Tables for UN Compilation on Malawi

I. Scope of international obligations[[1]](#endnote-2)

A. International human rights treaties[[2]](#endnote-3)

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified/not accepted* |
|  |  |  |  |
| *Ratification, accession or succession* | ICERD (1996)  ICESCR (1993)  ICCPR (1993)  CEDAW (1987)  CAT (1996)  CRC (1991)  OP-CRC-AC (2010)  OP-CRC-SC (2009)  CRPD (2009) | ICPPED (2017) | ICCPR-OP 2  OP-CAT  ICRMW |
| *Complaints procedures, inquiries and  urgent action[[3]](#endnote-4)* | ICCPR-OP 1 (1996)  OP-CEDAW (signature, 2000)  CAT, art. 20 (1996) | -- | ICERD, art. 14  OP-ICESCR  ICCPR, art. 41  OP-CEDAW (signature, 2000)  CAT, arts. 21 and 22  OP-CRC-IC  ICRMW  OP-CRPD  ICPPED, arts. 31 and 32 |

|  |  |  |  |
| --- | --- | --- | --- |
| *Reservations and / or declarations* | *Status during previous cycle* | *Action after review* | *Current Status* |
|  |  |  |  |
|  | OP-CRC-AC (Declaration, art. 3.2, minimum age of recruitment at 18 years, 2010) | -- | OP-CRC-AC (Declaration, art. 3.2, minimum age of recruitment at 18 years) |

B. Other main relevant international instruments

|  |  |  |  |
| --- | --- | --- | --- |
|  | *Status during previous cycle* | *Action after review* | *Not ratified* |
|  |  |  |  |
| *Ratification, accession or succession* |  | Convention on the Prevention and Punishment of the Crime of Genocide | ILO Conventions Nos. 169 and 189[[4]](#endnote-5) |
|  | Geneva Conventions of 12 August 1949 and Additional Protocols thereto[[5]](#endnote-6) |  | Additional Protocol III to the 1949 Geneva Conventions. |
|  |  |  | Convention against Discrimination in Education |
|  | Rome Statute of the International Criminal Court |  |  |
|  | Conventions on refugees and stateless persons[[6]](#endnote-7) |  |  |
|  | Palermo Protocol[[7]](#endnote-8) |  |  |
|  | ILO fundamental Conventions[[8]](#endnote-9) |  |  |
|  |  |  |  |

II. Cooperation with human rights mechanisms and bodies

A. Cooperation with treaty bodies[[9]](#endnote-10)

Reporting status

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| *Treaty body* | *Concluding observations included in previous review* | *Latest report submitted since previous review* | *Latest concluding observations* | *Reporting status* |
|  |  |  |  |  |
| CERD | -- | -- | -- | Initial report overdue since 1997. |
| CESCR | -- | -- | -- | Initial report overdue since 1996. |
| HR Committee | July 2014 | -- | -- | Second report overdue since 2018. |
| CEDAW | -- | 2014 | November 2015 | Eighth report overdue since 2019. |
| CAT | -- | 2019 | -- | Initial report pending consideration. |
| CRC | -- | 2015 (on CRC, OP-CRC-AC and OP-CRC-SC) | February 2017 (on CRC, OP-CRC-AC and OP-CRC-SC) | Sixth and seventh reports due in 2022. |
| CRPD | -- | 2017 | -- | Initial report pending consideration. |
| CED | -- | -- | -- | Initial report overdue since 2019. |

Responses to specific follow-up requests from concluding observations

|  |  |  |  |
| --- | --- | --- | --- |
| *Treaty body* | *Due in* | *Subject matter* | *Submitted* |
|  |  |  |  |
| HR Committee | 2015 | Extrajudicial killings; prohibition of torture; sexual abuse of children; and forced and child marriages.[[10]](#endnote-11) | 2016.[[11]](#endnote-12) Additional information requested and discontinuance of the procedure.[[12]](#endnote-13) |
| CEDAW | 2017 | Implementation of the quota system contained in the Gender Equality Act and temporary measures; and maternal mortality and abortion.[[13]](#endnote-14) | Reminder sent.[[14]](#endnote-15) |

B. Cooperation with special procedures[[15]](#endnote-16)

|  |  |  |
| --- | --- | --- |
|  | *Status during previous cycle* | *Current status* |
|  |  |  |
| *Standing invitations* | No | Yes[[16]](#endnote-17) |
| *Visits undertaken* | Food | Sanitation  Albinism |
| Visits agreed to in principle |  |  |
| Visits requested | Housing  Extreme poverty  Human Rights Defenders  Freedom of Assembly |  |
|  |  |  |
| *Responses to letters of  allegation and urgent appeal* | During the period under review 8 communications were sent. The Government replied to 2[[17]](#endnote-18) communications |  |
| *-* | - |  |

