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Malawi High Commission
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(by email: kena.mphonda@malawihighcommission.co.uk)

16 December 2015

Dear High Commissioner,

I write in relation to the reports in the Malawian media that two Malawian nationals, Cuthbert Kulemela and Kelvin Gonani, have been arrested in Lilongwe, and that they have been charged with homosexual related offences.

I hope that this letter will be received in the spirit in which it is intended, where we can each be rightly proud of the many ties forged between Scotland and Malawi in the years since David Livingstone first extended the hand of friendship and partnership in 1856.

As you know, the Scottish Government is committed to creating a modern, inclusive Scotland which protects, respects and realises internationally recognised human rights. As a good global citizen, Scotland similarly has a strong and enduring commitment to securing democracy, the rule of law and fundamental human rights across the world, and we naturally will always similarly remind all states to comply with international and human rights law.

I would therefore be grateful for an urgent update of the facts and status relating to this case, and ask for confirmation that any charges be dropped, in line with the Government of Malawi's 2012 suspension of the laws against same-sex relationships, pending a decision on whether to repeal the legislation. It would also be helpful to receive an update on the current status of the decision to repeal the legislation.

As ever, the Scottish Government always stands ready to share with other countries our own recent experience and approach on ensuring LGBTI equality, and we would offer this assistance to the Government of Malawi should that be helpful.

*Best Wishes,
H. Yousaf*

HUMZA YOUSAF