

**Outrage at the recent passing of Section 137A in Malawi – which, unashamedly, criminalises consensual sex between two women.**

We, *Kaleidoscope Youth Network (K.Y.N.)*, write this with the greatest aversion at the recent passing of the new Malawian Bill that has criminalised consensual sexual-intercourse between two women. We Strongly feel that this is not in line with the principles of Malawi, nor in spirit of the previous pardoning Chimbalanga and Monjenza.

In 2010, LGBTIA groups across South Africa reacted in outrage to the imprisonment of Tiwonge Chimbalanga and Steven Monjenza in 2009. This was supposed to be the last time such intollerable injustice should take place, particularly following intervention from the United Nations’ Secretary General, Ban Ki-moon; and a Global call for revision of such archaic practises.

Internationally, LGBTIA activists and Champions are still reeling from the loss of SMUG’s David Kato. This Bill - an act against the Human-Rights of Malawian citizens continues the outdated practise of persecution and criminalisation of LGBTIA people in most African countries – a dangerous and ignorant action that the international community is continuously speaking out against. According to the Malawian motto, “The Nation stands for unity and freedom.” With certainty, the actions of President Mutharika are a direct contravention of this. Freedoms go hand in hand with equality, and neither is being endorsed. We find under Section 137A , stating, “women engaging in sexual-intercourse with other woman will be imprisoned for five years.” To be out rageous.

To realise the severe consequences of Malawi’s contraventions of basic standards of equality, one has only to look at the aftermath of Tiwonge Chimbalanga and Steven Monjenza release, and how both came to fear for their lives. We appeal to president Mutharika to take back the threat of re-arrest of Chimbalanga and Monjenza, and follow through on a good example of tolerance. Taking this one step further, and tell you that decriminalising homosexuality completely, and endorsing acceptance is not impossible. In the interest of the safety of Malawian LGBTIA people, We suggest that this be done with immediate effect.

*K.Y.N.* feels that using morality as an excuse to avoid matching Malawian Human-Rights law with that of other progressive nations is nothing short of hypocrisy. How can it be moral to limit the rights of Malawian citizens? These actions encourage conditions that WILL endanger their lives, perpetuate hate crimes, and maintain a climate of intolerance. All of this, done in order to enforce a British colonial penal law?

President Bingu Wa Mutharika, we call upon you to answer for your infringements upon the safety, security and freedom of your citizens. Hate crimes against LGBTIA people clearly do not constitute a matter that is of importance to you – a very worrying attitude for Us to accept quietly. Surely you cannot stand by and admire other countries in Africa like Uganda, where LGBTIA individuals have been forced to go into hiding? Remember Us. We are your teachers, your doctors, your funders, your children – wanting a future with hope. We will not be silenced, and we will not back down.

We, South African LGBTIA Youth and Champions, cannot stand by as Malawi’s President Mutharika encourages further hate in our continent. We refuse to commit to acceptance or apathy in the face of a crime against Human-Rights, and demand that President Mutharika answer for his actions. Gay rights are Human-Right. You have miserably attempted to deny this, but at some point you must realise that truth cannot ever be silenced.

In solidarity

Kaleidoscope Youth Network

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