C. Status of national human rights institutions[[18]](#endnote-19)

|  |  |  |
| --- | --- | --- |
| *National human rights institution* | *Status during previous cycle* | *Status during present cycle*[[19]](#endnote-20) |
|  |  |  |
| Malawi Human Rights Commission | A | A |

1. Notes

   Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, http://treaties.un.org/. Please also refer to the United Nations compilation on Malawi from the previous cycle (A/HRC/WG.6/22/MWI/2). [↑](#endnote-ref-2)
2. The following abbreviations have been used in the universal periodic review document:

   ICERD International Convention on the Elimination of All Forms of Racial Discrimination;

   ICESCR International Covenant on Economic, Social and Cultural Rights;

   OP-ICESCR Optional Protocol to ICESCR;

   ICCPR International Covenant on Civil and Political Rights;

   ICCPR-OP 1 Optional Protocol to ICCPR;

   ICCPR-OP 2 Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;

   CEDAW Convention on the Elimination of All Forms of Discrimination against Women;

   OP-CEDAW Optional Protocol to CEDAW;

   CAT Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

   OP-CAT Optional Protocol to CAT;

   CRC Convention on the Rights of the Child;

   OP-CRC-AC Optional Protocol to CRC on the involvement of children in armed conflict;

   OP-CRC-SC Optional Protocol to CRC on the sale of children, child prostitution and child pornography;

   OP-CRC-IC Optional Protocol to CRC on a communications procedure;

   ICRMW International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families;

   CRPD Convention on the Rights of Persons with Disabilities;

   OP-CRPD Optional Protocol to CRPD;

   ICPPED International Convention for the Protection of All Persons from Enforced Disappearance. [↑](#endnote-ref-3)
3. Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICERD, art. 11; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30. [↑](#endnote-ref-4)
4. ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) and Domestic Workers Convention, 2011 (No. 189). [↑](#endnote-ref-5)
5. Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention);Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at https://www.dfae.admin.ch/eda/fr/dfae/politique-exterieure/droit-international-public/traites-internationaux/depositaire/protection-des-victimes-de-la-guerre.html [↑](#endnote-ref-6)
6. 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness. [↑](#endnote-ref-7)
7. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. [↑](#endnote-ref-8)
8. International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. [↑](#endnote-ref-9)
9. The following abbreviations have been used in the present document:

   CERD Committee on the Elimination of Racial Discrimination;

   CESCR Committee on Economic, Social and Cultural Rights;

   HR Committee Human Rights Committee;

   CEDAW Committee on the Elimination of Discrimination against Women;

   CAT Committee against Torture;

   CRC Committee on the Rights of the Child;

   CRPD Committee on the Rights of Persons with Disabilities;

   CED Committee on Enforced Disappearances. [↑](#endnote-ref-10)
10. CCPR/C/MWI/CO/1/Add.1, para. 29. [↑](#endnote-ref-11)
11. CCPR/C/MWI/CO/1/Add.2. [↑](#endnote-ref-12)
12. Letter from HR Committee to the Permanent Mission of Malawi to the United Nations Office and other international organizations in Geneva, dated 20 November 2017, available from https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/MWI/INT\_CCPR\_FUD\_MWI\_29514\_E.pdf (accessed on 6 February 2020). [↑](#endnote-ref-13)
13. CEDAW/C/MWI/CO/7, para. 58. [↑](#endnote-ref-14)
14. Letter from CEDAW to the Permanent Mission of Malawi to the United Nations Office and other international organizations in Geneva, dated 13 April 2018, available from https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MWI/INT\_CEDAW\_FUL\_MWI\_30889\_E.pdf (accessed on 6 February 2020). [↑](#endnote-ref-15)
15. For the titles of special procedure mandate holders see: https://spcommreports.ohchr.org/about/abbreviations [↑](#endnote-ref-16)
16. See <https://spinternet.ohchr.org/StandingInvitations.aspx?lang=en>, accessed on 7 February 2020. [↑](#endnote-ref-17)
17. <https://spcommreports.ohchr.org/TmSearch/Results?page=1>, accessed on 7 February 2020 [↑](#endnote-ref-18)
18. According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles). [↑](#endnote-ref-19)
19. The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at:

    <https://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart%20%289%20May%202019%29.pdf>

    [↑](#endnote-ref-20)