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**Lost History Foundation**

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Sunday, 20<sup>th</sup> January 2019.

**Press Statement**

**TRUTH AND RECONCILIATION SHOULD BE AMONG THE KEY PRIORITIES OF  
THE POLITICAL PARTY/PARTIES THAT WILL FORM GOVERNMENT AFTER  
MAY 2019 GENERAL ELECTIONS.**

1. We, the **Lost History Foundation**, hereby pursue a cause for the establishment of a Truth and Reconciliation Commission (TRC) for Malawi in furtherance of one of our primary objectives: *to achieve the goals of learning the truth of the past, helping victims and the general public reconcile with the past and draw good lessons from the past as we forge ahead for a better Malawi.*
2. The **Lost History Foundation** is a Malawi based non-partisan charity organisation, hereby representing a cross-section of the Malawian society endorsing this cause for the establishment of a Truth and Reconciliation Commission for Malawi. (See a list of persons attached herein as **Exhibit 3**)
3. In pursuance of this cause, on Monday the 14<sup>th</sup> January 2019, we formally wrote to the political parties that are likely to participate in the forth coming May 2019 General Elections (Malawi Congress Party, Democratic Progressive Party, United Democratic Front, People's Party, United Transformation Movement, Democratic Federal Alliance etc) to consider the inclusion of the Truth and Reconciliation Commission (TRC) in their respective party manifestos on the basis of the reasons highlighted below:

4. In May this year, Malawians will be commemorating the 25th Anniversary of the nation's return to multiparty rule.<sup>1</sup> The return of multiparty system in 1994 marked the end of the one man-one party regime of Dr. Kamuzu Banda, which perpetrated the brutal victimization of Malawians.
5. In spite of returning to multiparty democracy 25 years ago, there remains a loud silence about what actually happened to many victims, most of whom are forgotten.
6. We believe that truth is needed to reverse the silence, interrogate the origins, nature, and extent of the atrocities and crimes committed as well as establish who had actually collaborated and/or executed such heinous acts.
7. Even though the human rights violations during the dictatorship of Dr. Kamuzu Banda were usually a common knowledge, there was and remains a huge gap between knowledge and acknowledgment.
8. It is common knowledge that the dictatorship of Dr Kamuzu Banda left people and whole societies traumatized.
9. There are scholarly papers which have generally concluded that in a nascent democratic dispensation such as Malawi, accountability for truth and closure on the past atrocities are necessary for the victims, relatives and the nation at large. Human rights defenders and lawyers also argue for a "right to truth" as a developing right necessary for the fullest attainment of the human condition<sup>2</sup>.
10. The Office of Ombudsman's Report of 2017 entitled *Malawi's Unhealed Wounds* categorically recommends the Malawi Government to facilitate national processes of acknowledging the atrocities of the past and encouraging reconciliation and healing.
11. It, therefore, seems reasonable that just as individuals need "closure" to leave trauma behind, the whole traumatized societies would benefit from a public hearing(s) leading to closure, altogether.

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<sup>1</sup> From independence in 1964, Malawi was under the leadership of Dr. Hastings Kamuzu Banda and the Malawi Congress Party until May 1994.

<sup>2</sup> A. Peter Mutharika, "Accountability for Political Abuses in Pre-Democratic Malawi: The Primacy of Truth," 16 *Third World Legal Studies*, 11, 204, (2003), available at: <http://scholar.valpo.edu/twls/vol16/iss1/11> (last accessed: September 14, 2018).

- 12.** Although the successful future of Malawi depends on the nation's capacity to embrace and reconcile its brutal past, the transition did not serve as a catalyst for uncovering the truth, reconciliation, and unity.
- 13.** Instead, the transition involved the National Compensation Tribunal ("NCT"), which was primarily mandated to manage the compensation of victims of the dictatorship rather than making efforts to reconcile perpetrators to their victims.
- 14.** Consequently, the NCT and the transition failed to unite the nation in truth and heal the open wounds that keep victims of the brutal dictatorship suffering in silence 25 years later.
- 15.** Now, we believe that because of the lack of clarity on what happened during Dr Kamuzu Banda's regime, and why and how the heinous acts happened, the nation remains divided due to fragmented truths based on tribal and political fault lines.
- 16.** These fault lines foster partisan politics, tribalism, cronyism and other isms plaguing our society.
- 17.** We believe that these fault lines dividing the nation are man-made and yet they play a serious role in retarding the development of the nation, politically, socially and economically.
- 18.** For the nation to be able to rise above the tribalism, cronyism and other isms, we believe that one way is for the nation to learn the truth of the past and come to terms with it. This will lead to closure of the past wounds which are still festering 25 years in the post-one party rule.
- 19.** In our national context, we are convinced that the discovery and dissemination of truth about what happened to victims of the atrocities perpetrated during Dr. Banda regime between 1963 and 1994 is necessary for closure and, hence, national development.
- 20.** It is, therefore, our proposal that the TJ process in Malawi should have ranged from changes in criminal codes to changes in school textbooks, from creation of memorials, museums and days of mourning, to tackling the distributional inequities that underlie and form a legacy of the dictatorship.
- 21.** Although we have noted that some presidential aspirants have already made verbal and written commitments in public domain, we would appreciate if the political parties can

