



Malawi – Researched and compiled by the Refugee Documentation Centre of Ireland on 17 April 2014

Are there any reports of discrimination against HIV people in Malawi?

A 2012 report published by Freedom House, in a section headed “Civil Liberties”, states:

“Malawi has been severely affected by the HIV-AIDS pandemic and societal discrimination against those with the disease remains a problem. Although government has undertaken efforts to address the problem of discrimination against people living with HIV/AIDS, pending legislation on this issue has raised concerns for local and international human rights groups. The legislation specifically prohibits and criminalizes discrimination against persons with HIV, and seeks to prevent cultural practices that have increased infection rates among women. However, other provisions of the law, such as the criminalization of ‘deliberate or negligent transmission’ of the disease and the instatement of mandatory testing for pregnant women, are regarded by some as violations of more fundamental human rights.” (Freedom House (20 September 2012) *Countries at the Crossroads 2012 – Malawi*)

A 2012 report published by the US Agency for International Development, in a paragraph headed “Stigma and Discrimination”, states:

“Societal attitudes toward PLWHA affect people's willingness to be tested for HIV and their initiation on and adherence to ART. HIV/AIDS is still stigmatized in Malawi, but the situation is improving. Eighty to 98 percent of women and men 15 to 49 years old now think a teacher with HIV should be allowed to continue teaching; they are also willing to care for a family member who has HIV and buy fresh vegetables from a shopkeeper with HIV. However, there is still reluctance to reveal a family member's infection with HIV. Women are much more likely than men to want to keep secret a family member's infection with HIV (71 percent versus 58 percent). While there is consistent awareness of HIV's existence throughout the population and knowledge of HIV prevention is increasing, there is still a need for significant improvements in behaviors to prevent HIV transmission. Approximately 73 percent of men and women 15 to 49 years old know that using condoms can prevent AIDS. However, among males and females who have multiple partners, only 16 percent of females and 20 percent of males reported condom use at last sex. Other barriers to prevention, treatment, care, and support include the limited coverage of behavioral change communications, inadequate empowerment of women, limited access to services, insufficient focus on pediatric cases, inadequate laboratory services, lack of trained staff, and limited capacity for home-based care.” (US Agency for International Development (USAID) (24 July 2012) *Malawi HIV/AIDS Health Profile*)

The 2014 US Department of State country report on Malawi, in a section headed “Other Societal Violence or Discrimination”, states:

“Societal discrimination against persons living with HIV/AIDS remained a problem. Many individuals preferred to keep silent about their health rather than seek help and risk being ostracized. Campaigns by the government and NGOs to combat the stigma had some success. The National AIDS Commission maintained that discrimination was a problem in both the public and private sectors. To counter such discrimination, the commission provided funding to the MHRC to examine discrimination issues.” (US Department of State (27 February 2014) *2013 Country Reports on Human Rights Practices: Malawi*, p.23)

A report from the Xinhua General News Service on a HIV positive Malawian girl who addressed the first summit of the UNIADS and Lancet Commission states:

“She said as a girl living positively, she had undergone several challenges especially at school, where taking her antiretroviral drugs on daily basis attracted attention and ridicule from her peers.” (Xinhua General News Service (30 June 2013) *Feature: Malawi girl challenges UNIADS to end HIV/AIDS*)

A KC Team article quotes a HIV positive Malawian woman as follows:

“‘The biggest crime I committed is revealing my sero-status,’ said Esther Changa, 55, who tested positive for HIV in 2005. ‘Now society is doing everything possible to keep me behind - denying me loans, employment and many other benefits that others have.’ (KC Team (14 January 2014) *Malawi: The Challenge to Earn a Living When You Live With HIV*)

This article also states:

“Changa believes that people living with HIV are denied access to loans from micro-finance programmes because the communities administering the loans do not believe they will live long enough to repay them. She has also found it difficult to find steady work because her managers have not understood when she falls sick.” (ibid)

A report from the Malawi News Agency states:

“Coalition of Women Living with HIV and AIDS (COWLHA), Human Rights, HIV and AIDS Programme Officer, Harry Madukani on Monday said inadequate community awareness on HIV and AIDS related issues continues to fuel discrimination and stigmatization against people living with HIV and AIDS. Madukani was speaking at Kadzkalowa in the area of Traditional Authority Njolomole in Ntcheu during an awareness campaign on rights of people living with HIV and AIDS. ‘Stigmatization and discrimination against people living with HIV and AIDS is a vice which contributes to abuse of rights of people living with HIV and AIDS thereby bearing negative impact on efforts which are geared at responding to the pandemic,’ said Madukani. He said stigmatization and discrimination of people living with the virus creates a barrier to some people from seeking HIV Counseling and Testing services.” (Malawi News Agency (26 March 2014) *Malawi: COWLHA Worried With Abuse of Rights of People Living With HIV and Aids*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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