations Development Programme
UPR	:	Universal Periodic Review

## **Executive Summary**

In the first part of 2016, Human Rights support project has registered some remarkable progress especially in the areas of capacity building, state party reporting, legislation and strategic planning for responsible parties in the project.

Through the project, Malawi Human Rights Commission (MHRC) successfully lobbied Parliament to pass the reviewed Human Rights Commission Act thereby addressing critical issues that threatened its accreditation status with the International Coordination Committee of National Institutions for the promotion and Protection of Human Rights (ICC). The revised act addresses some of the concerns raised in the 2010 Universal Periodic Review recommendations for Malawi. MHRC collaborated with Ministry of Justice and revised the National Human Rights Action Plan to include cost estimates which are yet to be vetted by Ministry of finance.

The project facilitated more capacity building interventions in MHRC, Office of the Ombudsman (OoO) and Ministry of Justice and Constitutional Affairs (MOJCA). Among other efforts, officers from the three institutions were trained in investigative skills and a training in maladministration targeted officers from OoO. MoJCA formally instituted the Human Rights Section, a transition from a mere Human Rights desk. This will ensure improved facilitation of human rights related work in the ministry. Support to implementation of treaty body recommendations and the Universal Periodic Review (UPR) recommendations has resulted in implementation of over eighty percent of the 2014 UPR recommendations.

The Office of the Ombudsman has finalized drafting its new strategic plan but also service charter and stakeholders validated them. The proposed new strategic plan repositions OoO in the context of a new direction that focusses on maladministration, a move away from trying to intervene on too many public service matters. Malawi Human Rights Commission is also developing a new strategic plan with support from the project,

The project met some challenges during the reporting period including delays in fund disbursement due to implementation arrangement adjustments following the adoption of the pooled funding by a good number of agencies and slow absorption rate by the implementing partner. As the cycle for the project comes to the end this year, a project evaluation has been done whose results will inform future interventions in the area of human rights promotion and protection in Malawi. The Joint Annual Work plan received a total amount of \$647,768, utilized 334,724 and remained with \$313,044 by the end of the first half, representing 52% utilization.

## **1.0 Situational Background/Context**

Set within the context of Democratic Governance Sector Wide approach (DGSWap) in Malawi, Human Rights Support project represents a concrete response by the UN System to assist Malawi to embed democratic governance through respect for the principles and practice of Human Rights as entrenched in the Constitution of Malawi and in international and regional Human Rights instruments.

The project is designed based on the United Nations Development Assistance Framework (UNDAF) outcome 4.1 that states, ‘National Institutions foster democratic governance and human rights to promote transparency, accountability, participation and access to justice for all especially women and children by 2016’ and it is aligned to the expected UNDAF Output 4.1.5 that says, ‘National Institutions have capacity to promote and protect human rights especially the vulnerable, women and children’. Further, the project contributes to the following UNDP Country Programme Outputs: Governance Sector Wide Approach Programme, national investment and capacity development Plan; Strategic & capacity development plans for Parliament, Ombudsman, MHRC, and Electoral Commission (EC).

Major milestones for the Human Rights Support Project include: development of a National Human Rights Action Plan; support establishment of an elaborate human rights architecture that enhances coordination amongst human rights actors such as the Malawi

Human Rights Commission and Office of the Ombudsman and equip them with appropriate skills, collaborative planning and action on state party reporting and advocacy for Universal Periodic Review (UPR) recommendations, implementation and enhanced working relationship between constitutional bodies and civil society organizations on human rights, but also promotion of disability mainstreaming. The project is implemented under the National Implementation Modality (NIM) with the MHRC acting as implementing partner. The responsible agencies for implementing the project are Ministry of Justice and Constitutional Affairs, Office of the Ombudsman and Ministry of Gender, Children and Social Welfare (Department of Disability).

During the reporting period, the project notably supported finalization of the draft Strategic Plan and draft service charter for Office of the Ombudsman both of which have been validated. The project further supported finalization of the National Disability Mainstreaming strategy and Disability Communication strategy. Several capacity building initiatives have been implemented including investigation and maladministration trainings and support towards capacity building in the Ministry of Justice which has resulted in the opening of a fully-fledged human rights unit which will facilitate human rights matters in the ministry. Major changes on the project during the reporting period include the continued alignment of the project to United Nations Joint Planning including revision of terms of reference for both the technical and steering committees. The paragraphs below give an account of progress by output.

