

## 2RP: Responses to Recommendations & Voluntary Pledges

# MALAWI

## Second Review Session 22

Review in the Working Group: 5 July 2015  
Adoption in the Plenary:

Malawi's responses to recommendations (as of 28.09.2015)

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
145 Accepted (13 of which are considered as already implemented) 13 Pending 41 Noted	Out of 13 pending recommendations, 9 were accepted and 4 were noted	No additional information provided	Accepted: 154 Noted: 45 Total: 199

*Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.*

### **List of recommendations contained in Section II of the Report of the Working Group A/HRC/30/5:**

**110. The following recommendations have been examined by Malawi and enjoy its support:**

A - 110.1 Continue the process of ratification of international instruments, particularly those related to human rights, to which the country is not yet party (Côte d'Ivoire);

A - 110.2 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Prevention and Punishment of the Crime of Genocide (Democratic Republic of the Congo);

A - 110.3 Accede to the Convention on the Prevention and Punishment of the Crime of Genocide (Armenia);

A - 110.4 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);

A - 110.5 Sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance, as well as the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (France);



*Promoting and strengthening  
the Universal Periodic Review*  
<http://www.upr-info.org>

A - 110.6 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Ghana);

A - 110.7 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention against Discrimination in Education (Tunisia);

A - 110.8 Speed up efforts to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Denmark);

A - 110.9 Ratify the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Honduras);

A - 110.10 Consider ratifying the International Labour Organization Domestic Workers Convention, 2011 (No. 189) (Philippines);

A - 110.11 Speed up the revision of the Constitution of the Republic of Malawi and ensure harmonization of laws in line with its international obligations regarding the definition of the child (Slovakia);

A - 110.12 Harmonize national law with already ratified international conventions (Senegal);

A - 110.13 Seek to amend the Penal Code to criminalize all forms of sexual abuse of children, regardless of the sex of the child, bring perpetrators to justice and rehabilitate and compensate the victims (Egypt);

A - 110.14 Amend the Penal Code to criminalize all forms of sexual abuse of children regardless of the sex of the child, as currently not all forms of sexual abuse against boys are criminalized (Canada);

A - 110.15 Amend the Criminal Code to criminalize all forms of sexual abuse to children (Chile);

A - 110.16 Amend the Penal Code in order to criminalize all forms of sexual abuse of children, regardless of the sex of the child, and bring the perpetrators to justice (Slovenia);

A - 110.17 Consider possible means of a stricter enforcement of existing laws, with a view to combating different forms of violence against women and girls (Egypt);

A - 110.18 Enact appropriate measures and legislation to fight against all forms of discrimination and violence against women (Italy);

A - 110.19 Have the Malawian Law Commission take an expedited approach towards the repeal of the Witchcraft Act (Ghana);

A - 110.20 Accelerate the process of reviewing the law on witchcraft (Congo);

A - 110.21 Ensure the Marriage, Divorce and Family Relations Bill's implementation throughout the country (Iceland);

A - 110.22 Accelerate the adoption of the project on marriage, divorce and family relations and the establishment of the minimum age of marriage in line with international standards (Chile);



*Promoting and strengthening  
the Universal Periodic Review*  
<http://www.upr-info.org>

A - 110.23 Take the necessary steps for the effective implementation of the law on marriage, divorce and family relations, in order to set the minimum age for marriage at 18 and to contribute to combating forced or early marriages (Mexico);

A - 110.24 Adopt and ensure effective implementation of existing legislative proposals to improve conditions in prisons in line with international standards (Italy);

A - 110.25 Submit the Prisons Bill (2003) to Parliament for its consideration at the earliest opportunity and take meaningful action to deal with prison overcrowding, in particular through reducing the extraordinary periods of pretrial detention faced by many detainees (Ireland);

A - 110.26 Bring legislation governing the acquisition, retention or transfer of citizenship in line with article 9 of the Convention on the Elimination of Discrimination against Women, by removing any remaining discrimination (Portugal);

A - 110.27 Give continuity to the strengthening of national human rights institutions and mechanisms (Nepal);

A - 110.28 Continue its efforts to strengthen the Malawi Human Rights Commission's independence (Australia);

