

EXTERNAL (for general distribution)

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Further information on UA 114/92 (AFR 36/09/92, 6 April 1992) and follow-ups AFR 36/10/92, 14 April 1992, AFR 36/13/92, 30 April 1993, AFR 36/17/92, 8 May 1992, AFR 36/19/92, 12 May 1992, AFR 36/23/92, 5 June 1992, AFR 36/32/92, 13 July 1992, AFR 36/34/92, 15 July 1992, AFR 36/39/92, 15 September 1992, AFR 36/45/92 14 December 1993, AFR 36/04/93, 14 January 1993, AFR 36/19/93, 25 March 1993 and AFR 36/21/93, 30 March 1993 - Legal Concern and Ill-treatment

MALAWI:Chakufwa Chihana, aged 52, international trade union official

Chakufwa Chihana, chairman of one of the two major opposition groups which have been calling for multi-party democracy in Malawi, the Alliance for Democracy, (AFORD), who was sentenced to two year's imprisonment with hard labour for sedition in December 1992, was released from prison in Malawi on Saturday 12 June 1993. As he left the prison he gave the multi-party victory salute to waiting supporters. His sentence had been reduced to nine months with hard labour on appeal in March 1993. There had been some confusion about the precise day of his release, with varying dates being given by different sources. The official release date had been set for 12 June 1993, which included remission for good behaviour, however, there was last minute confusion with the Alliance for Democracy (AFORD) announcing that he would be released after the referendum was finished on 14 June 1993. The High Court finally ruled on Friday 11 June 1993 that Chakufwa Chihana would be released the following day.

The campaign for the referendum to decide whether or not to introduce multi-party democracy or retain the existing one-party state ended by law at 6am on 12 June 1993. Chakufwa Chihana was therefore prevented not only from registering and voting in the referendum but also from participating in any of the campaigning.

The referendum went ahead as planned on 14 June 1993 with a high voter turnout. There were no reports of any violence or intimidation of voters at the voting stations, although the European Community (EC) reported serious intimidation during the referendum campaign, which the ruling Malawi Congress Party (MCP) denied. The results of the referendum, as given by the Official Referendum Commission, were that 63% had voted in favour of changing to a multi-party system and 35% in favour of retaining the present one-party system. The opposition is pressing for a transitional government to be installed immediately and for the first multi-party elections to be held before the end of the year. President Banda has reportedly promised to respect the result of the referendum.

No further action is required on this case. Thank you to all those who sent appeals on Chakufwa Chihana's behalf.