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HUMAN RIGHTS SITUATION IN MALAWI

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Since 1992, Malawi has been in the process of a transition from one of Africa's remaining single party dictatorships and a serious human rights offender, to a country on the road to multiparty democracy and respect for fundamental rights and civil liberties.

BACKGROUND

The transition began early in 1992. Public opposition to the Banda regime grew steadily after the publication of a pastoral letter by Catholic bishops calling attention to poverty and oppression in Malawi, and gained momentum with the arrest in April of Chakufwa Chihana, a labour unionist and founder of the Democratic Alliance of Malawi. Pressure for reform from the international community increased with the suspension of aid in May 1992.

In response to combined domestic and international demands, a referendum on multiparty democracy was called. In the run-up to the referendum, the notorious *Preservation of Public Security Act* was modified, limited freedom of the press and freedom of assembly were introduced, opposition pressure groups were legitimized and some political exiles were released. The referendum was held on 14 June 1993 and a clear majority of Malawians voted in favour of political change. In the aftermath of the referendum, remaining political detainees were released from prison, amnesty for all political exiles was declared, an independent press suddenly flourished, political parties were legalized, and an all-party monitoring group, the National Consultative Council, was created. A cooperative relationship has been established between the government and the opposition to implement the transition to multiparty democracy. Elections are tentatively scheduled for May 17, 1994.

Malawi's respect for civil liberties and the integrity of the person improved markedly over the last year, especially in relation to past excesses. Malawi has not yet ratified the International Covenant on Civil and Political Rights. However, in preparing for a new multiparty constitution, the National Consultative Council (NCC) has been working on amending articles of the constitution inconsistent with international human rights standards. A donor funded Legal Resources Centre focussing on human rights promotion has been established. Amnesty International was permitted to make its first visit to Malawi in November 1993.

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