A - 110.29 Continue strengthening the capacity of Government institutions on human rights and to implement the strategies and plans, especially on child labour (Sudan);

A - 110.30 Conclude the drafting of the national human rights action plan (Zimbabwe);

A - 110.31 Accelerate the implementation of its national human rights action plan, and continue strengthening the human rights institutional frameworks (Indonesia);

A - 110.32 Strengthen the role and capacity of the Office of the Ombudsman and the Human Rights Commission (Morocco);

A - 110.33 Amend the Human Rights Commission Act to ensure that the Commission enjoys full independence and is adequately resourced, in accordance with the Paris Principles (Portugal);

A - 110.34 Establish and resource an independent police complaints commission to track and investigate complaints, in line with section 128 of Malawi's Police Act (Australia);

A - 110.35 Consider strengthening the capacity of the Law Commission to enable it to fulfil with diligence its apparently broad mandate (Democratic Republic of the Congo);

A - 110.36 Further promote human rights education for law enforcement organs (Ethiopia);

A - 110.37 Further enhance efforts to achieve the remaining Millennium Development Goals (Ethiopia);

A - 110.38 Continue the efforts in fighting social inequalities and poverty, especially of women and children, by promoting the respect for fundamental human rights and adopting policies that provide favourable conditions of work, in line with international human rights law (Holy See);

A - 110.39 Take the necessary measures for the prompt and effective operationalization of the independent police complaints commission, including by providing sufficient financial and human resources (Mexico);



*Promoting and strengthening  
the Universal Periodic Review*  
<http://www.upr-info.org>

A - 110.40 Provide financial support to the implementation of the plan of action for vulnerable children (Morocco);

A - 110.41 Expedite work on the formulation and implementation of the national plan of action for vulnerable children, which aims at benefitting 1.8 million vulnerable children in Malawi (Sri Lanka);

A - 110.42 Further increase efforts in the promotion and protection of the rights of the child (Armenia);

A - 110.43 Adopt a comprehensive global policy on children as well as a law and an action plan to implement this policy (Cabo Verde);

A - 110.44 Implement public policies to seek greater gender equality, both in political life and in the enjoyment of rights by women and girls under equal conditions (Costa Rica);

A - 110.45 Prioritize public education and information as well as capacity building of state institutions as part of efforts to strengthen implementation of national human rights legislation (Norway);

A - 110.46 Continue to engage international partners to further pursue human rights awareness programmes and implement the national human rights action plan (Philippines);

A - 110.47 Continue efforts to raise public awareness of human rights, in particular the child rights (Sudan);

A - 110.48 Reinforce action of the authorities to combat violence against persons with albinism (France);

A - 110.49 Strengthen cooperation with Human Rights Council treaty monitoring bodies (South Africa);

A - 110.50 Continue to cooperate with the United Nations international human rights treaty bodies (Nicaragua);

A - 110.51 Continue cooperation with treaty bodies by submitting overdue reports (Togo);

A - 110.52 Submit overdue reports to the human rights treaty bodies (Ghana);

A - 110.53 Submit all overdue reports to the treaty bodies (Sierra Leone)

A - 110.54 Continue to work towards clearing its backlog of periodic reports to the treaty bodies (Zimbabwe);

A - 110.55 Step up efforts to update periodic reports to the human rights treaty bodies (Philippines);

A - 110.56 Strengthen cooperation with the universal system of human rights by submitting their initial report to the Committee against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of All Forms of Racial Discrimination and by accepting the visit of the rapporteurs on freedom of peaceful assembly, extreme poverty and human rights defenders (Costa Rica);

A - 110.57 Continue efforts in the area of gender equality, in particular regarding acquisition, loss and transfer of nationality (Algeria);

A - 110.58 Fully implement the adopted Gender Equality Act (Montenegro);



Promoting and strengthening  
the Universal Periodic Review  
<http://www.upr-info.org>

