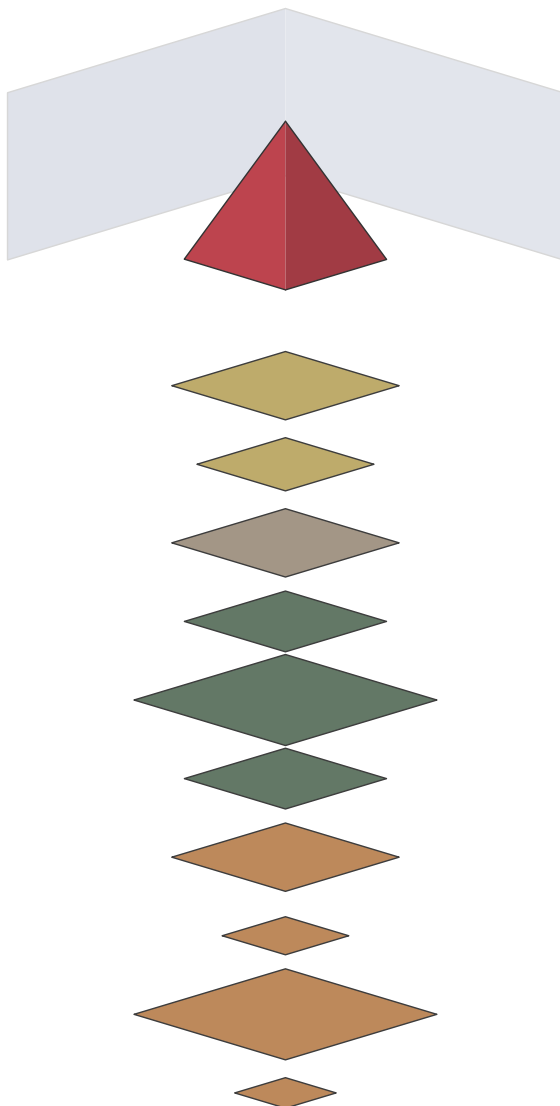




# MALAWI



## 3.83 CRIMINALITY SCORE

48<sup>th</sup> of 54 African countries  
10<sup>th</sup> of 13 Southern African countries



### CRIMINAL MARKETS **4.15**

HUMAN TRAFFICKING	4.50
HUMAN SMUGGLING	3.50
ARMS TRAFFICKING	4.50
FLORA CRIMES	4.00
FAUNA CRIMES	6.00
NON-RENEWABLE RESOURCE CRIMES	4.00
HEROIN TRADE	4.50
COCAINE TRADE	2.50
CANNABIS TRADE	6.00
SYNTHETIC DRUG TRADE	2.00



