

MALAWI HUMAN RIGHTS COMMISSION



A CALL FOR RESPONSIBILITY IN THE EXERCISE OF THE RIGHT TO ASSEMBLE AND DEMONSTRATE PEACEFULLY AND UNARMED

The Commission is greatly disturbed with the increasing incidences of violence across the country where the people of Malawi, as led by the Human Rights Defenders Coalition (HRDC), are believed to be demonstrating against the conduct of the 2019 Tripartite Elections held on 21st May. It is saddening to note that the demonstrations have turned violent, departing from the perimeters of the right guaranteed by the Constitution of the Republic of Malawi. This is against the provisions of the right itself and also the call for peace by organisers of the demonstrations.

In particular, the Commission has documented a) torching and destruction of business premises and Government buildings in Lilongwe, Mzuzu, Karonga and Rumphi, among others; b) attacks and threats on the demonstrators and organisers; c) attacks and threats on the people not participating in the demonstrations; d) mounting of barricades in the roads mainly at Kamphata, Zomba, City Centre Lilongwe and Mzuzu; e) attacks on police officers protecting demonstrators; and f) inflammatory messages on the social media calculated to incite violence and instil fear in the people. **The Commission condemns these developments of violence in the strongest terms possible.**

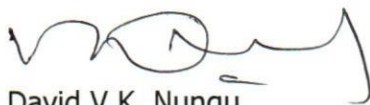
Meanwhile, the Commission appeals to the organisers of the demonstrations to exercise the duty to ensure that demonstrations are peaceful and must not result in the violation of the rights of the people of Malawi. It is the appeal of the Commission that HRDC should depoliticise the demonstrations and walk the talk to control the demonstrators.

Likewise, the Commission restates its call to the Police to arrest and bring to book all those that abuse the right to assemble and peaceful demonstrations. The Police must also ensure that it protects the safety of the people of Malawi and their property in line with their powers given by the Constitution, the Police Act and any other law. Importantly, the Commission advises that the Police should also protect the safety of its officers as they protect demonstrators.

The Commission would also repeat its call to the people of Malawi to report to Police any person or persons that cause violence, indulge in property destruction or looting of any manner. Every Malawian has a duty to safeguard human rights and fundamental freedoms, including the right to peace and peaceful co-existence.

In this vein, the Commission wishes to urge all those that were aggrieved by the conduct of the tripartite elections to follow peaceful means of resolving disputes as provided by the Constitution. Once again, the Commission was encouraged by all those that petitioned the courts for effective redress of the electoral disputes. Considering that such petitions are still before the courts, it is advisable that courts are given space to determine the matters herein without undue influence.

Finally, it must be noted that the Commission has been monitoring all the demonstrations and would soon release its report in which it will hold all duty bearers accountable.



David V.K. Nungu

EXECUTIVE SECRETARY

5th July, 2019