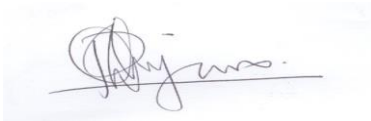
take decisive steps towards accomplishing the national healing process by first including this commitment in the respective party manifestos. [See **Exhibits 1 and 2**].

**22.** The Lost History Foundation and the undersigned cross-section of the Malawian society believe that, if included in the parties' manifestoes, the TRC provision would:

- a. significantly contribute to public discussion and understanding of the past and the brutalization whose residual effects continue to stagnate Malawi's national development 25 years later;
- b. help Malawians reconcile the past with the present;
- c. help Malawians design for themselves a more realistic and peaceful future following exposure of truth and the reconciliation that is predicated on actual facts, part of which, remain uncovered.

**23.** Furthermore, based on the social, mental, emotional, and historical need to uncover the truth for reconciliation and closure, we believe that a commitment by the political parties to establish a TRC as an important policy agenda will send a clear message of the parties' commitment to achieve truth, reconciliation, unity, and development of the nation.

Signed:



Paliani Chinguwo.

**Coordinator.**

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**EXHIBIT 3: LIST OF SUPPORTERS FOR TRUTH AND RECONCILIATION PETITION**

<b>NAME</b>	<b>AFFILIATION/PROFESSION</b>	<b>RESIDENCE</b>
1. Krishna Achuthan	Consultant	Blantyre, Malawi
2. Francis Emmanuel Ng'ambi	Consultant/Activist	Gaborone, Botswana
3. Undule Mwakasungura	Consultant/Activist	Karonga, Malawi
4. Joseph Mandala	Lawyer	Texas, United States
5. Dr. Leo Masamba	Oncologist	Blantyre, Malawi
6. Dr. Gad Chibambo Smith	Dentist	New York, United States.
7. Cuthbert Kachale	Educationist	Harare, Zimbabwe.
8. Robert Mkwezalamba	Trade Unionist	Lilongwe, Malawi
9. Conleith Selenje	Educator	Zomba, Malawi
10. Nathan Chiume	Finance	New York, United States
11. Kwacha Chisiza	Consultant	Lusaka, Zambia
12. George Kanyanya Jr.	Entrepreneur	Lilongwe, Malawi
13. Fidelis Balakasi	Human rights activist	Lilongwe, Malawi
14. Paliani Chinguwo	Researcher	Gaborone, Botswana.
15. Bruno Matumbi	Lawyer	Blantyre, Malawi.
16. Charles Luhanga	Retail Banker	Rotherham, South Yorkshire, England.
17. Cedric Chithenga Nyoni	Journalist	Blantyre, Malawi
18. Mateen Chilonga	Social Worker	Cape Town, South Africa.
19. Steve Lwanda	Executive Director	Queensburgh, Durban, South Africa
20. Ollen Mwalubunju	Civil Rights Activist	Lilongwe, Malawi
21. Hon. Khwauli Msiska	Former Legislator	Lilongwe, Malawi
22. David M. Stagner	Lawyer	Texas, United States
23. Peterkins Kayira	Marketer/Soccer Administrator	Lilongwe, Malawi
24. Sute Mwakasungula	Activist	Lilongwe, Malawi.
25. Alexander Ganiza	Internal Auditor	Lilongwe, Malawi
26. Omega Mkandawire	Teacher	Naperi Blantyre, Malawi
27. Matsiame Mafa	Student, University of Witswatersrand	Johannesburg, South Africa
28. Evans Robert Kachale	Research Clinician	Blantyre, Malawi

