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First UA: 11/24 Index: AFR 36/7698/2024 Malawi of February 14, 2024

MALAWI JOURNALIST THREATENED AND HARASSED

Journalist Gregory Gondwe has gone into hiding following his investigative report on the Malawi Defense Force's dealings with a businessman who is under investigation for corruption. Following the publication of his report on January 29, Gregory Gondwe was alerted by "top government officials" that the Malawi Defense Force intended to arrest him for "endangering state security" and detain him incommunicado unless he revealed his sources for the report. The Malawi authorities must guarantee and ensure the safety and security of Gregory Gondwe and other journalists in the country and respect, protect, promote and fulfil the human rights of everyone including the right to freedom of expression and press freedom.

Write to the President of Malawi urging him:

- Ensure a prompt, thorough, independent, impartial, transparent and effective investigation into the reports of threats against Gregory Gondwe, and to bring those suspected of being responsible to justice in fair trials.
- Publicly condemn the harassment, intimidation, threats, and attacks against Gregory Gondwe and other journalists.
- Take effective measures to ensure that all journalists in the country can safely carry out their work without any fear of retaliation.

Write to:

President Lazarus Chakwera
Office of the President and Cabinet,
Capital Hill Circle,
Private Bag 301,
Capital City, Lilongwe 3, Malawi
Email: parliament@parliament.gov.mw
Salutation: Your Excellency:

ADDITIONAL INFORMATION

On January 29, 2024, the investigative report by Gregory Gondwe was published in the Platform for Investigative Journalism documenting alleged payments to businesses owned by an individual who is under investigation for corruption; contrary to the government's commitment to cancel all contracts with companies linked to the named individual.

Malawi has a history of curtailing the rights to freedom of expression, association and peaceful assembly. The right to freedom of expression has increasingly been threatened since 2022 with a rise in cases of unlawful surveillance by police, including interception of people's private conversations which resulted in arbitrary arrests, prosecutions and convictions. On May 1, 2022, Chidawawa Mainje was arrested and charged with cyber harassment under section 86 of the Electronic Transactions and

Cyber Security Act of 2016 in connection with the accusation that he had insulted President Chakwera in a WhatsApp conversation.

Malawi has international human rights obligations to uphold human rights and press freedom and to create an enabling environment for free and independent journalism including by respecting, protecting, promoting and fulfilling the rights to freedom of opinion and expression as guaranteed under article 19 of the International Covenant on Civil and Political Rights and article 9 of the African Charter on Human and Peoples' Rights to which Malawi is a state party.

Please take action as soon as possible until April 10, 2024! The UA will be duly updated should there be the need for further action.