

EXTERNAL (for general distribution)

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Please bring this action to the attention of the person responsible for outreach work in your section as it is felt that appeals from journalists or people in the media might be particularly useful.

UA 163/92

Legal concern/fear of torture

18 May 1992

MALAWI:

Krishna ACHUTAN, computer salesman

Krishna Achutan was arrested by Malawian police after he had given a radio interview about the case of his father-in-law, who has been detained without charge for more than 12 years. Officers of the police Special Branch took him from his home in Blantyre on the morning of 16 May 1992. He is believed to be held at Chichiri Prison in Blantyre.

Krishna Achutan is married to the daughter of Aleke Banda, the former secretary general of the ruling Malawi Congress Party. At the time of his arrest and detention in 1980, Aleke Banda was managing director of Press Holdings Ltd, a company owned by the ruling party and chaired by Life-President Dr H. Kamuzu Banda. The apparent reason for Aleke Banda's arrest was that he had criticized the payment of a large unsecured loan from Press Holdings into the Life-President's personal account. (Aleke Banda is not related to the Life-President - Banda is a common name in Malawi.) Aleke Banda remains in detention without charge at Mpyupyu Prison. Amnesty International has adopted him as a prisoner of conscience.

On 15 May 1992 Krishna Achutan gave an interview to "Focus on Africa", a radio programme broadcast by the British Broadcasting Corporation (BBC). In the interview he said that Aleke Banda was suffering from depression and high blood pressure as a consequence of his long imprisonment. He called for him to be charged and brought to court or released. As well as maintaining tight controls over freedom of expression, the Malawian authorities have strongly criticized the BBC's coverage of the recent emergence of opposition within the country.

It appears that Krishna Achutan has been detained solely for speaking to the BBC to draw attention to his father-in-law's case.

BACKGROUND INFORMATION

In the past three months there has been an unprecedented emergence of public criticism of the Malawian Government, beginning with the publication of a pastoral letter by the country's Roman Catholic bishops in early March. However, growing opposition from students, industrial workers and others has been met with repression. Protesters have been shot dead by police and many suspected government opponents have been detained.

Indefinite administrative detention without charge is permitted under the 1965 Preservation of Public Security Regulations.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/airmail letters:

- expressing concern at the arrest of Krishna Achutan, apparently because he had given a radio interview about the detention of his father-in-law, Aleke Banda;

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- seeking assurances that he is being properly treated and has access to visits from his family and a lawyer of his choice;

- calling for him to be released, as it appears that he is being detained for exercising his basic right to freedom of expression, by giving an interview to journalists.

APPEALS TO

1) H E The Life-President Ngwazi Dr H. Kamuzu Banda
Office of the President and Cabinet
P/Bag 301
Lilongwe 3
Malawi

Telegrams: Life-President Banda Lilongwe, Malawi
Telexes: 44389 PRES MI; 44766 JUSTICE MI; 44113 EXTERNAL MI
Faxes: + 265 731878

Salutation: Your Excellency

2) Hon. J Z U Tembo
Minister of State in the Office of the President
P/Bag 301
Lilongwe 3
Malawi

Telegrams: Minister of State Tembo, Lilongwe, Malawi

Salutation: Dear Minister

3) Mr MacWilliam Lunguzi
Inspector-General of Police
P/Bag 305
Lilongwe 3
Malawi

Telegrams: Inspector-General of Police Lunguzi, Lilongwe, Malawi

Salutation: Dear Sir

COPIES OF YOUR APPEALS TO:

Malawi Law Society
PO Box 1712
Blantyre
Malawi

Malawi Broadcasting Corporation
PO Box 30133
Chichiri
Blantyre
Malawi

and to diplomatic representatives of Malawi in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 29 June 1992.