



Mr. / Madam President / Vice President:

The Advocates for Human Rights, Reprieve, Irish Rule of Law International, Parliamentarians for Global Action, and the International Bar Association's Human Rights Institute thank the 31 Member States that made recommendations during the November interactive dialogue, urging Malawi to take steps toward abolition of the death penalty. We also thank the 26 Member States that made recommendations during the November Interactive dialogue, urging Malawi to criminalise torture and review with a view to repeal, laws that permit the admissibility of forced confessions in criminal trials or to ratify the optional protocol to the Convention Against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment.

We commend Malawi for supporting 10 recommendations urging it to criminalise torture and to outlaw the admissibility of forced confessions in criminal investigations. We are, however, disappointed that Malawi noted every recommendation on abolition of the death penalty, including recommendations simply to “consider” ratifying the second optional protocol to the ICCPR, despite significant progress toward abolition of the death penalty in recent years.

Malawi has been a leader on capital sentencing reform since it overturned the mandatory death penalty in 2007. Malawi's 4<sup>th</sup> UPR came off the back of a nationwide consultation on abolition that revealed overwhelming support for abolition. Coupled with this domestic support, the impressive number of recommendations urging Malawi to take steps toward abolition by Member States, including abolitionist African states, during Malawi's 4<sup>th</sup> UPR is evidence of support both locally and internationally for Malawi to abolish the death penalty. To this end, Malawi's decision not to support recommendations urging it to take steps towards abolition of the death penalty was disappointing.

We urge Malawi to use the support it enjoys both locally and internationally to implement the recommendations to take steps toward abolition. We further urge Malawi to enact legislation that will concretise its support of the recommendations to outlaw the admissibility of forced confessions and to criminalise torture.

Thank you.