

EXTERNAL (for general distribution)

AI Index: AFR 36/34/93

Distr: UA/SC

19 October 1993

Further information on UA 284/93 (AFR 36/32/93, 20 August 1993) - Death Penalty

MALAWI Foster Azele Mlombwa

Foster Azele Mlombwa, a former Malawi Congress Party (MCP) district chairman, was granted an adjournment of his appeal before the Traditional Court of Appeal in August 1993. He was sentenced to death by the Central Region Traditional Court on 17 April 1993 for the murder of a police officer. A new date for his appeal was set for 1 November 1993.

He was refused legal representation in court but was granted access to a lawyer in prison for legal advice and preparation of defence documents. He is currently held in Maula prison in Lilongwe and his family is allowed to visit him and bring him food.

The new Justice Minister and Attorney General, Hon. Lovemore Munlo, has recently suspended the National Appeal Traditional Court and the Regional Traditional Courts pending discussions between the government and the opposition in Malawi over reforms to the laws and courts to make them consistent with international standards. At present no new death sentences are being passed. The procedures for dealing with appeals against death sentences are also suspended for review.

The Public Affairs Committee (PAC), composed of pro-democracy religious and professional bodies and members of opposition parties, is calling for the abolition of the death penalty.

We are monitoring the situation closely but at present no further action is required from the Urgent Action Network. Thank you to all those who sent appeals on behalf of Foster Azele Mlombwa.