### CRIMINAL ACTORS **3.50**

MAFIA-STYLE GROUPS	2.00
CRIMINAL NETWORKS	3.00
STATE-EMBEDDED ACTORS	4.00
FOREIGN ACTORS	5.00

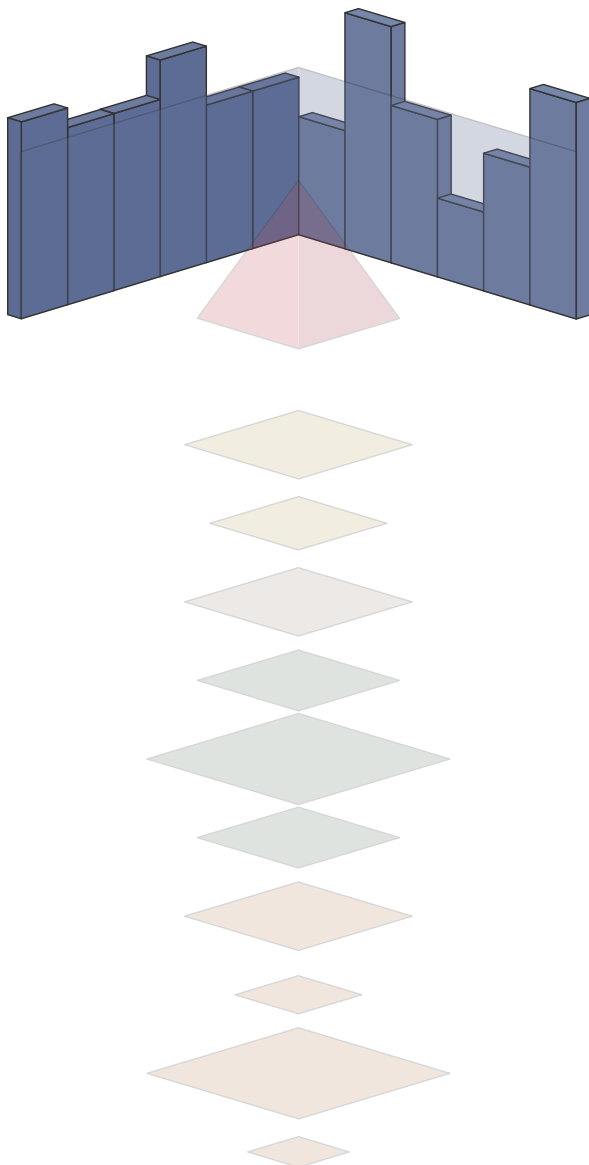


## 4.29 RESILIENCE SCORE

22<sup>nd</sup> of 54 African countries  
7<sup>th</sup> of 13 Southern African countries



# MALAWI



4.29

## RESILIENCE SCORE

22<sup>nd</sup> of 54 African countries

7<sup>th</sup> of 13 Southern African countries

<u>POLITICAL LEADERSHIP AND GOVERNANCE</u>	<b>5.00</b>
<u>GOVERNMENT TRANSPARENCY AND ACCOUNTABILITY</u>	<b>4.50</b>
<u>INTERNATIONAL COOPERATION</u>	<b>4.50</b>
<u>NATIONAL POLICIES AND LAWS</u>	<b>5.50</b>
<u>JUDICIAL SYSTEM AND DETENTION</u>	<b>4.00</b>
<u>LAW ENFORCEMENT</u>	<b>4.00</b>
<u>TERRITORIAL INTEGRITY</u>	<b>3.00</b>
<u>ANTI-MONEY LAUNDERING</u>	<b>6.00</b>
<u>ECONOMIC REGULATORY CAPACITY</u>	<b>4.00</b>
<u>VICTIM AND WITNESS SUPPORT</u>	<b>2.00</b>
<u>PREVENTION</u>	<b>3.50</b>
<u>NON-STATE ACTORS</u>	<b>5.50</b>



3.83

## CRIMINALITY SCORE

48<sup>th</sup> of 54 African countries

10<sup>th</sup> of 13 Southern African countries



CRIMINAL MARKETS **4.15**



CRIMINAL ACTORS **3.50**



# CRIMINALITY

## Criminal Markets

### PEOPLE

While the human trafficking market in Malawi is not a large one, it has the potential to grow. Adults and children from Zambia, Mozambique and the Great Lakes region are trafficked into Malawi for forced labour and sexual exploitation. Local Malawian victims trafficked for labour are moved from the south of Malawi into the central and northern region to work in agriculture, while children from rural areas are lured by traffickers under the pretence of being given employment or lodgings and then coerced into sex trafficking and debt bondage.

Malawi is a transit country for migrants being smuggled to South Africa and other countries along the so-called southern route, with many of them coming from further north in Africa, as well as from Southern Asia. Criminal networks help irregular migrants from Ethiopia, Kenya and Somalia reach their final destinations – and often use the Dzaleka refugee camp in Malawi to generate new clients. Overall, the smuggling industry in Malawi is low-level and unorganized. While COVID-19 and related travel restrictions have not stopped people fleeing from conflict, dangerous living conditions and human-rights abuses, the economic consequences of the pandemic are likely to have increased human-smuggling flows from the most affected countries to more affluent destinations.

