



21 May 2010

## **THE PEOPLE'S HEALTH MOVEMENT CONDEMNS THE SENTENCING OF TIWONGE CHIMBALANGA AND STEVEN MONJEZA IN MALAWI**

The People's Health Movement, a global network bringing together grassroots activists, civil society organizations, academics and health workers from around the world<sup>1</sup>, condemns the action by the Malawian judicial system in sentencing Tiwonge Chimbalanga and Steven Monjeza, a gay couple, to 14 years in imprisonment in Blantyre, Malawi for committing "unnatural acts" based on outdated colonial laws.

Section 20 of the Malawian constitution clearly states:

*"Discrimination of persons in any form is prohibited and all persons are, under any law, guaranteed equal and effective protection against discrimination on grounds of race, colour, sex, language, religion, political or other opinion, nationality, ethnic or social origin, disability, property, birth or other status".*

The multiplicity of victimization and arrests of lesbian and gay couples in many African countries over the past few years especially in countries such as Malawi and Uganda is a gross violation of human rights. The majority of African countries that condemn gay and lesbian relationships have committed to and are signatories to international human rights' treaties. The sentencing is therefore a clear contradiction of these treaties and undermines citizens' basic human rights. As a signatory to the Universal Declaration of Human Rights and having ratified most of the major international Human Rights instruments, including the International Covenant on Civil and Political Rights and the African Charter on Human and People's Rights, both of which outlaw discrimination, the Malawian Government is bound to observe human rights provisions proscribing discrimination. The current court decision, based on outdated colonial legislation, is in violation of the country's own constitution and its international human rights commitments.

# People's Health Movement

Global Secretariat

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We therefore call on the Malawian government to immediately release the couple, to recognize their rights as enshrined in the Malawian Constitution and in human rights law, and to ensure protection and freedom from discrimination for all persons living in Malawi.

It is repugnant to treat people as less than human because of their sexual orientation and in marrying publicly, they did not harm anyone else or infringe on anyone else's rights. The common values that we share of solidarity, equity and human rights should enable us to work across differences and ensure citizens are not victimized and the law is upheld.

Bridget Lloyd (PHM Global Coordinator) and Linda Mashingaidze (PHM Africa Regional Liaison)  
On Behalf of the PHM Global Steering Council

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<sup>i</sup> The People's Health Movement has a presence in more than 70 countries across the globe.