

**AMNESTY INTERNATIONAL  
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## **Malawian men facing trial for “gross indecency” must be released**

Amnesty International calls on the Malawian authorities to immediately and unconditionally release two men, after a judge today ruled that they will face trial in April on charges of “gross indecency”.

Steven Monjeza and Tiwonge Chimbalanga have been held in Chichiri prison in Blantyre, since being arrested by police on 28 December 2009, two days after holding an engagement ceremony in the southern city’s Chirimba township. The men have repeatedly been denied bail.

“The trial of these men, purely on the basis of their real or perceived sexual orientation, is a gross violation of their rights to freedom of conscience, expression and privacy,” said Véronique Aubert, Deputy Africa Director at Amnesty International.

The defendants have reportedly been beaten by police while in custody and Tiwonge Chimbalanga was subjected to forcible anal medical examinations, in a bid to establish whether the couple had “consummated” their relationship.

Imprisoned solely for their private and consensual sexual relationship, Amnesty International declared the men prisoners of conscience on 6 January 2010 and called for their immediate and unconditional release.

Criminalization of homosexuality and gender identity is banned under treaties ratified by Malawi, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples’ Rights.

Malawi is legally bound by these treaties to respect and protect freedom of conscience, expression and the right to privacy, without discrimination on the grounds of real or perceived sexual orientation.