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## MALAWI

### BACKGROUND

Malawi has been a dictatorship controlled by President H.K. Banda since 1964. As is confirmed below, trade union activity is severely limited in this climate. Recent events have shown the situation to be deteriorating rapidly. Therefore, the AFL-CIO urges that Malawi's GSP privileges be revoked.

### State Department Critique

The State Department's Country Reports for Human Rights Practices 1991 provides detailed information on worker rights conditions in Malawi (Attachment VI). Excerpts are presented here.

Right of Association: Only government workers have the right to form trade union...While technically legal, strikes are not tolerated in Malawi (p. 228).

Right to Organize and Bargain Collectively: Workers have the legal right to organize, but the law does little to restrict antiunion discrimination by employers...When employees and employers cannot reach agreement on a labor issue, a labor officer from the Ministry of Labor meets with the two sides in an attempt to reach a consensus.

Collective bargaining is protected by law, but in practice its use is limited by stark market realities (p. 228).

### Current Situation

In recent months, there have been a number of violations of internationally-recognized worker and human rights which have severely curtailed the already limited ability of trade unions to function.

Upon his return to Malawi from an international trade union meeting on April 6, Chakufwa Chihana, Secretary General of the Southern Africa Trade Union Coordinating Council (SATUCC) was met at the airport by security forces and taken immediately to jail. President H.K. Banda's security forces moved swiftly, not only in arresting Chihana, but in searching his home and office, arresting five colleagues from SATUCC,

dismissing Chihana's wife from her university position in the school of nursing and evicting them from their home.

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Chihana's colleagues have been released, but Chihana himself remains in custody without charges.

On April 23, the Malawian Secretary for Labour, B.B. Mwambakulu, wrote to SATUCC conveying a government directive closing the SATUCC office in Malawi.

## **CONCLUSION**

The government of Malawi stands in violation of the minimum standards with regard to freedom of association and the right to bargain collectively. The AFL-CIO calls for Malawi to be removed from the list of eligible beneficiaries for the Generalized System of Preferences.