## **2.0 Assessment of Project Results during the Reporting Period**

Six key outputs were implemented during the year, 2016 and below is progress on the achievement of the outputs:

### **2.1 Progress Towards Achieving Outcomes**

*Output 1: A gender responsive national human rights action plan developed in a participatory manner and implemented*

**Indicator 1:** Number of Institutions involved in the formulation of the National Human Rights Action Plan:

**Baseline:** 0; **Target:** 20 (target was surpassed by 2015 with involvement of more than 50 institutions)

**Indicator 2:** % of gender sensitive actions in the HRNAP; **Baseline:** 0, **Target:** 80 % (the target was met in 2015); **Target for 2016:** costed HRNAP submitted to Cabinet.

Having successfully developed and validated the National Human Rights Action Plan, the Ministry of Justice recommended that the plan be thoroughly costed before being taken to cabinet for approval. During the reporting period, costing of the national action plan was therefore done. Just like the development process, the most notable progress made was the participatory process of costing the action plan with involvement of constitutional bodies, government agencies, but also non state actors led by the technical committee. The next steps of the process include vetting of the costing by the Ministry of Finance Economic Planning and Development after which the Solicitor General will take over pending submission to Cabinet. Cabinet approval is expected to be followed by publication, launch and then dissemination of the national action plan.

*Output 2: Strengthened leadership and technical capacities of the Malawi Human Rights Commission and the Ombudsman to deliver on their human rights mandates effectively*

**Indicator 1: % of human rights violation cases completed**

**(Baseline:** Partially developed 65% for MHRC, 20% for OoO; **Target:** 68% cases completed for MHRC and 25% for OoO)

*Human Rights Commission Bill*

Following recommendations from Ministry of Justice on the draft Human Rights Commission bill, drafted with support from the project and submitted in 2015, MHRC conducted consultations with stakeholders. Lobbying members of parliament was also

done during the first half of the year which resulted in the passing of the bill during the June Budget Session of Parliament. Through supporting the review but also lobbying for the bill, the project has helped address the concerns raised through Universal Periodic Review recommendations but also concerns by the Global Alliance for National Institutions for the Promotion and Protection of Human Rights thereby setting ground for an optimistic positive review for the status of the Malawi Human Rights Commission.

### *Case Load*

A total number of **287** complaints were registered and handled by the MHRC; some were reported by individuals and institutions while others were taken up by the Commission on its own motion. Statistics show that the number of complaints registered within this period is higher than those registered in 2015. The project also supported case handling of 238 cases in the office of the Ombudsman of which 71 have been concluded and recommended for closure to the Ombudsman representing a conclusion rate of 30%. The table below shows the case statistics in accordance with the specific nature of the human rights violated and status.

### *Cases for MHRC*

Number of females lodging complaints with the commission has increased as compared to number of females who lodged complaints in 2015 during the same period. The deliberate targeted initiatives by the Commission in its awareness campaigns seems to have contributed to this increase. Table below shows total number of complaints registered according to gender.

**Table showing complaints received according to gender**

	Male	Female	Group	Total
Number	158	112	17	287
Percent	55	39	6	100%

The cases registered, handled and closed total 127 representing a 44% completion rate.

The table below highlights the different levels for the registered complaints:



**Table showing the status of cases**

<b>Action/ status</b>	<b>Number of cases</b>
Advised and closed	93
Referred	49
Recommended for Alternative Dispute Resolution	22
Recommended for legal proceedings	19
Investigated and closed	34
Under Investigations	26
Recommended for investigations but not yet investigated	40

*Cases for OoO*

The project supported case handling of 238 cases in the office of the Ombudsman of which 71 have been concluded and recommended for closure to the Ombudsman representing a conclusion rate of 30%. Below is a summary of the reasons for closure of the cases

<b>REASON FOR CLOSURE</b>	<b>NUMBER OF CASES</b>
Resolved	54
Lack of Merit	11
Loss of Interest	6
<b>TOTAL</b>	<b>71</b>

Below is a table showing the disaggregation of the cases handled according to gender of the complainant:

<b>GENDER</b>	<b>NUMBER OF FILES</b>
Female	36
Male	193
Group <sup>1</sup>	9
<b>TOTAL</b>	<b>238</b>

---

<sup>1</sup> cases listed a “group” entails that the complainant was lodged by more than one person

This disaggregation is a reflection of the number of cases with reference to gender that the office handled during the reporting period. Generally, there are usually more cases where complainants are men rather than women. This can be attributed to the fact that women are more apprehensive to report on the injustices that they meet in the public sector than men. The office of the Ombudsman therefore is making strides, through its sensitization campaigns, to encourage women to report any form of injustice that they meet in the public sector. The Office has also taken steps to give complaints from their cases a special attention to ensure that a reasonable remedy is provided. In addition, the office intends to carry out extensive research in order to assess the causes of this gender gap.

