**Universal Periodic Review Working Group – 36th Session**

**Universal Periodic Review of Malawi**

**Statement by Australia**

**3 November 2020**

Thank you Vice President

The Government of Australia commends Malawi on the peaceful transition of power following elections on 23 June 2020.

We welcome the measures Malawi has taken since 2015 to protect the rights of children. In particular, the constitutional amendment to raise the age of a child from 16 to 18 and the adoption of the Marriage, Divorce and Family Relations Act which prohibits marriage of persons under the age of 18. It remains imperative that these laws are effectively enforced and that women and girls can seek assistance to understand and exercise their rights.

Australia recommends that **Malawi**:

1. **Abolish the death penalty and accede to the ICCPR’s Second Optional Protocol.**
2. **Repeal all legal provisions criminalising sexual activity between consenting adults and mandate the Malawi Human Rights Commission to protect the rights of the LGBTI community.**
3. **Establish and adequately resource the Independent Police Complaints Commission (IPCC), as provided for in the Police Act of 2010.**