- A - 110.59 Strengthen efforts on the implementation of the Gender Equality Act(South Africa);
- A - 110.60 Allocate financial and human resources to the implementation of the Gender Equality Act and amend all laws that discriminate against women, in particular the Citizen Act (Austria);
- A - 110.61 Continue actions aimed at raising public awareness of the law on gender equality adopted in 2013 and implement the national programme on maternity without risk, in order to reduce significantly the risk of maternal mortality (Burkina Faso);
- A - 110.62 Develop promptly the implementation guidelines for the Gender Equality Act to ensure its effectiveness (Ghana);
- A - 110.63 Develop implementation guidelines and to provide necessary budgetary support for the full realization of the Equality Act of 2013, in order to empower women (Sri Lanka);
- A - 110.64 Continue working on the implementation of laws that promote gender equality in the country (Nicaragua);
- A - 110.65 Take steps necessary to advance equal education and employment opportunities for women and girls and eliminate the worst forms of child labour (United States of America);
- A - 110.66 Launch a broad public awareness and education campaign among the population and authorities in order to ensure effectiveness of the new legislative framework prohibiting child marriage at less than 18 years of age (Luxembourg);
- A - 110.67 Promote gender equality and take measures, both in law and practice, in order to increase the participation of women in public life (Luxembourg);
- A - 110.68 Continue efforts to curb discriminatory and harmful practices towards women as well as existing high rate of maternal mortality (Nepal);
- A - 110.69 Take steps to fully harmonize the nationality law to provide women the right to acquire, change or retain their nationality, on an equal basis with men, in line with the provisions of the Convention on the Elimination of Discrimination against Women (Kenya);
- A - 110.70 Amend sections 9 and 16 of the Citizenship Act to ensure that nationality provisions are applied equally to men and women (Canada);
- A - 110.71 Ensure the proper registration of all newborns in order to ensure recognition of their legal personality (Mexico);
- A - 110.72 Take all necessary measures to protect and promote the right of children, including their right to acquire a nationality and to be registered at birth, combat child marriages and finalize the implementation of the national plan of action for vulnerable children for the period 2014-2018 (Namibia);
- A - 110.73 Combat all forms of discrimination, including against albinos and persons with disabilities (Italy);
- A - 110.74 Implement without any delay the recently presented action plan to improve the security and well-being of people with albinism (Austria);
- A - 110.75 Step up efforts towards improvement of living conditions of the prison population (Brazil);<sup>1</sup>



A - 110.76 Review the cases of those sentenced under the now-abolished mandatory capital punishment for treason and murder and provide appropriate resentencing decisions (Australia);<sup>2</sup>

A - 110.77 Continue the moratorium on death penalty (Nepal);<sup>3</sup>

A - 110.78 Intensify measures to improve prison conditions by reducing pretrial detention, guaranteeing fair trial and ensuring access to health and sanitary facilities in order to protect the human rights of all persons in detention (Germany);

A - 110.79 Improve conditions for prisoners in order to ease overcrowding and existing conditions, and ensure them the right to adequate food (Spain);

A - 110.80 Take the necessary measures to improve prison conditions and reduce prison overcrowding (Angola);

A - 110.81 Take measures to improve prison conditions (Austria);

A - 110.82 Deal with the problems of overcrowding and insufficient food provisions in prisons (Cabo Verde);

A - 110.83 Continue its efforts to combat violence against women, such as domestic violence and forced marriages, and promote gender equality, by fully implementing relevant legislation, conducting awareness-raising programmes for the population and bringing to justice the perpetrators of these violence (France);

A - 110.84 Ensure strict compliance of laws relating to gender-based violence (Ghana);

A - 110.85 Intensify specifically its efforts to combat widespread violence against women and girls, including through gender-sensitive legislation, stronger enforcement of existing laws as well as by increasing public awareness and promoting gender equality (Iceland);

A - 110.86 Put in place necessary mechanisms to ensure successful implementation of various strategies and legal reforms being considered to end child marriage (Mauritius);

A - 110.87 Strengthen the legal and institutional framework to fight against child marriage (Algeria);

A - 110.88 Develop and implement a comprehensive national action plan to prevent and address the consequences of child marriage by, inter alia, ensuring the investigation and prosecution of domestic violence against women and revising the legal incongruence concerning the minimum age of marriage (Thailand);