### *Capacity Building*

During the reporting period, OoO finalized developing a strategic plan and a service charter which were validated by stakeholders and are expected to be launched. The strategic plan lays a good foundation for repositioning the office of the Ombudsman along maladministration as defined by the new vision. It sets ground for a more focused approach to work for the office which envisages a government and public officials that are accountable in fulfilling constitutional obligations by providing responsive and effective service delivery along core principles of rule of law. The proposed strategic plan aims to enhance visibility, accessibility and utilization of Ombudsman services. In line with the strategic plan initiative, 30 Officers in the OoO were also equipped with skills on administrative justice and maladministration helping them to be in a position to identify and be capable of addressing instances of systemic maladministration. To ensure a more holistic approach, 35 officers were equipped with investigative and case management skills and based on the recognition that this area has an interface with the work done in Malawi Human Rights Commission and Ministry of Justice, the training also included officers from these two institutions.

### ***Output 3: Malawi's engagement on the state party reporting and UPR is improved in a participatory and consultative manner***

**Indicator 1:** No. of UPR recommendations implemented

**Baseline:** 0% (2011); **Target:** 70% of accepted recommendations implemented; 30% of rejected recommendations accepted

The project supported the monitoring of implementation of the Universal Periodic Review recommendations among others through conducting national task team review sessions which include both state and non-state actors. The recent monitoring session shows that Malawi has implemented over 80% of the accepted 2015 UPR recommendations (for most recommendations action was already underway). Amongst the recommendations implemented include the 2015 recommendation to grant standing invitation to various United Nations mandate holders that resulted in the visit to Malawi by the Special Rapporteur on Persons with Albinism. This has helped Malawi get access to networks on best practices in dealing with persons with Albinism. There isn't much progress however on accepting the rejected recommendations as they remain contentious issues and some of them require a broader process of consultation

**Indicator 2:** No. of state party reports completed

**Baseline:** 4 **Target:** 6; **Target for 2016:** 2

Drafting of four reports is currently ongoing with the support of the project. The Ministry of Justice is being supported to lead implementation reviews of past state party recommendations and make consultations as well as draft current reports. This year the focus is on the following reports: International Covenant on Economic, Social Cultural Rights (ICESCR), Convention on the Elimination of All forms of Racial Discrimination (CERD), International Covenant on Civil and Political Rights (ICCPR) and the African Charter on Human and People's Rights. All these reports are due for completion in 2016 and presentation in 2017.

As a way of strengthening capacity on Human Rights within Ministry of Justice, the project continued to support capacity building initiatives. This year the project supported one officer on Policing oversight in an effort to appreciate prevailing policing concerns raised in past state party report recommendations. Despite persisting gaps on Human Rights Capacity within the Ministry of Justice, support through the project has contributed to

recognizable progress leading to the establishment of a Human Rights Unit within the Ministry. This unit is expected to lead the Ministry on Human Rights issues beyond state party reporting, providing an interface and an important entry point for partners wishing to interface with government on human rights.

***Output 4: Strengthened partnership between Malawi Human Rights Commission, Office of the Ombudsman and Non-State Actors on Human Rights through the establishment and institutionalization of an interface mechanism***

**Indicator:**-% Human Rights Awareness in Malawi

**Baseline:** 50% (Justice baseline survey 2011)

**Target:** 70% **Target** for 2016: Human Rights awareness strategy in place

The project did not make much progress under this output during the reporting period. The project had planned to finalize the human rights awareness strategy but also make progress in establishing the human rights coordination forum. Further consultations in refining the draft human rights awareness strategy revealed major gaps especially on the roles of the Human Rights Commission as related to both state and non-actors. Discussions on having clear guide on the roles from the proposed strategy are ongoing. Related discussions on establishing the human rights coordination forum are also ongoing considering the need to ensure that the initiative under this project aligns to the expectations drawn from the Democratic Governance Sector Strategy thematic area of human rights.

