

Eight environmental activists on trial in Malawi

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Eight Tanzanian environmental rights activists are headed to court in Mzuzu on March 9 following two months in detention and nine postponements of their trial. Malawian authorities arrested the human rights defenders in late December during a peaceful educational exchange in the Karonga region. The human rights defenders, among them a 60-year-old woman from rural Tanzania, were denied food for the first 24 hours of their detention and permitted only sporadic access to lawyers.

The eight peaceful activists are members of the Tanzanian Uranium Awareness Mission (TUAM), which organises community education around the socio-economic and environmental impacts of mining. The TUAM members had entered Malawi from Tanzania legally for the purpose of a cross-learning trip with Malawian colleagues at the defunct Kayekera uranium mine in the Karonga region. Malawian authorities had approved their mission before the trip.

The arrest comes at a critical time during Malawi's own domestic debates about the harmful impacts of mining on local communities. Less than a week before the arrest, Malawi's parliament adopted a bill aimed at ensuring greater access to information for communities affected by mining projects. The Access to Information Bill, adopted on 14 December 2016 and sent to the President for approval in mid-January, would ensure that Malawian citizens will be permitted to request and receive vital information about extractive industries operating in their area. But the government's commitment to disseminating critical information related to the environment and health is undermined by arresting activists doing exactly that work.

The juxtaposition of permitting human rights workers to enter the country, and arresting them mid-conference, raises questions about President Peter Mutharika's ongoing claims that his country has a "strong framework for the protection of human rights." On UN Human Rights Day 2015, the president took to the stage at a press conference to boast about Malawi's "independent judiciary" and "strong national human rights institutions such as the Malawi Human Rights Commission."

Until 17 January 2017, when they were brought to court, the TUAM members languished in prison in poor conditions with no word from the authorities regarding the reasons for their detention. During their trial, there was significant confusion as to the charges against the HRDs as they had received no official information, only rumours from the police that they were being charged on counts as diverse as "criminal trespassing" and "spying". The eight HRDs were finally charged with "entering upon the premises of Kayekera Uranium Mine with intent to commit an offence" and "carrying out a reconnaissance operation without a licence".

The entire process, both detention and trial, has been marred by glaring irregularities. They were arbitrarily detained for more than a month, and had trials delayed seven times in one month. The conditions in which they were kept in prison and the abnormal procedure contravenes several

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articles of the International Covenant of Civil and Political Rights (ICCPR), of which Malawi has been a party since 1993.

Malawi claims it is committed to informed, participatory consent from local communities impacted by mining projects. For this claim to hold any weight, the country must immediately free and drop all charges against the Tanzanian human rights defenders who entered the country for an educational exchange. Their legitimate, peaceful work in human rights would not be threatening to a government equally committed to upholding human rights, and the Malawian authorities can not purport to be such a government so long as the activists remain in prison.

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[International Covenant of Civil and Political Rights](#) [7]

[Front Line Defenders](#) [8]

[Tanzanian human rights defenders](#) [9]

Issue Number: [811](#) [10]

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(function(d, s, id) { var js, fjs = d.getElementsByTagName(s)[0]; if (d.getElementById(id)) return; js = d.createElement(s); js.id = id; js.src =  
"//connect.facebook.net/en_US/sdk.js#xfbml=1&appId=1465091963738031&version=v2.0";  
fjs.parentNode.insertBefore(js, fjs); }(document, 'script', 'facebook-jssdk'));
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Article-Summary:

The Tanzanian activists had entered Malawi legally for a cross-learning trip with Malawian colleagues at the defunct Kayekera uranium mine in the Karonga region. Malawian authorities had approved the mission beforehand. The arrest and detention comes at a critical time during Malawi's own domestic debates about the harmful impacts of mining on local communities.

Category: [Land & Environment](#) [11]

Country: [Malawi](#) [12]

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[9] <https://www.pambazuka.org/tags/tanzanian-human-rights-defenders>

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