

DRAFT REPORT ON MALAWI CONSULTATION ON UNGASS PROCESS

Information per Thematic Groups

The Consultation took place in Crown Hotel on 3rd October 2015.

There were 17 participants (excluding the 2 CSTF Representatives)

A presentation was done by Nathalie Rose, CSTF representative on the UNGASS process and the role of the CSTF in this process.

After this presentation, the participants broke up in different groups to take cognisance of the CSTF Zero draft report by thematic area, and discuss these thematic areas in the Malawian context.

After group work, all the presentations were made to the wider group, and some points were added or modified as per the group discussions.

The following points are the points that they wanted to add to the thematic areas content:

Group 1: Drugs and Health

- Access to control medicine; restrictions to control medicines for eligible patients (Case of Misoprostol in Malawi where some people wanted it banned due to its misuse)
- Malawi needs to have policies that will support drug users rather than putting too much effort on policing (repression).
- Budget lines: Finances goes to advocacy and awareness, but not to most important things. There are not enough money for alternative activities for PWUD to keep them busy.
- More resources should go to health activities in relation to the drugs field
- UN agencies should put in the money according to the needs of the country

Group 2: Drugs and Crime

The entire group left after lunch, including the rapporteur, and they could not present their findings and discuss them, and validate them with the group. They sent their inputs by mail later, whose content are as follows:

Concerns about the unequal enforcement of policies and sentencing

Government should empower Civil Society Organizations to take action on the issues of drugs and crimes, for example; at community level and Civil Society Organisations should get the tips, concerns to police and not to report to police.

Sentencing should be stiffer (hard) and it should impose on

1. Producer (farmer)

2. Traffickers (transporter)
3. User (smokers)
4. Found in possession

Therefore not 4 years in in jail hard labour, but twenty years penalty 10 million, not 200,000 thousand like here in Malawi

B. On the harms of trafficking and its associated violence and exploitation, all the quotes of the CSTF Zero Draft Document for the UNGASS are applicable to Malawi

C. On evaluation of whether the current system is cost-effective and making society safer, this statement is also applicable to Malawi

D. On allowing for greater policy experimentation by member states?

We commented that it is not good to make it conditional but a mandate or command

But on traditional values quote number 3 does not apply to Malawi

Thematic Area 3: Human Rights, Women, Children and communities

- Set up rehabilitation centres for drugs addictive and users
- Lack of enforcement mechanisms to control illicit drugs/legal framework is outdated (those found in possession and producing drugs is not matching with the judicial judgment.
- State Parties come up with recommendations aimed at periodically reviewing archaic legal frameworks on drugs
- Addicted parents and guardians are exposing the use of illicit drugs to minors/children in homes/communities and we call for UNGASS to address this problem
- Absence of rehabilitation structures for pregnant women and those with babies which compromise child care and their health well-being when convicted
- UNGASS to set guidelines and conditions aimed at reviewing outdated legal frameworks
- UNGASS to come up with resolutions that would empower CSO to monitor government in addressing the illicit drugs (civic education)
- UNGASS should set strict guidelines that would see state party producing reports where CSO also contributes. In case the state party fails to do so CSO shall produce CSO Shadow report.

Thematic Area 4 - New Challenges, Threats in Addressing World Drug Problems

The following new challenges have been observed

- Youth (in primary and secondary school) are now increasingly being involved in cannabis use (openly)
- A legislator & diplomat and others pushing to legalise cultivation and use of 'cannabis'

- Some hard drugs are now being brought into the country from the East and West unlike in the past where Malawi was just a conduit
- Increasing proliferation and use of spirits/high alcohol content liquor
- The coming of e – cigarettes
- The government not giving consistent messages in alcohol policy
- Legal action do not assist (is not restrictive enough) to address drug problems. Sentencing is based on archaic laws
- Top leaders have vested interest
- Knowledge gap on dangers as well as conventions on drugs

Thematic Area 5: Drugs and Development

- Promote modern farming with focus on food crops and other cash crops
- Encourage guidance and counselling for school and out of school youth (using benefits based approach to change in behaviour)