

EXTERNAL (for general distribution)

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Legal concern/fear of torture

7 July 1992

MALAWI

Jack CHIUTSI, employee of Registry of Lands
Simon PANDULE, director of Marketing Intelligence
MKANDAWIRE, employee of Tobacco Association

Grey NKUNGULA	}	
Flora KAPITO (female)	}	
Margaret JOSEPHAT (female)	}	employees of
Masozi SOKO (female)	}	Electricity
Gloria GADAMA (female)	}	Supply
and her baby	}	Commission
SANGA	}	
CHINTHENGA (female)	}	
NYENJE	}	
Gerald BANDA	}	employees of
Kondwani MTAWALI (female)	}	Old Mutual
Ignatius(?) KANYENGAMBETA	}	Insurance Company

Amnesty International has recently learned that the above-named are all reported to have been arrested in Blantyre in recent weeks on suspicion of possessing or circulating literature advocating a change from one-party to multi-party government in Malawi. They were arrested in the run-up to the single-party general election held at the end of June.

The employees of the Electricity Supply Commission (ESCOM) were arrested between 20 and 27 May 1992. Most of those arrested are employed in the computing section, including Grey Nkungula, the systems manager, and Grey Nyenje, the acting manager of the computing section. The latter is feared to have been tortured. According to some reports he may have died in custody.

The employees of Old Mutual Insurance Company were arrested in the first week of June. Gerald Banda is the son of Margaret Marango Banda, a former broadcaster and prominent lay member of the Anglican Church who was detained without charge between 1988 and 1991. Amnesty International adopted her as a prisoner of conscience. He appears to have been arrested specifically because he is the son of Margaret Marango Banda.

Jack Chiutsi, a senior executive officer in the Registry of Lands, was arrested in May. Simon Pandule was arrested at the Shelter Club, after being overheard speaking in favour of a multi-party system. Mr Mkandawire, a senior manager of the Tobacco Association of Malawi, was arrested in mid-May. This occurred only days after he had received a letter delivered to him by hand believed to contain pro-multi-party literature. It is believed that in this and other cases anti-government leaflets have been distributed by agents provocateurs.

BACKGROUND INFORMATION

Dozens - possibly hundreds - of office workers have been arrested in recent weeks because they are suspected of using office machines such as faxes and photocopiers to duplicate and transmit pro-multi-party literature. This follows an upsurge of political opposition, mainly in the form of unofficial leaflets criticizing the one-party system, dating from early March 1992 when the country's Roman Catholic bishops issued a pastoral letter criticizing the government's human rights record. The letter has been banned, making possession of it a criminal offence.

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All those arrested are believed to have been taken at first to Chichiri Prison, Blantyre. Already poor conditions are reported to have worsened because of the large influx of political detainees in recent weeks. Some may since have been moved to other prisons.

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

- seeking information about the whereabouts and legal basis for the imprisonment of those listed above;
- expressing concern that they are reported to be still in custody, apparently without charge or trial, more than month after their arrest;
- 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;
- 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
Office of the President and Cabine
P/Bag 301
Lilongwe 3
Malawi

Salutation: Your Excellency

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

Minister of State in the Office of the President **Salutation: Dear Minister**

P/Bag 301
Lilongwe 3
Malawi

Telegrams: Minister of State Tembo, Lilongwe, Malawi

3) Mr MacWilliam Lunguzi
Inspector-General of Police

Salutation: Dear Sir

P/Bag 305
Lilongwe 3
Malawi

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

COPIES OF YOUR APPEALS TO:

The General Manager
Tobacco Association of Malawi

PO Box 5080
Limbe
Blantyre
Malawi

Commissioner for Lands
Department of Lands and Valuation
Private Bag 311
Lilongwe 3
Malawi

The General Manager
Electricity Supply Commission
PO Box 2047
Blantyre
Malawi

The General Manager
Old Mutual Insurance Company
PO Box 393
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 18 August 1992.