A - 110.89 Develop and implement a comprehensive national action plan to prevent and eliminate child, early and forced marriages (Netherlands);

A - 110.90 Continue to take concrete steps to eliminate child, early and forced marriage, such as Malawi's recent passing of the law raising the age of marriage to 18 years (Canada);

A - 110.91 Take effective measures to reduce child marriage (China);

A - 110.92.Speed up the review of the Prevention of Domestic Violence Act and strengthen the mechanisms to protect, compensate, rehabilitate and reintegrate victims (Slovakia);<sup>4</sup>

A - 110.93 Take effective measures to protect lesbian, gay, bisexual and intersex persons from violence and prosecute the perpetrators of violent attacks (Austria);



Promoting and strengthening  
the Universal Periodic Review  
<http://www.upr-info.org>

A - 110.94 Strengthen and consolidate efforts to counter discriminatory practices and violence against women (Singapore);

A - 110.95 Continue its actions to ensure effective respect of the rights of the child and to fight, in particular, against early marriages by adopting rapidly and implementing the marriage bill (France);

A - 110.96 Continue working on the implementation of a national plan to combat violence against children and youth (Nicaragua);

A - 110.97 Continue efforts in combating sexual violence against children regardless of the sex of the child starting with the review of related legislation to ensure prosecution of perpetrators and adequate rehabilitation and compensation for the victims (Thailand);

A - 110.98 Continue implementing the national action plan to guide the progressive elimination of child labour (Cuba);

A - 110.99 Take concrete measures to ensure that the anti-human trafficking act is effectively implemented and that albinos are provided equal protection by the law (Norway);

A - 110.100 Ensure that the Trafficking in Persons Act comes into force and is implemented as soon as possible and implement a national action plan to strengthen coordination efforts against trafficking at the national level (Switzerland);

A - 110.101 Vigorously investigate and prosecute trafficking offenders, under the recently passed Trafficking in Persons Act (United States of America);

A - 110.102 Take further steps to reform the judicial and penal system and create adequate incarceration centres in conformity with international standards (Holy See);

A - 110.103 Take concrete measures to improve the judiciary and penitentiary system, by reducing the cases of excessively long pretrial detentions and ensuring humane detention conditions (France);

A - 110.104 Continue its efforts to improve the penitentiary system and prison conditions as well as to strengthen the judiciary whose weakness in personnel, namely prosecutors and judges, is the source of congestion of the courts (Niger);

A - 110.105 Operationalize the system of management of cases in all courts to ensure effective treatment of criminal cases by the judiciary (Morocco);

A - 110.106 Develop and implement a comprehensive strategy and judicial reforms to effectively reduce the backlog of cases (Botswana);

A - 110.107 Ensure the identification, protection and access of victims to justice and guarantee effective investigations into cases of trafficking (Switzerland);

A - 110.108 Continue working on the implementation of actions which ensure effective access of women victims of gender violence to justice, reparation and social reintegration (Uruguay);

A - 110.109 Fully investigate all cases of harassment and intimidation of journalists and human rights defenders with a view of bringing the perpetrators to justice (Austria);

A - 110.110 Ensure thorough investigations into reports of attacks and threats against human rights defenders with a view to bring perpetrators to justice (Botswana);



*Promoting and strengthening  
the Universal Periodic Review*  
<http://www.upr-info.org>

A - 110.111 Continue its efforts to review the cases of persons sentenced to death in the country and to commute all death sentences into alternative penalties, as well as to put in place a moratorium on the death penalty with a view to its future abolition (Switzerland);

A - 110.112 Continue positive measures in support of vulnerable groups in the areas of access to justice and education (Angola);

A - 110.113 Take the necessary measures to set the minimum age for marriage at 18 years of age (Togo);

A - 110.114 Take steps to increase the participation of women in government (Trinidad and Tobago);

A - 110.115 Further strengthen the field of economic, social and cultural rights, in order to improve the living conditions of the people and to this end, the support and solidarity of the community of nations is important (Bolivarian Republic of Venezuela);

A - 110.116 Continue promoting partnerships with regional and international institutions in order to give impetus to the development process and improve living standards of its nationals (Kuwait);

