

EXTERNAL (for general distribution)

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Further information on UA 02/93 (AFR 36/01/93, 5 January 1993) - Fear of ill-treatment/Legal concern

MALAWI:Felix Mponda Phiri, a freelance journalist

Felix Mponda Phiri, a freelance journalist who was arrested on 2 January 1993 when returning to Malawi from Zambia, was released from police custody on about 20 January 1993. He was reportedly released on bail after being brought to court and charged with possession of an unauthorized publication - the first issue of a new opposition newspaper of which he is editor and co-founder, printed abroad but designed for distribution inside Malawi, where the existing news media are fully government-controlled. No date has been set for his trial, where he would face imprisonment for up to 18 months or a fine. However, other recent cases involving charges such as this have not so far come to trial or resulted in convictions.

No information is yet available about his treatment in custody but he is said to be in reasonable health after his release. He was apparently held illegally, as his detention lasted much longer than the legally permitted period of 48 hours after which an arrested person should be either charged or freed. His lawyer had difficulty in gaining access to him in custody but was able to represent him in court.

No further action is required from the Urgent Action Network. Thank you to all those who sent appeals.