60 more Head teachers were trained on human rights and Democracy at Malawi Institute of Education in Zomba equipping them with knowledge, skills and values pertaining to human rights and democracy. These teachers are expected to help increase human rights awareness in their schools

***Output 5: Effective and efficient management, partnership formation and monitoring and evaluation of the Programme***

Indicator: % of activities successfully implemented

Baseline: 0%; Target 85% Target for 2016:

Absorption rate for the period is at 52%. The project planned to undertake project quality assurance especially through reviewing the oversight structures in an effort to improve efficiency but also in response to delivering as one initiatives with the United Nations. The project further planned to conduct an end of term evaluation.

One Technical Committee meeting was held which recommended aligning the project to the United Nations Joint Plan on human rights in an effort to improve transparency and accountability and reduce transactional costs for all partners. The alignment includes proposed changes to the management arrangements to include additional partners but also changes in the levels of representatives participating in these structures. Proposed changes include: inclusion of Ministry of Gender (Disability Department) in both the Technical and Steering Committees, inclusion of Heads of institutions including the Solicitor General, Ombudsman, Norwegian Ambassador, UN Heads of Agencies, Chair of MHRC, UN Resident Coordinator, 3 MHRC Commissioners, PS Gender, Secretary to Treasury, UN Human Rights Advisor, Executive Secretary for MHRC and Designated staff from MHRC and UN. Additionally, the Steering Committee has been proposed to be meeting bi-annually a change from the quarterly approach.

Changes have also been proposed for the Technical Committee. Membership has been proposed to include: The Executive Secretary – MHRC, the UN Human Rights Advisor, all directors at MHRC, Technical representatives from UN agencies, Chief State Advocate (Ministry of Justice), Executive Secretary OoO, Director of Disability (Min. Of Gender. Membership of the technical committee has further been proposed to include Civil Society as a way of trying to break silos and therefore improve on partnership building. The proposed changes were a follow-up to earlier technical consultations conducted by UNDP in the wake of efforts by the United Nations in Malawi to deliver as one in many areas including human rights. Following discussions and endorsement by the technical committee, the issue is expected to be presented at the next steering committee for adoption.

During the reporting period, the project also conducted an end of term evaluation. Preliminary results from the evaluation which is yet to be finalized indicate that much as the project did well in some areas, especially the upstream (policy related interventions), there is a gap and therefore need to consolidate the gains in the upstream with downstream activities for the ordinary Malawian to benefit more.

***Output 6: Disability and elderly rights are promoted and protected***

**Indicator 2:** No. policy documents mainstreaming disability issues

**Baseline:** 2; **2016 Target:** 5 (including Successor MGDS and government sectoral policies)

The project supported finalisation of a communication strategy to guide production, review but also dissemination of relevant documentation aimed at creating awareness on rights-based approach to disability and development. Furthermore, refresher trainings have been conducted to strengthen the capacity of disability focal persons, planning, administration and human resources officers and their institutions in mainstreaming disability into their respective policies, plans and programs. The trainings provided an opportunity to participants to review their respective programs for the purposes of identifying existing gaps as regards mainstreaming disability; give a chance to participants to review their strategies and specific activities that are promoting disability mainstreaming. The trainings further allowed participants to share experiences and practical issues in mainstreaming disability in respective policies, plans and programmes.

### **3.0 Gender Mainstreaming**

The project has supported the costing of the Human Rights National Action plan with a deliberate engagement of partners but also experts working in the area of Gender. This deliberate effort sets framework to ensure that gender mainstreaming initiatives are not only planned but also financed in the five-year plan which is being finalized.

While the legal framework exists in Malawi that specifically provides for equal rights for women, forbids discrimination based on language or culture, race, disability, or social status and provides for equality and recognition before the law for every citizen, gender-based violence cases particularly against women and children continued to be reported in 2016. Programme activities were therefore tailor-made to address the violation of human rights for the vulnerable populations in Malawi including (but is not limited to) women, children and people with disabilities. The project therefore continued to focus on human rights protection for the vulnerable groups with special attention on women. The inclusion of gender advocates at all meetings as well as the gender specialist on the development of the human rights action plan and other strategic documents is evidence that the project is guided by gender mainstreaming principles in all its activities.