### TRADE

Its poor border controls and proximity to countries suffering from conflict render Malawi vulnerable to arms trafficking. Malawian officials have claimed that asylum seekers and irregular migrants from war-torn countries enter Malawi with guns and ammunition, and blame them for the recent gun violence in the country. Although it is not the largest criminal market in Malawi, arms and ammunition smuggling is a concern.

### ENVIRONMENT

Due to illegal logging, Malawi has lost 12% of its tree cover since 2000, while unregulated charcoal production takes place at a large scale in its forests. Elephant poaching and the trafficking of ivory are significant issues in Malawi. As well as being a country of origin, Malawi is a primary transit point for illegal ivory from other countries in Southern Africa. Other illicit wildlife

products – including rhino horn, pangolin scales and bush meat – are also trafficked through the country. Poaching has had such a negative impact on Malawi that its lion and turtle populations have reportedly suffered a substantial reduction in their numbers. Highly organized and sophisticated criminal networks are involved in Malawi's wildlife trade, and they are allegedly aided in their illicit enterprises by corrupt state officials.

In 2018, Malawi saw a boom in illegal gold mining, with multiple reports of private sales to buyers in neighbouring countries. Unregulated artisanal and small-scale mining activities have been on the rise, and there are concerns about widespread corruption and Chinese interference in the industry.

### DRUGS

Malawi, with its high volumes of migrant and refugee trafficking, porous borders and lax law enforcement, is a popular trans-shipment point for heroin moving from East Africa to Southern and West Africa. Lilongwe Airport is a key node for heroin flows facilitated by compromised airport agents and border guards. It is alleged that large quantities of heroin brought into Lilongwe by air are then transported by vehicle through the Dedza border crossing into Mozambique. Domestic use of the drug is growing, especially in Lilongwe. Malawi is also a significant waypoint for cocaine smuggled from West and East Africa into Europe and the Middle East. West African organized-crime groups have a strong presence in Malawi's cocaine-trafficking market. Cocaine use is growing rapidly in the country and has become the second-most-consumed drug after cannabis.

Malawi is a source country for cannabis – in particular, Malawi Gold, one of the most popular strains of cannabis in Africa. Despite strictly enforced laws (which make the growing of cannabis illegal except for medicinal and industrial purposes), cannabis production is centred in the Kasungu, Mzimba and Nkhotakota districts. Cannabis produced in Malawi is smuggled across Africa and into European markets. Malawi has a small domestic market for synthetic drugs, with methamphetamine and MDMA arriving overland from Mozambique. There is no significant production of synthetic drugs in Malawi.



## Criminal Actors

Actors from other African countries are reported to be heavily engaged in Malawian criminal markets – in particular, money laundering and the trafficking of humans, drugs and wildlife. Corruption is widespread in Malawi, which has given rise to an environment in which state actors facilitate organized crime. Key cases include a Malawian diplomat who was allegedly engaged in the trafficking of a domestic worker, a group of police officers who were convicted of trafficking wildlife products, and

several public officials who were engaged in trafficking women to Kuwait. In 2020, a number of prominent officials were arrested for crimes that were committed during the previous administration, with the police stating that they were unable to make these arrests earlier due to the political environment. While there is little indication of domestic mafia-style groups in Malawi, the loose organized crime groups operating in the country are highly networked and engage in poly-trafficking, using one route to traffic multiple illicit products.

# RESILIENCE

## LEADERSHIP AND GOVERNANCE

While the will exists to combat organized crime, as is evident in the partnerships Malawi has entered into with the UN on human trafficking, more needs to be done to improve the effectiveness of its anti-organized-crime measures. The government of Malawi is resilient, and there have been no adverse regime changes or coups in recent years. However, while there is overall confidence in the government, corruption is still perceived to be widespread. In fact, Malawi ranks among the countries with the highest corruption-perception levels worldwide, with many government and law-enforcement officials being accused of participating in various criminal markets but few ever facing any consequences for this. Most instances of state corruption have been in the human-trafficking and wildlife markets, with the Lilongwe Wildlife Trust raising government corruption as a potential factor in the inconsistency of sentencing across Malawi. Access to information in the country, however, appears to be relatively good.