A - 110.117 Continue efforts for the realization of sustainable economic development and poverty reduction (China);

A - 110.118 Strengthen the mechanisms aimed at fighting against poverty and food insecurity (Côte d'Ivoire);

A - 110.119 Take all necessary measures to reduce extreme poverty, hunger and child mortality rates (Kuwait);

A - 110.120 Establish a legal framework on the right to food, building on the draft food and nutrition bill and integrating a gender perspective through a consultative process with relevant stakeholders (Ireland);

A - 110.121 Intensify efforts to address socioeconomic rights, particularly access to health and education (Sierra Leone);

A - 110.122 Continue efforts in improving the health-care system in order to combat mother and child mortality, and assist those suffering from HIV/AIDS (Holy See);

A - 110.123 Spare no efforts and resources to provide girls and adolescents of reproductive health and social services to address the problem of teenage pregnancies (Honduras);

A - 110.124 Continue efforts aimed at effectively fighting against maternal and child mortality (Togo);

A - 110.125 Step up efforts to reduce the HIV/AIDS rate in the country (Burkina Faso);

A - 110.126 Guarantee that people of the lesbian, gay, bisexual, transgender and intersex communities have effective access to health services, including treatment for HIV/AIDS (Honduras);

A - 110.127 Continue efforts in the provision of free and compulsory education (South Africa);

A - 110.128 Put in place measures to improve the infrastructure of educational institutions as well as increase the access of children to education (Trinidad and Tobago);

A - 110.129 Pursue efforts to promote school attendance of girls and women's rights (Congo);



Promoting and strengthening  
the Universal Periodic Review  
<http://www.upr-info.org>

A - 110.130 Promote the introduction of human rights education in the educational system and in training programs (Senegal);

A - 110.131 Give full priority to ensuring the full and effective implementation of the Disability Act (Singapore);

A - 110.132 Fully implement the strategy for growth and development of Malawi (Cuba).

**111. The following enjoy the support of Malawi, which Malawi considers to be already implemented:**

A - 111.1 Accelerate the review and adoption of the new law on marriage in order to eradicate early marriages of young girls (Democratic Republic of the Congo);

A - 111.2 Expedite the adoption of a law on trafficking in persons, which would provide for the criminalization of all forms of trafficking, sanctions and adequate assistance for victims (Egypt);

A - 111.3 Enact the Marriage, Divorce and Family Relations Bill with a view to ending child, early and forced marriage and other harmful practices, and raise the minimum age of marriage to 18 years (Sierra Leone);

A - 111.4 Adopt the Marriage, Divorce and Family Relations Bill (Sudan);

A - 111.5 Conclude the work on the draft law on marriage, divorce and family relations (Cabo Verde);

A - 111.6 Ensure that measures are taken to expedite the enactment of the Gender Equality Bill, the Deceased Estates Bill and the Marriage, Divorce and Family Relations Bill (Timor-Leste);

A - 111.7 Establish a definition of the child in accordance with the Convention on the Rights of the Child as well as incorporate the principle of the best interests of the child in the Constitution (Timor-Leste);

A - 111.8 Establish a national human rights institution (Costa Rica);

A - 111.9 Ensure the effective implementation of the Marriage, Divorce and Family Relations Bill in order to prevent the prevalence of child marriage (Sweden);

A - 111.10 Adopt a law on human trafficking that criminalizes all forms of trafficking and that provides the corresponding sanctions and comprehensive assistance to victims (Spain);

A - 111.11 Draw up a programme to ensure the full enjoyment of human rights by persons living with albinism (Sierra Leone);

A - 111.12 Consider elaboration and adoption of a policy on child justice or a comprehensive programme through the National Child Justice Forum (Slovakia);

A - 111.13 Further promote human rights education and make primary education free and compulsory (Rwanda).

