

DESK REVIEW REPORT

**Review of the National Employment and Labour Policy (2017) and
the National Social Protection Policy (2024–2029)**

United for Africa Disability Protocol (U4ADP) Project

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1.0 Purpose of This Report

This Desk Review Report presents the findings from the documentary analysis conducted as the first phase of the U4ADP policy review assignment. The desk review was completed over Days 1–7 of the 30-day consultancy, from 13–19 April 2026. It formed the evidence base for stakeholder consultations in Phase 2 and the final policy briefs.

The review applied a disability lens to two national policy frameworks: the National Employment and Labour Policy (2017) and the National Social Protection Policy 2024–2029. Each framework was assessed against the obligations created by the African Disability Protocol (ADP), the UN Convention on the Rights of Persons with Disabilities (CRPD), and the Persons with Disabilities Act 2024.

The findings in this report were deepened and validated through district-level and national policy dialogue meetings before being translated into the final policy briefs.

2.0 Disability in Malawi: The Statistical Picture

Malawi’s 2018 Population and Housing Census recorded a disability prevalence of 10.4 per cent of the total population – a significant increase from 3.8 per cent recorded in 2008 (NSO 2019). This shift reflects both real changes in prevalence and improvements in how disability is measured.

The jump matters for policy: the National Disability Mainstreaming Strategy (2018–2023) was costed based on the 2008 figure, meaning its financial projections were built on a baseline that already underrepresented the population it was designed to serve.

Women with disabilities face compound disadvantage. The intersection of gender and disability creates barriers that neither the employment nor the social protection system currently addresses in a systematic way. Female-headed households are disproportionately multidimensionally poor: 71.4 per cent of female-headed households are multidimensionally poor, against a national average of 58.8 per cent (NSO 2022). Women with disabilities carry an additional burden. Family and community gatekeeping further restricts their access to income, services, and decision-making.

Key Statistic

Only 21.3% of Malawi’s population is covered by at least one social protection benefit.

Only 19.6% of vulnerable persons receive non-contributory cash benefits (ILO 2024).

3.0 The Legal and Policy Architecture

Malawi has progressively built a legal framework for disability rights. The following instruments are in force and directly relevant to this review.

Instrument	Year	Key Relevance to This Review
Constitution of Malawi – Section 20(1)	1994	Prohibits discrimination on any basis, including disability. Foundation for all subsequent disability legislation (Republic of Malawi 2020).
Malawi ratification of the CRPD	2009	Creates binding international obligations on work and employment (Article 27) and adequate standard of living and social protection (Article 28) (Republic of Malawi 2009).
National Policy on Equalisation of Opportunities for Persons with Disabilities (NPEOPWD)	2006	The foundational disability policy, now being replaced. Includes provisions on employment and economic empowerment but lacks implementation mechanisms.
National Employment and Labour Policy	2017	The National Employment and Labour Policy adopted seventeen years after the enactment of the Malawi's Employment Act 2000 (Republic of Malawi 2017).
National Disability Mainstreaming Strategy and Implementation Plan (NDMS&IP)	2018	Bridges policy and practice. A 2021 peer-reviewed study found that 58% of Key Actions showed only incomplete or partial engagement of persons with disabilities in the policy (Ebuenyi et al. 2021).
Persons with Disabilities Act	2024	Landmark legislation. Establishes MACODA (formerly MACOHA), the Disability Trust Fund, and updated legal protections. Creates the domestic anchoring point for ADP implementation (Republic of Malawi 2024a).
African Disability Protocol (ADP)	2024 (ratified)	Article 19: Right to Work. Article 20(2)(b): Right to Social Protection. Core review standard for this assignment (Centre for Human Rights 2023).
National Social Protection Policy (NSPP)	Adopted Nov 2024	Replaces the 2012 National Social Support Policy. Formally launched May 2025 (Republic of Malawi 2024b).

4.0 The ADP as the Review Standard

The African Disability Protocol entered into force on 5 July 2024 following ratification by 15 AU member states, with Malawi among them. Two articles are of direct relevance to this review.

ADP Article 19: Right to Work

Article 19 establishes that every person with a disability has the right to decent work, just and favourable conditions, and protection against unemployment, exploitation, and forced or

compulsory labour. States Parties are obliged to take measures to ensure these rights. This standard goes beyond the National Employment and Labour Policy’s existing provisions and requires assessment of whether the policy’s scope, targeting, and implementation mechanisms can actually deliver on this obligation.

ADP Article 20: Right to Adequate Standard of Living and Social Protection

Article 20 provides that persons with disabilities have the right to an adequate standard of living, including social protection. This article benchmarks the National Social Protection Policy and requires assessment of whether the policy’s design can reach persons with disabilities – particularly those in informal work, those not captured by the ultra-poor targeting criteria of the Social Cash Transfer Programme, and women and girls with disabilities.

The ADP also grounds disability rights in an African philosophy that emphasises community living and recognises the particular barriers created by cultural attitudes and harmful practices. These barriers are well-documented in Malawi’s context. This framing enriches the analysis beyond what a purely legalistic reading of the CRPD would produce.