Malawi has signed and ratified most international treaties on organized crime. It has also cooperated with the United Nations and the Convention on International Trade in Endangered Species on initiatives to improve its response to human-trafficking and wildlife crime; and its financial intelligence unit has entered into several international memorandums of understanding in an effort to tackle money laundering. However, outside of its relationship with the UN and USAID, Malawi is fairly passive in terms of its international cooperation efforts and is not involved in any significant mutual extradition and legal-assistance agreements.

Malawi's national policy infrastructure on organized crime needs improvement, especially with regard to the wildlife and human-trafficking markets. Monetary fines for wildlife trafficking are insignificant and do little to curb poaching, especially of ivory. However, improvements have been made in the form of recent national-park and wildlife acts, which provide for prison time of up to 30 years for wildlife offences. Upholding and enforcing these laws continues to be a challenge, but while the rule of law is not strong in Malawi, it is better than in the majority of African nations.

## CRIMINAL JUSTICE AND SECURITY

Malawi's judiciary has demonstrated some resilience to organized crime and has improved in recent years. However, it remains largely reliant on support from its international partners. Because the lack of adequate punishment for environmental crime was severely impacting the effectiveness of Malawi's anti-trafficking initiatives, new measures were introduced in 2016 to address the situation. As a result, in the span of only three years (from 2016 to 2018), the percentage of custodial sentences increased from 3% to 77%. However, further improvements are still required as prosecutions are often inconsistent due to corruption.

The Wildlife-Crime Investigations Unit, also established in 2016, has been very active across the country, as has the Inter-Agency Committee for Combating Wildlife Crime, which promotes communication and collaboration between all relevant law-enforcement agencies. While Malawi is successful in detecting instances of wildlife trafficking by air, its investigators lack sufficient resources



and struggle to enforce its new laws against organized crime. Malawi's territorial integrity is weak, its borders are porous and its border mechanisms are inadequate. The country has therefore become a transit point for many forms of organized crime, with most criminal groups facing only minimal legal repercussions.

## **ECONOMIC AND FINANCIAL ENVIRONMENT**

International organizations, including the World Bank, are working with Malawian officials to improve their capacity to fight financial crime by, among other things, providing training to prosecutors and judges dealing with money-laundering cases. While Malawi's legal framework and mechanisms are generally solid, its enforcement of its anti-money-laundering laws and prosecution of financial crimes need improvement. The country's economic regulatory environment is poor, and improvement is needed in the control and management of its economy to allow trade to flourish within the rule of law. The informal economy is overdeveloped, which undermines the ease and attractiveness of doing business and investing in Malawi.

## **CIVIL SOCIETY AND SOCIAL PROTECTION**

While Malawi does not meet international standards in terms of its efforts to support the victims of modern-day slavery, it does have a national public-information campaign to spread awareness about the issue. The government engages with local communities through outreach initiatives, warning citizens of the perils of becoming involved in drug trafficking and the potential for their exploitation abroad. Training to help identify human-trafficking victims has been provided for labour inspectors and a number of law-enforcement officers. However, once these victims have been identified, a lack of resources limits how much long-term care and support is available for them. There are numerous initiatives in Malawi to prevent organized crime. These are both state-led and run in partnership with international organizations. Given the prominence of wildlife crime in Malawi, the government has increased penalties to deter offenders and crack down on the illicit market, and carried out many arrests in 2019.

While media freedom was improving steadily in Malawi, with no journalists killed or imprisoned in 2018, the disputed presidential election that took place in 2019 negatively affected media freedom, with a number of press-freedom violations being reported by journalists.

