HRDC Calls for Arrest of Police Officers Implicated in Buleya Lule’s Killing and Implementation of MRHC Report’s Key Recommendations. An urgent call for Justice and an end of Impunity.

We, the Human Rights Defenders Coalition (HRDC), would like to respond to the findings of the Malawi Human Rights Commission (MHRC) investigation into the killing of Buleya Lule. First, we commend the MHRC for carrying out the investigation regarding his death. Malawians were very much awaiting the truth behind this pressing matter. The report gives us a picture and detailed evidence of what happened surrounding Buleya’s death. It is clear from the findings that a gross injustice was committed against the victim, and it is a fact that the Police have not only acted negligently and violently, but have also not been forthcoming with information regarding what actually transpired. It remains unclear as to why the police officers tortured the victim to death. It is sad that even Buleya’s relations too, were assaulted by the police. The report confirms our original suspicions that the Police were aiming to protect one another and shield themselves from backlash. The report is clear that a number of police officers and supervisors were involved. These are: Superintendent Paul Chipole; Sub-Inspector Ikram Maleta; Acting Commissioner for the Central Region Police Headquarters Ms. Evalista Chisale; Inspector Ronnex Kapesa; Station Criminal Investigations Officer for Dedza Police Station; Inspector Marvin Gama; and four mobile police officers from the C Division whose names have not appeared in the report. The report also makes clear that other suspects were involved in carrying out the abduction of Goodson Fanizo, namely James Green and Grignard. We are disturbed as to why these suspects have not yet been arrested and continue to roam free—we are concerned that the Police are shielding these suspects from further investigation.
We are deeply concerned with the overall unprofessional and illegal behavior of the police in the circumstances around the death of Buleya. This is a manifestation of the deeply entrenched impunity within the service. Overall, this is an indication of poor leadership within the service.

**Following from the report’s findings, we, the HRDC, demand the following:**

1. The police should act quickly to arrest James Green (alleged to be the mastermind of the abduction plot), Grignard, and other suspects in the case of the abduction of Goodson Fanizo who are currently at large.

2. As a matter of urgency police should promptly arrest and bring criminal charges against the 9 named police officers. Failure to do so, the leadership (Inspector General) shall be deemed accomplice to the malpractice.

3. The police should immediately identify by name the four mobile police officers with known involvement whose names have not been released. Once named, criminal charges should be brought against these officers. Failure to do so, the leadership (Inspector General) shall be deemed accomplice to the malpractice.

4. Further, diligent investigation must be carried out to determine any and all police officers involved in any part of the transportation, supervision, torture, and death of Buleya. Once determined, criminal charges should also be brought against these people.

5. It should be investigated thoroughly as to whether the Police were under any kind of duress or coercion—political or otherwise—to carry out these heinous acts and/or to shield suspects and responsible officers from investigation.

6. The police should assure the citizens of this country on their safety because Mr Lule’s case reveals that we have serious criminals within the service. This has a serious impact on the image of the entire police service.

7. Civil society has for a long time been calling for the creation of a Police Complaints Commission. The government has not been responsive to this call. The Buleya case emphasizes the importance and necessity of such a
Commission. Thus, we once again call for the establishment of a Com-
plaints Commission equipped to handle investigation of police behavior,
professionalism, and adherence to human rights standards in their han-
dling of suspects.

8. Given that Lule Buleya was the breadwinner of his family, and given the
distress brought upon his relations by this incident and their own assault by
the Police, we demand that his relations be immediately compensated,
as the report recommends, even without the matter being dragged into
court.

We conclude by calling for expeditious implementation of the MHRC report’s
recommendations and the demands itemized above. The government must
make clear its commitment to addressing the wave of killings of people with
albinism and to investigating police crimes, rather than allowing for their im-
punity. HRDC will stand up for justice no matter what. Those responsible must
be held accountable no matter who they are, what they are and where
they are.

Signed

Timothy Mtambo
National HRDC Chair

Gift Trapence
National HRDC Vice Chair

Happy Mhango - Northern Region HRDC
Billy Mayaya - Central Region HRDC Chair
Masauko Thawe - Southern Region HRDC Chair
Madalitso Banda - Eastern Region HRDC

Issued on 9th May 2019