**112. The following recommendations will be examined by Malawi which will provide responses in due time, but no later than the thirtieth session of the Human Rights Council in September 2015:**

N - 112.1 Ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana);



Promoting and strengthening  
the Universal Periodic Review  
<http://www.upr-info.org>

N - 112.2 Strengthen its legal framework by considering signing and ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);

N - 112.3 Consider ratifying the International Convention on the Rights of all Migrant Workers and Their Families (Philippines);

A - 112.4 Urgently address the inconsistency in the age of marriage in the Marriage Act and the Constitution (United Kingdom of Great Britain and Northern Ireland);

N - 112.5 Decriminalize defamation and incorporate this into the Civil Code (Ghana);

A - 112.6 Harmonise laws on abortion with maternal health and child marriage (Congo);

A - 112.7 Issue standing invitations to all special procedures (Ghana);

A - 112.8 Issue a standing invitation to the special procedures of the Human Rights Council and ensure an enabling environment for the activities of journalists, human rights defenders and other civil society actors (Tunisia);

A - 112.9 Extend a standing invitation to the special procedures mandate holders (Chad);

A - 112.10 Consider extending a standing invitation to the special procedures mandate holders (Kenya);

A - 112.11 Issue a standing invitation to all mandate holders of the special procedures (Madagascar);

A - 112.12 Strengthen efforts to reduce maternal mortality, including by reviewing the legislation on abortion (Slovenia);

A - 112.13 Implement, as a party to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, the provisions related to medical abortion in cases of sexual assault, rape, incest and where the continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the foetus (Norway).

**113. The following recommendations have been noted by Malawi:**

N - 113.1 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Madagascar);

N - 113.2 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Germany);

N - 113.3 Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (France);

N - 113.4 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Montenegro);

N - 113.5 Ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights (Portugal);



N - 113.6 Consider ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty and commit current death sentences to life imprisonment as far as possible (Namibia);

N - 113.7 Consider ratifying the Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Timor-Leste);

N - 113.8 Consider the legal abolition of the death penalty (Nepal);<sup>5</sup>

N - 113.9 Step up efforts towards the abolition of the death penalty (Brazil);<sup>6</sup>

N - 113.10 Withdraw all reservations to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol and accede to the 1961 Convention on the Reduction of Statelessness (Germany);

N - 113.11 Strengthen provisions in the Constitution to promote good administrative practices in State institutions (Angola);

N - 113.12 Take into consideration the recommendation of the Committee on Human Rights and explicitly criminalize female genital mutilation (Honduras);

N - 113.13 Review and reform its national legislation with a view to eradicating all discrimination on the basis of sexual orientation and gender identity (Brazil);

N - 113.14 Include sexual orientation and gender identity among the prohibited grounds of discrimination and repeal the provisions criminalizing homosexual relations between consenting adults (Chile);

N - 113.15 Repeal provisions criminalizing consensual same-sex sexual conduct in order to bring the penal code in line with international human rights obligations (Germany);

N - 113.16 Repeal all legal provisions criminalizing sexual activities between people of the same sex (Italy);

N - 113.17 Modify the criminal code to decriminalize same-sex sexual activity between consenting adults and to criminalize all forms of sexual abuse of children, regardless of the sex of the child (United States of America);

N - 113.18 Repeal legal provisions that criminalize homosexuality, and take all necessary measures to ensure respect for all human rights of lesbian, gay, bisexual, transgender and intersex people, including access to public health services and support initiatives, such as education programmes and the provision of disease and infection care (Slovenia);

N - 113.19 Abrogate legislation criminalizing homosexuality, in order to fully respect the principles of equality and non-discrimination for all persons (France);

N - 113.20 Repeal all legal provisions criminalising sexual activity between consenting adults and encourage the Malawi Human Rights Commission to include in its mandate the protection of the rights of the lesbian, gay, bisexual, transgender and intersex community (Australia);

N - 113.21 Consolidate the policy gains into legal reforms on issues such as treatment of same-sex relations and access to information (Norway);

N - 113.22 Ensure to lesbian, gay, bisexual, transgender and intersex persons the full enjoyment and equal conditions in terms of their human rights by repealing the rules that criminalize and stigmatize them (Argentina);



N - 113.23 Bring its legislation in conformity with international law, by decriminalizing consensual same-sex relations between adults and by prohibiting all discrimination based on sexual orientation and gender identity (Luxembourg);

