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Geneva

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**German recommendations to
Malawi**

German National Statement

Mr. President,

Germany welcomes the delegation of Malawi and thanks it for its national report. Germany appreciates positive developments regarding the freedoms of expression and assembly and would like to encourage the government of Malawi to continue on this path.

Recalling its recommendations in the first UPR round of Malawi, however, Germany would like to express its disappointment regarding continued discrimination on the basis of sexual orientation and gender identity and the fact that there has been no reform of the legislation on refugees. Furthermore, Germany is deeply concerned about the situation in prisons and detention centers.

Germany would like to offer the following recommendations:

1. Repeal provisions criminalising consensual same-sex sexual conduct in order to bring its penal code in line with its international human rights obligations.
2. Withdraw all reservations to the 1951 Convention relating the Status of Refugees and its 1967 Protocol and accede to the 1961 Convention on the Reduction of Statelessness.
3. Intensify measures to improve prison conditions by reducing pre-trial detentions, guarantying fair trial and ensuring access to health and sanitary facilities in order to protect the human rights of all persons in detention.
4. Ratify the Second Optional Protocol to the ICCPR aiming at the abolition of the death penalty.

Thank you, Mr. President.