



**STATEMENT ON
CONDEMNING THE POLITICALLY MOTIVATED ARREST OF HONORABLE BON
KALINDO.**

The Human Rights Defenders Coalition has learnt with dismay the arrest of Honourable Bon Kalindo allegedly for conduct likely to cause breach of peace and insulting the president. Without prejudice to the due processes of the court, we at Human Rights Defenders Coalition contend that the government should not only stop using but also repeal archaic laws that were designed to protect one-party dictatorships. These laws have no place whatsoever in democratic dispensation.

We call upon government to suspend implementation of Section 4 of the of the Protected Flags, Emblem and Names Act as read together with section 181 of the Penal Code; these provision criminalizes insulting the state President.

Over the years we have witnessed how government has employed this archaic to muzzle and silence critics. We recall, a number of instances how the DPP government has used, and often unsuccessfully, this law to silence its critics; in August 2018, the DPP government pounced on President Peter Mutharika's niece Abiti Manice and charged her with insulting the president-the case has since been discontinued; In February 2018, Mike Suide, a primary school teacher was given a 12 month suspended sentence for mocking the president, in 2015 60 year old Alinafe Paul was arrested, charged and fined MK3000 for insulting the president, a security officer for a private company was also arrested on the same archaic charge.

We note a very serious and worrisome trend in these arrests, government targets either those that are very critical or those are poor. On the other hand these archaic laws are applied selectively as we have often noted that this law spares those that sympathizes y with the power that be. We recall how government is timid to use this law of the DPP hooligans that caused havoc at Parliament in JUNE 2018 and at recently at Kawale Police.

The HRDC would like to remind all duty bearers in particular Government and ruling DPP that the Republican Constitution gives each and every person and legitimate organisation rights to freely associate and speak on matters of national concern. We would like to point out that when citizens raise issues, they are aimed at helping the duty bearers to do the right things. Simply put, Arresting citizens to silence state critics will not only reflect badly on the governing elite, but will go down towards creating a society bent on revenge, violence and which does not respect the rule of law.

HRDC observes that Malawi is undergoing through critical intensive challenges of corruption which government is helplessly failing to arrest those directly involved. We

have growing issues of albino abductions and killings which government has failed to come at the helm of solutions. Instead of taking bold steps to consult Malawians on how best to overcome such challenges, DPP led government has powerfully insisted to invest its power and pride in arresting opponents whose call offence has been criticizing their failure .

In view of the development, HRDC demands that

1. Honourable Kalindo should be immediately be released and that government should concentrate on arresting culprits directly involved in cash gate.
2. Government should immediately act on the pertinent and serious issues of national interest that are affecting Malawians rather than diverting Malawians real attention to lame and baseless things.
3. Call upon govern to suspend the implementation of this archaic laws and in the long run repeal the law.

Once again, we appeal to Dpp led government to stop harassing Political opponents for their sound criticism over poor governance.

Signed by

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