



**P.O. Box 2340, Lilongwe Malawi**

**TO** : The President of Republic of Malawi, His Excellency Professor Arthur Peter Mutharika, Head of State and Government

**CC:** The Vice President of Republic of Malawi  
The Speaker, National Assembly  
The Chief Justice  
Leader of the House  
The Leader of Opposition in Parliament  
All Political Parties in Malawi  
Council for Non-Government Organization  
Public Affairs Committee  
Chief Justice  
The attorney General  
The Chief Secretary to government

**DATE:** 14th October, 2018

Your Excellency Sir,

**FOLLOW UP ON THE CIVIL SOCIETY PETITION OF 21<sup>ST</sup> SEPTEMBER, 2018**

On behalf of all patriotic and Malawians of good will, we write to follow up on our petition that was presented and delivered to the Office of President and Cabinet (OPC) on 21<sup>st</sup> September, 2018 by Malawians through CSOs under the banner of Human Rights Defenders Coalition. We make this follow up due to non-acknowledgement of receipt of the petition upon your return from the United Nations General Assembly (UNGA).

We are shocked to learn that instead of acknowledging receipt of our petition and telling Malawians how you plan to address the issues raised, you chose to be sarcastic, and at length ridiculed bonafide citizens who expressed dissatisfaction against poor governance by your administration. However, we wish to remind you that the Republican

Constitution that you swore to defend and proudly claim to have participated in drafting, explicitly provides for peaceful demonstrations and that it is a basic principle in democracy that elected leaders are accountable to those who put them in power.

We would also like to remind you that the issues raised in the petition are pertinent and failure to respond to them smacks of gross disrespect of people who put you in power. We, therefore, make this follow up as a sign that we want the action to be taken for the good of Malawians and that there is no any other motive apart from this letter. Our expectation was that upon your return from overseas, your office should have officially communicated receipt of the said petition and responded to the demands accordingly.

As you are aware, the demonstrations conducted on 21<sup>st</sup> September, 2018 were a follow up to the 27<sup>th</sup> April, 2018 where out of the 10 points raised, your government responded to only 1 of them (10%). You are also aware that within the period between 27<sup>th</sup> April and 21<sup>st</sup> September, 2018, your government has overseen public service and parastatal institutions being embroiled in various corruption cases including your political party which is heavily connected to the corruption mess. The K145million which your party pocketed from the Malawi Police food deal is one of them.

Your Excellency Sir, we have noted with deep concern and sadness that instead of acting on issues raised in petitions, you always try to hide in the name of manipulative dialogue. We wish to inform you that the issues outlined in the petition do not require dialogue but your implementation. We, the Human Rights Defenders Coalition, are very ready for any fruitful and meaningful dialogue that would be in the interest of the suffering Malawians.

We also note that a recent statement by Presidential advisor on NGOs Mr Mavuto Bamusi, that government will only address our concerns through dialogues is unfortunate, unacceptable and lacks substantial basis in as far holding government accountable is concerned. We cannot meet to dialogue over the 4.2million theft of fuel at Escom, the MK145million scam, the murder of Issa Njaunju, Robert Chasowa and the abuse of parastatal institutions. All what is needed is for you to take responsibility and acting by firing and arresting those involved. We wish to inform you that you are not 'God' that Malawians have to be praising even when they are suffering under your administration. We strongly believe you are a democrat and therefore you must adhere to the democratic values as a public servant who was elected by people. We therefore would like to strongly condemn the remarks by your presidential advisor on NGOs claiming that asking to meet you and your ministers is asking for too much, this is not only unfortunate and unacceptable but it is also undemocratic and shows the level as to how you advisors are misleading your Excellency. We kindly advise you to be very careful with your advisor because in the end it is your leadership Malawian are and shall question to account to them. We will continue giving you constructive advice because we believe Malawians deserve better from your leadership.

Your Excellency, we do not believe that the issues raised in the peoples' petition will be

resolved by a committee of middle managers in government since most of the issues require decisive leadership from your office. We do not believe for example that it will require the committee to reverse the decision of appointing Mr. Rodney Jose as Inspector General of Malawi police Service, fuel theft and persistent black outs, MRA, Blantyre Water Board, Police food ration deals among others require CEOs of these institutions to provide responses. We all know that committees and commissions of inquiries in Malawi have failed to solve numerous problems in the country and for now all we want is action.

Having noted that you have chosen to be sarcastic about Malawians who took to the streets, it is our considered opinion that your office has a condescending view of the issues outlined in the petition. It is just a humble reminder that you are still accountable to Malawians hence the need for you to respond to the same. We therefore interpret your handling of the petition as lack of political will to address important issues affecting the country.

As citizens, we wish to further reiterate the importance of taking our petition seriously as there has been a tendency by the DPP led government to undermine the content of numerous petitions which have been forwarded to your office. Lack of seriousness of the matters raised in the petition shows your unwillingness to be held accountable by the citizens. We wish to remind you that you hold this Office based on our trust and that such must not be abrogated. This in line with section 12 of the Constitution of Malawi which stipulates that all legal and political authority derives from the people of Malawi and such power is held on behalf of the people of Malawi.

We call upon Your Excellency to acknowledge receipt of the petition and respond to the matters outlined at your earliest convenience within a space of 30 days. This must include a clear action plan on the way forward as an assurance that our demands are not being ignored. In the event that your office will not act on the petition, we will be left with no option but to consider other options in line with Laws of Malawi.

With the assurances of Your Excellency's highest regards.

Timothy Mtambo

National Chairperson HRDC

Happy Mhango - Regional Chair North

Madalitso Banda - Regional Chair East

Masauko Thawe - Regional Chair South

Billy Mayaya - Regional Chair Centre

Gift Trapence

National Vice Chairperson HRDC

