

REFERENCE: TESPRDD/DESIB/CYRU/HG

Subject: Report on the rights of the child and inclusive social protection - Human Rights Council Resolution 49/20

The Office of the United Nations High Commissioner for Human Rights presents its compliments to all Permanent Missions to the United Nations Office at Geneva and has the honour to refer to Human Rights Council resolution 49/20 on the rights of the child.

In the aforementioned resolution, the Human Rights Council requests the High Commissioner to prepare a report on the rights of the child and inclusive social protection, to be presented to the Council at its fifty-fourth session. It also requests that the report be carried out in close cooperation with all relevant stakeholders, including States, the United Nations Children's Fund, other relevant United Nations bodies and agencies, the Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, relevant special procedure mandate-holders, regional organizations and human rights bodies, national human rights institutions and civil society, including through consultations with children themselves.

The Office of the United Nations High Commissioner for Human Rights would be grateful to receive any relevant information for the preparation of this report. In particular:

- 1) What social protection systems are in place for children in your country? Please provide examples of specific laws and regulations, measures, policies, and programmes directed at ensuring children's access to inclusive social protection.

- *[the social protection systems that are in place for children include:*

A) *Social Cash Transfer: this targets school going children in primary and secondary. However, for those that are of school-going age but still in nursery, (5 to 6 years) are incentivised. Primary school-going children receive MK 1,500 while secondary school-going receive MK 2,000 monthly entitlement. However, mention must be made that Social Cash Transfer Programme (SCTP) in Malawi targets a household non-conditionally. So, the school bonuses are embedded to a household's entitlement. However, a diversification in targeting criteria will see the commencement of categorical targeting in 2023 where specific groups of people will be targeted depending on lifetime vulnerability needs. Examples of such will be under-5 malnourished children.*

- *Social Cash Transfer came in due to OVCs and structural vulnerabilities that came in because of HIV/aids. It was and remains an alternative care paradigm.*

So far, over 600, 000 children benefit from cash transfers, and specifically, 222, 140 children are entitled with education bonuses.

- The Social Cash Transfer Programme is ushered in by the Malawi National Social Support Programme, Pillar 1 (Consumptive Support). Also, the program is embodied in the Agenda 2063 under Human Capital Development because by investing in the children, the understanding is that such children will later help in breaking the cycle of poverty for the ultra poor households.

B) School Meals Programme. This programme targets all primary school-going children in public schools. This programme is championed by the Ministry of Education.

2) What are the main gaps and challenges to children's enjoyment of social protection in law, policy, and practice in your country and the impacts on children's rights? Please provide any relevant statistical or disaggregated data based on age, gender, disability, ethnicity, religion, sexual orientation and gender identity, migration status, or other categories. Please consider the specific situation of marginalized children and those in vulnerable situations in your response.

- First challenge is design of the programme. For example, the SCTP targets non-conditionally vulnerable households and not individual member. Unless the policy guidance is changed, the exclusion is obvious. However, efforts are underway to go categorical based on lifetime vulnerability challenges..*
- Financial standing. Social protection using categorical approach where individuals like children with their needs are addressed as such, will cost huge sums of money. As such, government of Malawi alone could not bear against other priorities.*
- Donor fatigue and sustainability pathways. Already donors pump a lot of resources to existing social protection systems. Such brings in stagger in the continuity of such protection systems. Under-developed countries have weak economies which if donors pull out abruptly, then all poor families will crumble.*

3) What are the good practices initiated by the Government to ensure that social protection benefits the rights of children in your country?

- With the right to quality education, Government of Malawi allowed for SCTP to have school-going bonuses. Such bonuses ultimately force parents to encourage their children to go to school. It is an indirect investment into the education of the children so that the circle of poverty is broken.*

4) Are there examples of how measures and responses to alleviate poverty through social protection systems in emergency situations or, for example, in response to the COVID-19 pandemic, have positively affected children's rights, particularly to social security?

- Yes, the Malawi Government approved one of the flagship urban poverty cash transfer called Covid-19 Urban Cash transfer Intervention (CUCI) in order to*

mitigate the chuckles of emegency Covid-19 amongst vunerable households. At that time, households that were in informal economy but also extremely poor needed a cushion of income to support their families including feeding their children against malnutrition since rockdown was immanent and some parents were laid-off, businessed crumbled, and schools closed.

- *So, the CUCI supported households with MK 35, 000 per houshold per month under consumptive support.*
- 5) How can States deliver more effectively to ensure the effective implementation of universal social protection for children, including through international cooperation?
- *Universalization of Social Protection for children is **NOT** cheap. As such, states should be ready to pump in a lot of resourcces. One way is though having infrastructure constructed under PPP and meant to generate resodurces which wil go directly into the welfare of vunerable childdren. For example, states could spare some Tollgates, Hotels, Stadia, which generate a lot of instant resources.*
 - *Another way is conditionalising social protection. The idea on non-conditional social protections brings liberty for “non-public”. This eventually exposes lack of ownership for the systems which makes contributors to provision of support for the social protection to lose the vigor.*

Information should be sent to Helen Griffiths, Office of the United Nations High Commissioner for Human Rights (e-mail: ohchr-registry@un.org, cc: helen.griffiths@un.org) by 15 January 2023. The information provided, which should not exceed five pages, will be made available on the OHCHR website.

The Office of the United Nations High Commissioner for Human Rights avails itself of this opportunity to renew the assurances of its highest consideration to all Permanent Missions to the United Nations Office in Geneva.

Geneva, 30 November 2022