#### **4.0 Key Partnerships and Inter-agency/Departmental Collaboration**

The project strategy is to seek cooperation with partners in the implementation of activities. MoJCA, OoO and Department of disability are part of the implementation team while the other civil society organisations have continued to be part of the coordinating team on state party reporting, UPR and human rights awareness interventions. MHRC is also collaborating with the Malawi Institute of Education in training primary school head teachers on Democracy and Human Rights. During the development of the National Human Rights Action Plan, a lot more stakeholders were incorporated in the project intervention through steering and technical committees for developing the plan.

The project also continued to work with organisations like National Initiative for Civic Education (NICE) and Democracy Consolidation Programme (DCP) that have stable grass-root structures for project implementation in many districts.

The project continues to be co-financed by UNDP and the Royal Norwegian Embassy. Through delivering as one, UNDP collaborates with other UN Agencies through jointly working towards achieving UNDAF outcome 4.1 that focuses on governance and human

rights issues. Partnerships have therefore been prioritised in the implementation of the project.

## 5.0 Financial Status and Utilization

The Joint Annual Work plan received a total amount of \$647,768, utilized 334,724 and remained with \$313,044 by the end of the first half, representing 52%. The following table gives a summary of the financial report.

Source of Funds	Opening balance as of 1 Jan 2015	Funds received in 2016	Total Income in 2016	Total Expenditure	Balance
<b>UNDP</b>	-	235,000.00	235,000.00	106,299.17	<b>128,700.83</b>
<b>Government of Norway</b>	117,020.00	176,709.00	293,729.00	204,175.78	<b>89,553.22</b>
<b>UN Women</b>	-	20,200.00	20,200.00	4,688.90	<b>15,511.10</b>
<b>UNICEF</b>	-	48,839.00	48,839.00	19,560.56	<b>29,278.44</b>
<b>ONE UN FUND</b>	-	50,000.00	50,000.00	-	<b>50,000.00</b>
<b>Total Available Resources</b>	<b>117,020.00</b>	<b>530,748.00</b>	<b>647,768.00</b>	<b>334,724.41</b>	<b>313,043.59</b>

## 6.0 Challenges

- I. Though several capacity building efforts have been conducted, major challenge still remains the capacity of the institutions ranging from Unit.
- II. High turnover of personnel in the institutions, including those that have benefitted from the capacity building efforts affects implementation of project activities.
- III. Slow approval processes for finalized documents by Government eg. National action plan. This delays implementation
- IV. The transition of the project into a UN Joint programme to an extent affected implementation of some activities as the pooled funding mechanism took some time to be functional.



## 7.0 Lessons Learned

- I. Ministry of Justice realized that they need to move beyond state party reporting and link the various recommendations to specific implementation domestically. They therefore established the human rights unit resulting in enhancement of implementation and visibility of human rights efforts by the Ministry.
- II. The mainstreaming of the project into Joint Annual Work Plan for Human Rights has enhanced collaboration amongst UN agencies and other development partners as well as at the level of local partners in the area of human rights.

## 8.0 Conclusion

Implementation of the Malawi Human Rights Support project implemented has been encouraging especially on activities under Office of the Ombudsman and Ministry of Justice. Success has been registered in the areas of state party reporting, strategic planning, setting up of the human rights unit (MOJCA) and case handling. Some results have also been registered under Human Rights Commission including enactment of the Human Rights Commission Act. Other activities have however lagged behind such as setting up the human rights coordination forum that would involve civil society. A human rights awareness strategy is also outstanding hence leadership in the area is yet to take shape. The remaining period of the project will target these outstanding activities while strategizing for successor programme following the release of the final evaluation report.

## 9.0 Future Work Plan

The project has prioritized the following activities in the second half of the year to make progress in achieving the planned outputs as follows:

### **Output 1 A gender responsive national human rights action plan developed in a participatory manner and implemented**

- Facilitate the adoption and launch of new NAP
- Implement and monitor progress the NAP

**Output 2: Strengthened leadership and technical capacities of the Malawi Human Rights Commission and the Ombudsman to deliver on their human rights mandates effectively**

*Strengthened technical capacity for Malawi Human Rights Commission*

- Training for new MHRC Commissioners and officers in thematic areas
- Examination of legislations, judicial decisions, administrative provisions, Bills and proposals to conform with fundamental principles of human rights
- Finalise the development of new Strategic Plan for MHRC

*Strengthened technical capacity for The Office of the Ombudsman*

- Training on Case Management
- On-Spot Investigations on Maladministration
- Training in Human Rights / Governance, Gender Mainstreaming and HRBA Programming