N - 113.24 Repeal the provisions in the Criminal Code that criminalize consensual same-sex conduct, and any other legislation which discriminates on the basis of sexual orientation or gender identity, and bring its legislation in line with Malawi's obligations under international human rights law (Netherlands);

N - 113.25 Repeal provisions of the Malawi Criminal Code that criminalize consensual, adult same-sex conduct (sections 153, 154 and 156) and provide adequate protection to lesbian, gay, bisexual and transgender persons (Sweden);

N - 113.26 Decriminalize homosexuality and revise sections 137A, 153, 154 and 156 of the Penal Code and revise the law on marriage, divorce and family relations in order to bring it in line with the international instruments ratified by Malawi (Switzerland);

N - 113.27 Eliminate existing norms against homosexuality, in particular articles 137, 153, and 156 of the Penal Code (Spain);

N - 113.28 Combat, in law and in practice, discrimination based on sexual orientation (Uruguay);

N - 113.29 Abolish the death penalty (Portugal);

N - 113.30 Consider abolishing the death penalty (Rwanda);

N - 113.31 Move towards the abolition of the death penalty (Chile);

N - 113.32 Consider abolishing the death penalty, given that there has been no execution since 1992 and that death row cases are being reviewed (United Kingdom of Great Britain and Northern Ireland);

N - 113.33 Uphold the inherent right to life by ensuring the right to liberty and security of the human person and by abolishing the death penalty (Holy See);

N - 113.34 Consider taking all necessary steps to introduce a de jure moratorium on capital executions with a view to fully abolishing the death penalty and ratifying the Second Optional Protocol to the International Covenant on Civil and Political Rights (Italy);

N - 113.35 Move to abolish the death penalty, accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Australia);<sup>7</sup>

N - 113.36 Declare a de jure moratorium on the death penalty with a view to its final abolition, and in this context take steps to become Party to the Second Optional Protocol to the International Covenant on Civil and Political Rights (Uruguay);

N - 113.37 Formalize a de jure moratorium on death penalty and replace it with alternative sentences which respect international human rights standards (Spain);

N - 113.38 Adopt measures to effectively prevent the practice of female genital mutilation (Uruguay);

N - 113.39 Improve conditions in schools, and persist in efforts to facilitate access to education, especially for indigenous peoples, and promote the opportunity to access mother language education (Holy See);



N - 113.40 Explicitly criminalize spousal rape (Slovakia);<sup>8</sup>

N - 113.41 Improve law enforcement capacity to protect victims of domestic violence by expanding the ability of the police to investigate cases of suspected domestic violence, including spousal rape, and increasing training and awareness-raising for police (Canada).

## Notes

1 The recommendation made during the interactive dialogue was: “Step up efforts towards the abolition of the death penalty and the improvement of living conditions of the prison population (Brazil)”.

2 The recommendation made during the interactive dialogue was: “Move to abolish the death penalty, accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights and review the cases of those sentenced under the now-abolished mandatory capital punishment for treason and murder and provide appropriate resentencing decisions (Australia)”.

3 The recommendation made during the interactive dialogue was: “Continue the moratorium on death penalty and consider its legal abolition (Nepal)”.

4 The recommendation made during the interactive dialogue was: “Speed up the review of the Prevention of Domestic Violence Act, explicitly criminalize spousal rape and strengthen the mechanisms to protect, compensate, rehabilitate and reintegrate victims (Slovakia)”.

5 The recommendation made during the interactive dialogue was: “Continue the moratorium on death penalty and consider its legal abolition (Nepal)”.

6 The recommendation made during the interactive dialogue was: “Step up efforts towards the abolition of the death penalty and the improvement of living conditions of the prison population (Brazil)”.

7 The recommendation made during the interactive dialogue was: “Move to abolish the death penalty, accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights and review the cases of those sentenced under the now-abolished mandatory capital punishment for treason and murder and provide appropriate resentencing decisions (Australia)”.

8 The recommendation made during the interactive dialogue was: “Speed up the review of the Prevention of Domestic Violence Act, explicitly criminalize spousal rape and strengthen the mechanisms to protect, compensate, rehabilitate and reintegrate victims (Slovakia).”