

EXTERNAL (for general distribution)

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*Please bring this action to the attention of the person in your section responsible for outreach work as it is felt that appeals from academics and organizations of bank employees (as appropriate) may be particularly effective.*

UA 196/92

Legal concern/fear of torture

12 June 1992

MALAWI:

Egbert CHIWAMBO, polytechnic lecturer

Ismael KHANI, businessperson

Winfrey Yonam MPHANDE, bank employee

Charles Kabubi MKANDAWIRE, employee of Marie Stopes  
International (birth control organization)

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The four people named above are among dozens of suspected supporters of the multi-party movement in Malawi who are reported to have been arrested over the past month. Reports suggest that people have been arrested in workplaces where it is suspected that "subversive" literature has been photocopied and circulated, including the National Bank of Malawi and the Electricity Supply Commission. Others are reported to have been arrested after house-to-house searches.

Egbert Chiwambo, a lecturer at Blantyre Polytechnic, was arrested outside the senior common room at the college on 6 May 1992, at the time of violent disturbances in the city. He is reported to have been beaten by police at the time of his arrest. Ismael Khani, a suspected supporter of the multi-party movement, was arrested at the Mzuzu Club in northern Malawi on 10 May. Winfrey Mphande was arrested in Blantyre on 22 May. He was one of 22 employees of the National Bank of Malawi arrested at about the same time, possibly because he was alleged to have a copy of a pastoral letter issued by the country's Roman Catholic bishops in March 1992, criticizing the government's human rights record. Charles Mkandawire was arrested at his home in Blantyre on about 22 May. The present whereabouts of the four are not known, although the three arrested in Blantyre may be held at Chichiri Prison in the city. None of them is believed to have been charged.

#### 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. There are unconfirmed reports that at least five of those detained have died in custody as a result of torture.

Indefinite administrative detention without charge is permitted under the 1965 Preservation of Public Security Regulations. It is not clear whether the four named

above are being held on this basis or not.

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

- seeking information about the whereabouts and legal basis for the imprisonment of Egbert Chiwambo, Ismael Khani, Winfrey Mphande and Charles Mkandawire;
- seeking assurances that they are being properly treated and have access to visits from their families, as well as lawyers and medical practitioners of their choice;

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- calling for them to be released unless they are to be charged with a recognizably criminal offence and brought to trial promptly and fairly.

**APPEALS TO**

1) H E The Life-President Ngwazi Dr H. Kamuzu Banda **Salutation: Your Excellency**

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**

2) Hon. J Z U Tembo **Salutation: Dear Minister**

Minister of State in the Office of the President  
P/Bag 301  
Lilongwe 3  
Malawi

**Telegrams: Minister of State Tembo, Lilongwe, Malawi**

3) Mr MacWilliam Lunguzi **Salutation: Dear Sir**

Inspector-General of Police  
P/Bag 305  
Lilongwe 3  
Malawi

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

**COPIES OF YOUR APPEALS TO:**

Malawi Law Society  
PO Box 1712  
Blantyre  
Malawi

The Principal  
University of Malawi (Blantyre Polytechnic)  
Private Bag 303  
Chichiri  
Blantyre 3

Malawi

The Chairman  
National Bank of Malawi  
PO Box 945  
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 24 July 1992.