**Output 3: Malawi's engagement on the state party reporting and UPR is improved in a participatory and consultative manner**

*Improved implementation of UPR recommendations and timely submission of state party reports*

- Attending regional/ international human rights meetings
- Finalise draft reports on ICESCR, CERD, and ICCPR

**Output 4 Strengthened partnership between Malawi Human Rights Commission, Office of the Ombudsman and Non-State Actors on Human Rights through the establishment and institutionalization of an interface mechanism**

*Increased human rights awareness*

- Finalise the review the civic education strategy in Malawi
- Establish the human rights coordination forum
- Public awareness sensitization meetings including human rights day commemoration
- Publicize through media human rights issues including rights based approach to social service delivery

**Output 5: Effective and efficient management, partnership formation and monitoring and evaluation of the Programme.**

*Oversight and inputs from project Board*

- Project board meetings under JAWP and office running.

*Undertake Project quality assurance, management and coordination*

- Attend IP review meetings
- Training of UNDP Programme Analyst and project staff

*Human rights-based and results-based Monitoring and evaluation*

- Conduct project monitoring visits

**Output 6: Disability and elderly rights are promoted and protected**

- Disability Mainstreaming Strategy - Launch
- Orientation of membership of NACCOD in Lilongwe
- Development of Training Manual on Disability Rights
- Training of New Focal Points

## 10.0 Annexes

### Annex 1: Project Plan for the Period- 2015

<b>EXPECTED CP OUTPUTS AND TARGETS for Quarter or period</b>	<b>PLANNED ACTIVITIES (See Note 2)</b>	<b>Respon- sible Party</b>	<b>RESULTS OF ACTIVITIES</b>  <i>For each activity, state the results of the activity</i>	<b>PROGRESS TOWARDS ACHIEVING OUTPUTS</b>  <i>Status of progress to target contribution to outcome</i>
<p><b>Output 1:</b> A gender responsive national human rights action plan developed in a participatory manner and implemented</p> <p><b>Indicator 1:</b> Number of Institutions involved in the formulation of the National Human Rights</p> <p><b>Baseline:</b> 0 (2012)</p> <p><b>Target in 2016</b> (target was surpassed by 2015 with</p>	<p>1.1 Finalise National Human Rights Action Plan (HRNAP)</p> <ul style="list-style-type: none"> <li>• Finalize, launch and disseminate NAP</li> <li>• Guidelines for mainstreaming human rights into policy analysis and planning developed and implemented</li> </ul>	<p>MHRC</p>	<ul style="list-style-type: none"> <li>- MHRC and MoJCA conducted final solicitation on the comments from over 25 key stakeholders following the Steering Committee meeting that was held in December, 2015.</li> <li>- The inputs of the stakeholders and the observations of the Steering Committee were incorporated in the Draft HRNAP.</li> <li>- The Project conducted a costing session with members of Technical Committee at the Workshop held at Lilongwe Hotel on 22 June, 2016.</li> <li>- The Costing Sheet Annex that will form part of the draft HRNAP.</li> </ul>	<p>The Daft NAP was costed and awaits vetting by Ministry of Finance, Economic Planning and Development before submission to Cabinet for approval.</p>

<p>involvement of more than 50 institutions)</p> <p>Gender Sensitive Human Rights NAP formulated</p> <ul style="list-style-type: none"> <li>• <b>Indicator 2:</b> % of gender sensitive (No targets in 2016, indicator achieved actions in the HRNAP</li> </ul> <p>Target 2016: Gender Sensitive costing of the NAP Completed</p>				
<p><b>Output 2:</b> Strengthened leadership and technical capacities of the Malawi Human Rights Commission and the</p>	<p>2.1 Human Rights architecture with clearly defined roles for institutions established</p> <ul style="list-style-type: none"> <li>• Review the legislation establishing the MHRC and the Ombudsman</li> </ul>	<p>MHRC</p>	<ul style="list-style-type: none"> <li>- The consultation workshop on the Draft Bill was done in March, 2016 with key human rights stakeholders.</li> <li>- The lobbying meeting with targeted Members of Parliament was</li> </ul>	<p>The Malawi Human Rights Commission Bill was enacted.</p>