5.0 Findings: National Employment and Labour Policy

5.1 Overview

Malawi’s National Employment and Labour Policy aims to expand decent work opportunities and promote productive employment as a foundation for inclusive growth and poverty reduction. It provides a framework for how government, employers, workers’ organisations, and training institutions coordinate to shape the labour market and improve job outcomes.

The policy addresses: labour market governance, including institutions, regulation, and social dialogue; employment promotion measures that stimulate labour demand and support enterprise development; and programmes that improve the matching of jobseekers to opportunities. A central pillar is skills development through vocational education and training. In parallel, the policy reinforces workplace rights and labour standards, including non-discrimination and fair working conditions.

5.2 Gap Findings

Key Research Finding

Research drawing on interviews with government representatives, trade unionists, employers, and workers with disabilities in Lilongwe and Blantyre found a ‘distinct gap between policy and practice in disability inclusion’ in Malawian employment. The central structural problem is a policy-based assumption of a formalised workforce that is not representative of the predominantly informal disabled workforce (Wånggren et al. 2023).

Approximately nine out of ten workers in Malawi are in the informal economy (DTDA 2026). The Employment Policy’s protections – such as anti-discrimination provisions, workplace rights, and vocational training access – are largely structured around formal employment relationships. This

creates an immediate and structural exclusion of most persons with disabilities from the policy’s protections.

The desk review identified preliminary gap areas that were followed up and validated in stakeholder consultations.

Gap Area	Finding	ADP/CRPD Reference
Formal-sector bias	Policy protections apply primarily to formalised employment. The majority of persons with disabilities work in the informal sector and are effectively outside the policy's scope.	<i>ADP Art. 19(2)(c); CRPD Art. 27(1)(h)</i>
Policy–legislation sequencing	Malawi's Employment Act was enacted in 2000, seventeen years before the National Employment and Labour Policy (2017). This reverses the conventional relationship between policy and law. The Policy must now do the work of catching up with, and then driving reform of, legislation that preceded it.	<i>ADP Art. 4(b); CRPD Art. 4(b); PDA 2024</i>
Reasonable accommodation	Provisions on workplace adjustments are absent or inadequately specified. The Persons with Disabilities Act 2024 creates this obligation in law, but the Employment Policy does not operationalise it.	<i>ADP Art. 3(g); CRPD Art. 27(1)(i)</i>
Women with disabilities	Gender–disability intersection is not addressed. Women with disabilities face compounding barriers to formal employment, including discriminatory hiring, inaccessible workplaces, and economic stigma from employers and lenders (Remnant et al., 2022).	<i>ADP Art. 27(f); CRPD Art. 6</i>
Vocational training access	MACODA-operated training centres offer disability-specific vocational training, but access is geographically limited. The 2025/26 national budget allocated MK3 billion to MACODA (Ministry of Finance 2025), of which approximately 80 per cent goes to salaries, sharply constraining programme delivery (UNICEF Malawi 2025).	<i>ADP Art. 16(3)(b); CRPD Art. 27(1)(d)</i>
Monitoring and data	Labour force surveys in Malawi do not systematically disaggregate data by disability status, making it impossible to monitor the	<i>ADP Art. 32; CRPD Art. 31</i>

Gap Area	Finding	ADP/CRPD Reference
	policy's impact on persons with disabilities. The ILO has flagged this as a critical gap across Africa.	

6.0 Findings: National Social Protection Policy 2024–2029

6.1 Overview

The National Social Protection Policy (NSPP), formally adopted in November 2024 and launched in May 2025, replaces the 2012 National Social Support Policy. It represents a significant expansion in ambition: where the 2012 policy focused on social support, the 2024 policy explicitly adopts the term ‘social protection’ covering social assistance, social insurance, social welfare services, labour market policies, and both public and private instruments aimed at eradicating poverty.

The NSPP is aligned with Malawi 2063 and the Global Accelerator on Jobs and Social Protection. It builds on the Social Cash Transfer Strategic Plan (2022–2027) and the Malawi National Social Protection Strategy.

6.2 Gap Findings

Key Data Point	<p>As of 2024, only 21.3% of Malawi's population is covered by at least one social protection benefit, and only 19.6% of vulnerable persons receive a non-contributory cash benefit. The Social Cash Transfer Programme reaches only around 10% of the population. The government plans to expand this to 15% of labour-constrained ultra-poor households. (ILO, 2024)</p>
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A central structural problem identified by ILO review is that beneficiary selection was based primarily on poverty status and labour capacity. This created a specific challenge for persons with disabilities: those who are poor but not in the ‘labour-constrained ultra-poor’ category – including many with moderate disabilities in the informal economy – were excluded from the Social Cash Transfer Programme but not eligible for Public Works Programmes either. The 2024 NSPP expands the policy’s stated scope, but its operationalisation would determine whether this gap is closed in practice.

The desk review identifies five gap areas.