<b>29.</b> Madalitso Kaponya	Media Specialist/Lecturer	Blantyre, Malawi
<b>30.</b> Dalitso Mwale	Entrepreneur	Lilongwe, Malawi.
<b>31.</b> Mark Nelson Nyemba	History Teacher	Area 23, Lilongwe, Malawi
<b>32.</b> Julliana Fokoloni	IT technician	Zomba, Malawi
<b>33.</b> Cosmas Chale	Broadcaster	Blantyre. Malawi
<b>34.</b> Hellix Lysan Nkhoma	Politician (candidate for councilor)	Lilongwe, Malawi
<b>35.</b> Alfred Ephraim Kachingwe	Commercial Farmer	Thamaga, Botswana
<b>36.</b> Alvin Ngoma	Entrepreneur	Durban, South Africa
<b>37.</b> Eric Chinyama	Contractor	Johannesburg, South Africa
<b>38.</b> Anold Chikhawo Phiri	ICT consultant	Johannesburg, South Africa.
<b>39.</b> Harold Mpunga	Agriculture Extension Development Officer	Zomba, Malawi
<b>40.</b> Haswel Nalikungwi	College Student	Lilongwe, Malawi
<b>41.</b> Vincent Asher Banda	Economist	Blantyre, Malawi
<b>42.</b> Chris Bulakwacha	Young Politician	Johannesburg, South Africa
<b>43.</b> Anna Jiya	Entrepreneur	Kitwe, Zambia.
<b>44.</b> Elias Mandala	Political Scientist	Lilongwe, Malawi
<b>45.</b> Chikumbutso Chikonde	Entrepreneur	Blantyre, Malawi
<b>46.</b> Peter Nyangu	Marketer	Machinjiri, Blantyre. Malawi
<b>47.</b> Bright Mbewe	Procurement Officer	Lilongwe, Malawi
<b>48.</b> McDail Miyaka	Entrepreneur	Lilongwe, Malawi
<b>49.</b> Collings Chitsulo	Marketer/ Irrigation Scientist	Cape Town, South Africa/Blantyre, Malawi
<b>50.</b> Humphrey Kanema	Accountant	Blantyre, Malawi
<b>51.</b> Reuben Kam'mwamba	Journalist	Blantyre, Malawi
<b>52.</b> Duncan Chirwa	Artist	Lilongwe, Malawi.

# Chakwera promises healing

By **Mabvuto Banda**

**M**ALAWI Congress Party President, Chakwera, is a person on a mission. For him, the party's dark past is not a legacy that threatens to derail the future of MCP but an opportunity.

Chakwera, re-elected to lead the party into the 2019 elections, promises to deal with the party's past and bring genuine healing in the country, if elected president next May.

In an exclusive interview with Times Exclusive Talk show host, Brian Banda, Chakwera said he is ready to compromise to reach that goal.

there is genuine healing in this country, I am going to set up a Truth and Reconciliation," he said responding to Banda's question on how he intends to cleanse the party.

Over 40 years ago, four senior government officials; Dick Materije, Aaron Gaddama — David Chiwanga — and Twalbu Sangala — were allegedly killed in cold blood by MCP operatives.

The four were then dumped into one vehicle. The vehicle was driven to a bush in Mwanza along Thambi Road and pushed down a cliff, with the four murdered to make it look like an accident.

As Malawians, Chakwera said, people need to face up to their

demons.

"Before Ngwazi Dr Kamuzu Banda died, he apologised to Malawians and since his death, I am the only MCP president who has been to Mwanza to see the people and apologise," he said.

Chakwera and Stik Mwa, two weeks ago, were on a whistle-stop tour in Mwanza where they engaged the people and talked about the Mwanza murders.

The party, according to Chakwera, now has on board sons and daughters of the four.

Party Secretary General, Eisenhower Mkaka, who is in charge of reconciliation process, said in a separate interview that the party has

already reached out to sons and daughters of the four.

"We have already reached out to Mary Gaddama, daughter to late Aaron, and she is now an MCP member, Francis Chiwanga, son to David, who is contesting as an MP, and am also working with Twalbu Sangala junior on my team," Mkaka said.

If Joseph Njovuyelama's loss as Member of Parliament (MP) for Lilongwe Mappuyu South is anything to go by, then we are witnessing a new MCP emerging with new blood. Chakwera maintains that his is a new MCP.

Next year, the party expects to field MPs in all 193 constituencies for the first time since the first multi-party elections.



FOR RECONCILIATION—Chakwera



**EXHIBIT 1: Daily Times, 16 September 2018**