<p>Ombudsman to deliver on their human rights mandates effectively</p> <p>Indicator 1: % of human rights violation cases completed</p>	<p>with a view to clarify their jurisdictions</p>		<p>conducted to sensitise them on the issues in the Draft Bill.</p> <ul style="list-style-type: none"> <li>- Parliament deliberated and passed the Bill during the Budget Session of Parliament.</li> </ul>	
<p><b>Baseline:</b> Partially developed, 65% for MHRC, 20% for OoO</p> <p><b>Targets:</b> 68% cases completed (MHRC) and 25% (OoO) of human rights violation cases completed</p>	<p>2.2 Strengthened technical capacity for Malawi Human Rights Commission</p> <ul style="list-style-type: none"> <li>• Prioritization and implementation of Capacity building initiatives: Training for MHRC commissioners and officers in thematic areas ; includes training in case management, investigative skills, human rights monitoring, investigative skills</li> <li>• Conduct investigations of human rights violations</li> <li>• Public interest litigation in areas of systemic human rights violation</li> <li>• Examine legislations, judicial decisions, administrative provisions, Bills and proposals to</li> </ul>	<p>MHRC</p>	<ul style="list-style-type: none"> <li>- Members of the new 6th cohort of MHRC Commissioners were oriented at a Workshop held from 8th to 9th March, 2016.</li> <li>- The workshop introduced to the Commissioners the roles and responsibilities, and the functioning of National Human Rights Institutions generally, in line with relevant laws and regional and international standards and best practices.</li> <li>- 12 complaints of human rights violations were investigated in the Northern, Central, Southern and Eastern Regions for targeted districts and litigated 2 cases including cases involving missing of albinos.</li> </ul>	

	conform with fundamental principles of human rights			
	<p>2.3 Strengthened technical capacity for The Office of the Ombudsman</p> <ul style="list-style-type: none"> <li>• Finalization of the Strategic Plan and Service Charter</li> <li>• Train staff in Investigative skills and Case management</li> <li>• Development and Implementation of Performance Management System</li> <li>• On-Spot Investigations <ul style="list-style-type: none"> <li>• Train staff on case management system</li> </ul> </li> <li>• Train Staff on Maladministration</li> <li>• Public Enquirie</li> <li>• Outreach offices establishment</li> <li>• Open Days in Ombudsman Regional Offices</li> <li>• Press Conferences and Press releases</li> <li>• Procurement of Project Equipment and Stationery</li> </ul>	OoO		OoO Strategic Plan was finalized.

<p><b>Output 3:</b> Malawi's engagement on the state party reporting and UPR is improved in a participatory and consultative manner</p> <p><b>Indicator 1:</b> % of UPR recommendations implemented</p> <p><b>Baseline:</b> 0%</p> <p><b>Targets:</b> 20% of accepted recommendations implemented 5% of rejected recommendations accepted</p> <p><b>Indicator 2:</b> No. of state party reports completed</p>	<p>3.1 Improved implementation of UPR recommendations and timely submission of state party reports</p> <ul style="list-style-type: none"> <li>• Attending regional/ international HR meetings</li> <li>•</li> <li>• Universal Periodic Review (UPR) - convening quarterly working sessions on UPR National Task Force</li> <li>• Compilation of midterm implementation report of UPR</li> <li>• Compilation of State Party Reports</li> <li>• Attend Human Rights Council Session, Geneva Switzerland – 2 persons</li> <li>• Hosting AU and UN Special Rapporteurs</li> <li>• - Setting up a running website for all state party reports and human rights issues</li> <li>•</li> </ul>	<p>MOJCA</p>	<p>The project supported the participation of MoJCA, MHRC, and Stakeholders to participated at the annual meetings of African Union Human Rights Commission, Huma Rights Council and ICC meetings for 2015</p>	<p>The Ministry of Justice compiled 6 State Party reports and UPR for submission to the UN</p>
---	--	--------------	--	--



