

## **CIVIL SOCIETY'S ANNOUNCEMENT OF NATIONWIDE DEMONSTRATIONS**

**FOR HOW LONG SHALL MALAWIANS CONTINUE TO BE TAKEN FOR GRANTED?**

***"LOSS OF PUBLIC TRUST IN THE CURRENT ADMINISTRATION: TIME TO RECLAIM OUR DESTINY "***

**#Section 12[iii] of the Constitution#**

### **1.0. Preamble**

We the undersigned Civil Society Organisations and human rights defenders would like to announce **27<sup>th</sup> April 2018** as the day when all concerned and patriotic Malawians of goodwill will convene across the country including the cities of Mzuzu, Lilongwe, Blantyre, and Zomba to publicly register their discontent on how the DPP-led government has handled the K4 Billion scandal and other governance issues through demonstrations.

The decision to proceed with the demonstrations follows the inconsistencies, illegality and a cloud of suspicions that has characterised the entire process of the infamous K4 Billion scandal in the process raising serious governance and accountability questions such as: Should the public still trust a "crooked and thieving" government? Should Malawians continue to be taken for granted? Is the tax payers' money safe in the hands of "a crooked and thieving" government?

It is against this background, and of course, the continued impunity of the Malawi Communications and Regulatory Authority (MACRA) and the Malawi Broadcasting Corporation (MBC); the betrayal of public trust through a politically and corruption infiltrated systematic rejection of electoral reforms; the continued electricity blackouts, the continued poor service delivery in public institutions, the poor conditions of service for public servants and the high youth unemployment levels to mention but a few that we announce these nationwide demonstrations on **27<sup>th</sup> April 2018**. These demonstrations will provide Malawians the platform to air out their discontent on the high level of corruption and impunity that has characterised the above issues in the process contributing to the loss of public trust in their government.

### **2.0. Theme of the nationwide demonstrations**

These 27<sup>th</sup> April 2018 nationwide demonstrations shall be under the theme: *“For how long shall Malawians continue to be taken for granted? Loss of public trust in current Administration: Time to Reclaim our Destiny”*. The theme is based on the following:

- Section 12 (iii) of the Malawi Constitution: *“The authority to exercise power of State is conditional upon the sustained trust of the people of Malawi and that trust can only be maintained through open, accountable, and transparent Government and informed democratic choice*
- Isaiah 1:23 of the Bible: *Your rulers are rebels, partners with thieves; they all love bribes and chase after gifts. They do not defend the cause of the fatherless [the voiceless, poor, powerless]”*.

### **3.0. Who to participate in the demonstrations?**

Every Malawian of goodwill irrespective of political, social, religious, racial or tribal background as provided by the Constitution. Section 38 of the Constitution clearly states that “every person shall have the right to assemble and demonstrate with others peacefully and unarmed”

### **4.0. The Key demands/Message**

The following are the key demands:

- 1) The Finance Minister Hon. Goodall Gondwe and Minister of Local Government Hon. Kondwani Nankhumwa must either resign or be fired by the responsible appointee (in this case President Mutharika) with immediate effect over their suspicious and illegal dealings in the K4 Billion scandal. The two must, besides, be investigated by the Malawi’s Anti-Corruption Bureau (ACB) in relation to the allegations that the initial criteria for disbursing the K4 Billion funds to 86 constituencies was based on rewarding those who rejected the electoral reforms including 50%+1 electoral system for electing the President.
- 2) The disbursement of the K4 Billion “suspicious funds” be completely cancelled with immediate effect as such funding is illegal and not in the best interest of Malawians.
- 3) The Anti-Corruption Bureau (ACB) should urgently and seriously investigate allegations of state-sponsored corruption where government is alleged to have bribed some members of Parliament from the Opposition side of Parliament to frustrate the electoral reforms Bill through rejection, abstaining or absenteeism.

Allegations of some Members of Parliament from the Opposition having pocketed from the President during their alleged meeting with him to frustrate the electoral reforms should also be investigated with utmost urgency as they have the potential to further erode the already dwindling public trust in government. ACB should also investigate the alleged link between the rejection electoral reforms and the K4 Billion scandal as indicated above.

- 4) Government must flee the Malawi Broadcasting Corporation (MBC) as a matter of urgency. MBC has continued to willy-nilly contravene the dictates of Section 87(1) of the Communications Act which requires it to operate in accordance with a number of principles including encouragement of free and informed opinion on all matters of public interest and respect for human rights, the rule of law and the constitution. Section 87(2) of the same Act requires MBC to function without any political bias and independently of any person or body of persons... support the democratic process and provide balanced coverage of any elections; and have regard to the public interest.
- 5) Government should also act on all proposed reforms by the Public Affairs Committee (PAC) and the Law Commission's report on the review of electoral laws (2017) relating to the appointment of MBC director, and role of MACRA in disciplining MBC's misconduct. It is clear that MACRA has applied selective justice in as far as handling grievances lodged against MBC.
- 6) Electricity Blackouts: The electricity commission supply of Malawi and EGENCO have failed to effectively supply electricity to the general public despite the purchase of the famous genset. Despite ESCOM raising their tariffs by 25% in 2017 the supply of electricity has not improved. Moreover, the levels of water which ESCOM continuously claims to be low all the times have increased and yet Malawians still experience 12 hours of blackout. ESCOM should not continue providing lame and impractical excuses on their failure to generate enough electricity to the public. We demand sustainable solution to the electricity crisis that the country is experiencing. Malawians will not accept to be further victimized by being denied electricity all day when they are the ones funding ESCOM through their hard earned and punitive tax. We believe the decision to hire generators was a bad one and not sustainable.
- 7) The illegal K45.2 billion bailout to ADMARC: In 2017 the government authorised a K45.2 billion bailout to State produce trader Agricultural Development and Marketing Corporation (ADMARC) without seeking parliamentary approval. This conduct was

not only illegal, but indicative of the systematic blatant disregard of the country's laws by the DPP government. We demand a full statement on this from government.

- 8) Electoral Reforms including the Law Commission's proposed 50%+1 system of electing the President must be re-tabled and approved without failure.

#### **5.0. Other details**

We the undersigned Civil Society Organisations and human rights and good governance defenders have lined up a series of activities which shall require public participation in the build up to the 27<sup>th</sup> April 2018 nationwide demonstrations. These details including the routes and districts' focal points will be communicated in due course.

SIGNED BY:

**Timothy Mtambo – Chairperson Human Rights Defenders Forum (HRDF)**

**Gift Trapence – Vice Chairperson Human Rights Defenders Forum (HRDF)**

**Happy Mhango - Northern Region Human Rights Defenders Forum Chair (HRDF)**

**Charles Kajolobeka - Human Rights Activist**

**Robert Phiri - Human Rights Activist**

**Billy Mayaya – Human Rights Activist**

**Rev. Macdonald Sembereka – Human Rights Activist**

**Thokozani Mapemba - Human Rights Defender**

**George Chiusiwa - Human Rights Activist**

**Makhumbo Mukanavimbundi Munthali - Concerned Citizen**

ENDORSED BY:

**Centre for Human Rights and Rehabilitation (CHRR)**

**Centre for Development of People (Cedep)**

**Youth and Society (YAS)**

**Public Affairs Committee (PAC)**

**Citizens Forum for the Defence of Good Governance**

**Civil Society Network Transparency and Accountability**  
**Child Rights Information and Documentation (CRIDOC)**  
**Knowledge of the Laws of the Land (KNOLL)**  
**Outreach Scout Foundation (OSF)**

*Issued on 20<sup>th</sup> March 2018*