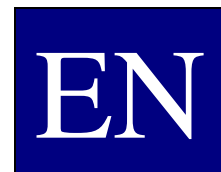




**COUNCIL OF  
THE EUROPEAN UNION**



Brussels, 21 May 2010  
10103/10 (Presse 134)  
P 23

**Declaration by High Representative Catherine Ashton on  
behalf of the European Union on the human rights of LGBT  
people in Malawi**

The EU expresses its concern about homophobia and discrimination on the grounds of sexual orientation in Malawi and recalls that the principle of non-discrimination is enshrined in the International Covenant on Civil and Political Rights (ICCPR), to which the Government of Malawi has been a party since 1993. The UN Human Rights Committee has affirmed that this principle includes the prohibition of discrimination on the grounds of sexual orientation. The principle of non-discrimination underpins the ICCPR, the African Charter on Human and Peoples' Rights and the Universal Declaration of Human Rights.

The EU calls on the Government of Malawi to fulfill its obligations under international human rights law, and to demonstrate its commitment to the promotion and protection of human rights of all individuals regardless of their sexual orientation, including by reviewing its laws in order to decriminalise homosexuality and prohibit discrimination on any grounds and thereby bringing national legislation into line with Malawi's international commitments.

**P R E S S**

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In this context, the EU expresses its serious concern with regard to the case of Tiwonge Chimbalanga Kachepa and Steven Monjeza Soko, who, on 20 May, were given the maximum sentence of 14 years' imprisonment for gross indecency and unnatural acts by a Malawi Court, on the basis of their sexual orientation. The EU considers the measures taken to be against international human rights obligations.

The Candidate Countries Croatia\* and the former Yugoslav Republic of Macedonia\*, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as the Republic of Moldova and Armenia align themselves with this declaration.

\* Croatia and the former Yugoslav Republic of Macedonia continue to be part of the Stabilisation and Association Process.