<p>1 State Party reports completed</p>	<ul style="list-style-type: none"> <li>• Capacity building of human rights unit on UPR and state party reporting</li> <li>• Procure ICT equipment</li> </ul>			
<p><b>Output 4:</b> Strengthened partnership between Malawi Human Rights Commission, Office of the Ombudsman and Non-State Actors on Human Rights</p> <p><b>Indicator:</b> % of Human Rights Awareness in Malawi</p> <p><b>Baseline:</b> 50% (Justice Baseline survey, 2011)</p> <p><b>Targets:</b> Human rights awareness strategy in place</p>	<p>4.1 Increased human rights awareness</p> <ul style="list-style-type: none"> <li>• Review the civic education strategy in Malawi and respond to the gaps identified with a view to ensure a systematic and orderly approach</li> <li>• Establish the human rights coordination forum: Conduct stakeholder mapping to identify human rights actors among Non-State actors such as CSOs and the media</li> <li>• Support training and monitoring of Primary Head Teachers on human rights education through Malawi Institute of Education</li> <li>• Public awareness sensitization meetings including human rights day commemoration</li> </ul>	<p>MHRC</p>	<ul style="list-style-type: none"> <li>- A mapping exercise report was being finalized.</li> <li>- Collaboration meetings were conducted to interface the Democratic Governance SWAP and Human rights Coordination Forum.</li> <li>- The project continued to finalize the Human Rights Education Strategy. The draft will be aligned to National Strategies format and be adopted.</li> <li>- The Project through MHRC supported the training of 60 more Primary School Head Teachers on human rights and democracy through a workshop held at Malawi Institute of Education (MIE). The total number trained is at 1,139 head teachers</li> </ul>	<p>After, engagement and consultations, a workshop with stakeholders in human rights will be organized in third quarter of 2016 with aim of establishing the human rights coordination forum on civic education in human rights</p> <p>The Education Strategy will include monitoring and evaluation frame work before validation and adoption.</p> <p>The training of teachers is undergoing evaluation to determine the new approach on implementation</p>

	<ul style="list-style-type: none"> <li>• Publicize through media human rights issues including rights based approach to social service delivery</li> </ul>		<ul style="list-style-type: none"> <li>- The Commission issued press releases and press conferences on emerging human rights issues</li> </ul>	
<p><b>Output 5:</b> Effective and efficient management, partnership formation and monitoring and</p>	<p>5.1 Oversight and inputs from project Board</p> <ul style="list-style-type: none"> <li>• Project board meetings</li> <li>• Office running</li> <li>• Project Evaluation</li> </ul>	MHRC	<p>One Technical Committee meeting was organized and 4 project vehicles were maintained and insured</p>	<p>The Steering and Technical Committee for JAWP forms governance structure for the project</p>

<p>evaluation of the Programme</p> <p>Indicator: % of activities successfully implemented</p> <p><b>Baseline:</b> 0%</p> <p><b>Targets:</b> 60 % of activities successfully implemented</p>				
	5.3 Human rights-based and results-based Monitoring and evaluation	MHRC		
<p>Output 6: Disability and elderly rights are promoted and protected</p> <p><b>Indicator 2:</b> No. policy documents mainstreaming disability issues</p> <p><b>Baseline:</b> 2; 2016</p> <p><b>Target:</b> 5 (including Successor MGDS and government sectoral policies)</p>	<p>6.1: Preparation of an alternative report on CRPD;</p> <p>6.2 Raise awareness on the rights of persons with disabilities;</p> <p>6.3 Advocate for the reduction of street begging by children with disabilities;</p> <p>6.4 Research on respect for rights of persons with disabilities in relation to education, health, water and sanitation;</p>	Disability Dept.	<p>During the period of reporting, MHRC commenced the process of producing the Alternative Report. Data for compilation of alternate report on CRPD was collected and the drafting is in process. The National Disability Mainstreaming Strategy has been finalized and it is waiting for printing and launching. A call for consultancy services for the development of disability training manual was placed in the daily newspapers for the identification of a Consultant to facilitate the process. The</p>	<p>The development of the Strategy and IEC materials and awareness raising will ensure protection and promotion of disability and elderly rights,</p>

	<p>6.5 Monitor and publicly report on the situation of persons with disabilities in detention;</p> <p>6.6 orient membership of NACCODI;</p> <p>6.7 Conduct review of handicapped persons Act in accordance with international standards;</p> <p>6.8 Finalise disability communication strategy; and conduct refresher training of focal points and sectoral ministries;</p> <p>6.9 Conduct study tour</p>		<p>review of Handicapped Persons Act in adherence with international standards was finalized. Meanwhile, the line Ministry will follow the appropriate procedures for its approval. The Disability Communication Strategy was finalized and awaiting printing.</p> <p>On awareness of disability rights and development, Over 7000 IEC materials (including Disability friendly terminology guidelines, albinism in Malawi booklet, banners, Disability Act (braille and easy to read format) and billboards, were printed and distributed. The study tour to Kenya was conducted and report was compiled.</p>	
--	---	--	--	--