Gap Area	Finding	ADP/CRPD Reference
Disability-specific targeting	The previous National Social Support Programme did not explicitly account for the social protection needs of persons with disabilities outside the Social Cash Transfer. The review established whether the 2024 NSPP corrects this, and to what extent.	<i>ADP Art. 20(2)(b); CRPD Art. 28</i>
Coverage gap for women with disabilities	Female-headed households are disproportionately multidimensionally poor (NSO, 2024). Women with disabilities face additional exclusion from social protection through informal gatekeeping, inaccessible registration processes, and lack of disability-disaggregated targeting.	<i>ADP Art. 27; CRPD Arts. 6, 28</i>
Social and health insurance	Malawi's social protection legal framework is limited to employment-based contributory social security schemes (ILO, 2024). The majority of persons with disabilities in informal employment are excluded from contributory social insurance.	<i>ADP Art. 17(2)(c); CRPD Art. 28(2)</i>
Data and monitoring systems	The Unified Beneficiary Registry and Social Cash Transfer MIS are being strengthened, but it is unclear whether these systems capture disability type, severity, and intersecting characteristics needed for disability-inclusive targeting.	<i>ADP Art. 32; CRPD Art. 31</i>
Fragmentation and coordination	The previous programme review found significant fragmentation across social protection programmes with weak institutional coordination, particularly at district level. Success depends on disability being built into harmonisation mechanisms.	<i>ADP Art. 4(b); CRPD Art. 4</i>

7.0 Cross-Cutting Gaps

Beyond the policy-specific gaps above, the desk review identifies three issues that cut across both frameworks.

7.1 Implementation Gap

Research consistently documents a gap between disability policy commitments in Malawi and their enactment in practice. A peer-reviewed study applying the EquIPP tool to the National Disability Mainstreaming Strategy found that 58 per cent of its Key Actions showed only incomplete or partial engagement of persons with disabilities in the policy process (Ebuenyi et al., 2021).

A study in the Sociology of Health & Illness found that ‘rights do not automatically enable people to live better lives’ (Wånggren et al. 2023). This policy review therefore examined implementation mechanisms and accountability structures as a core dimension of the analysis.

7.2 Intersectionality: Women and Girls with Disabilities

Neither the Employment Policy nor the Social Protection Policy adequately addresses the specific situation of women and girls with disabilities. The ADP (Article 27) explicitly requires states to ensure the rights of women and girls with disabilities are upheld. The CRPD (Article 6) similarly establishes that women with disabilities are subject to multiple and intersecting forms of discrimination and requires states to take measures to ensure their full development and empowerment.

Both policies are silent or inadequate on this specific intersection.

7.3 The ADP’s Distinctive African Context

The ADP goes beyond the CRPD by explicitly addressing harmful practices, cultural attitudes, and superstitions that negatively affect persons with disabilities in African contexts. In Malawi, these include community-level stigma, economic stigma from employers and lenders (documented in urban employment research; Remnant et al., 2022), and family-level gatekeeping of women with disabilities.

Neither policy addresses these structural barriers as part of its implementation framework.

8.0 Analytical Framework Applied

The desk review applied a five-dimension analytical framework to each policy. This framework guided documentary analysis structured stakeholder consultations in Phase 2.

Dimension	Questions Guiding the Analysis
1. Normative alignment	What do the policies explicitly say about persons with disabilities? Are disability provisions mainstreamed or siloed? Are they specific enough to create enforceable obligations?
2. Coverage gaps	Which groups are inadequately addressed – women and girls, children, persons in the informal economy, or persons with psychosocial or intellectual disabilities?
3. Implementation provisions	Do the policies include specific mechanisms, budgets, timelines, or accountability structures for disability inclusion? Who is responsible? How is progress measured?

Dimension	Questions Guiding the Analysis
4. ADP alignment	What does the ADP require that the current policies do not reflect? Where does Malawi’s obligation as a ratifying state exceed what domestic frameworks currently deliver?
5. Data and monitoring gaps	Can current systems disaggregate data by disability type, gender, and age? If not, what does this mean for accountability and for the review’s own recommendations?

9.0 Conclusion

The desk review phase has confirmed both the importance of the work and the significance of the gaps it documents.

Malawi has made genuine progress in building a legal architecture for disability rights – the Persons with Disabilities Act 2024, ratification of the ADP, and the expanded National Social Protection Policy 2024–2029 are substantive developments. But architecture is not delivery.

The Employment Policy’s protections remain structurally anchored in formal employment, while most persons with disabilities work informally (DTDA, 2026).

The Social Protection Policy has expanded its stated scope, but the mechanisms through which it reaches persons with disabilities – particularly women and girls with complex needs – were not yet demonstrably in place. In both cases, the ADP creates obligations that domestic frameworks have not yet fully operationalised.

The stakeholder consultations for Phase 2 tested these findings against the lived experience of persons with disabilities, OPD leaders, duty bearers, and policymakers in Lilongwe and Dowa.

The national dialogue meeting then validated and sharpened the emerging recommendations before they were translated into the two policy briefs that are the primary output of this assignment.

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