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Hon James Duddridge MP
Parliamentary Under Secretary of State
Foreign & Commonwealth Office
London



(by email: FCOcorrespondence@fco.gsi.gov.uk)

16 December 2015

Dear James,

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 have similarly written today to the Malawian High Commissioner, HE Kena Mphonda, in the spirit of friendship between Scotland and Malawi, 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. That relationship has since been cemented of course with the signing of the 2005 Cooperation Agreement the two Governments: recognising our long history of collaboration, the desire of both countries to build upon this history by actively engaging through reciprocal partnership based upon sharing experiences and skills, and to learn from each other.

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 as to what action the United Kingdom Government is taking in pressing with the Government of Malawi for any charges to be dropped. It is particularly concerning if such charges proceed, given the Government of Malawi's 2012 suspension of the laws against same-sex relationships, pending a decision on whether 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 I have offered this assistance to the Government of Malawi should that be helpful.

Bet Wilson
Humza Yousaf
HUMZA YOUSAF

