



Malawi - Researched and compiled by the Refugee Documentation Centre of Ireland on 25 January 2019

Police Corruption in Malawi

Under the heading “Role of the Police and Security Apparatus” a *US Department of State* report released in April 2018 states:

“Police were inefficient, poorly trained, and corrupt (see section 4). Impunity remained a problem. Officers suspected of misconduct generally were transferred rather than investigated and disciplined if found guilty. Authorities, however, prosecuted officers accused of involvement in serious crimes such as robbery, murder, or rape (see section 1.a.)” (United States Department of State (20 April 2018) *Malawi 2017 Human Rights Report*, p.4)

Under the heading “Executive Summary” the report notes that:

“In some cases the government took steps to prosecute officials who committed abuses, but impunity remained a problem.” (ibid, p.1)

The report further states:

“Police arbitrarily shot and sometimes killed unarmed suspected criminals. For example, in January police shot and killed Jonathan Kaiya, a suspected car thief, under suspicious circumstances while he was being transferred. Kaiya, who was on bail, had been rearrested and transferred to a remote police station for no obvious reason.

Perpetrators of past abuses were occasionally punished, but investigations often were delayed, abandoned, or remained inconclusive.” (ibid, p.1)

An article by *Malawi 24* issued on 6 August 2017 states:

“Police officers in Malawi are notorious for demanding bribes and some officers get drunk while on duty, but minister of home affairs and internal security Grace Chiumia feels Satan misleads the officers into bad behaviour. [...]

Officers from security institutions in Malawi have been singled out to be the most corrupt as they demand bribes from people a development that has dented their image.” (Malawi 24 (6 August 2017) *‘Satan’ responsible for corruption among Malawi police officers – Minister*)

A *Development and Cooperation* report released on 23 March 2015 notes that:

“Each time you are stopped on the road by police officers, they will ask for a bribe even if you have not done anything wrong,” says Steve Phiri.

“They will always find some fault so you have to give them a bribe,” the angry Malawian motorist adds.

Phiri is not the only person to complain about the behaviour of police officers – many people in Malawi are unhappy with the police. [...]

If you have money, you can bribe corrupt officers and get away with any crime. Police officers are not happy to hear such allegations, but they admit that the system has “some corrupt individuals” who are tarnishing the image of the police. The public no longer trusts the police, however, and many Malawians think that the army would be more capable of protecting the people. [...]

This was not the first attempt to tackle police corruption. There have been warnings in the previous governments, but the problem seems to be never ending.

In fact, corruption is becoming a norm in Malawi. For instance, it is quite normal to bribe the government officer in question if you need to get certain services: in order to get a new passport or a driver’s licence for example.” (Development and Cooperation (23 March 2015) *Corruption has become the norm*)

A *Freedom House* report published on 1 August 2018 notes:

“However, corruption is endemic, police brutality and arbitrary arrests are common...” (Freedom House (1 August 2018) *Freedom in the World 2018 – Malawi*)

A *Business Anti-Corruption Portal* report on Malawi under the heading “Police” states:

“The police present business with a moderate risk of corruption. Police officers lack training and are inefficient, and there have been several reports of corruption within the ranks of police officers (HRR 2015; ICS 2015). Police impunity is a problem; officers abusing their power generally face a transfer of post rather than an investigation (HRR 2015). Over 33% of citizens believe the police is corrupt; nonetheless, between 2011 and 2013, only 6% report to have paid a bribe to the police, while almost 70% expressed trust in the police (Afrobarometer, Nov. 2015). Government mechanisms established to control police abuse and corruption were only partially effective (HRR 2015). Victims of police abuse fail to report on cases due to fear of reprisal, and those who do rarely see the cases investigated (GI 2016). Businesses perceive the police to be moderately reliable in protecting them from crime and enforcing order; almost 75% of companies pay for security in Malawi (GCR 2015-2016; ES 2014).” (Business Anti-Corruption Portal (GAN) (May 2016) *Malawi Corruption Report*)

An article by *Nyasa Times* issued on 26 January 2018 points out:

“Central Region Commissioner of Police John Nyondo has warned police officers against indiscipline when carrying out their duties. [...]

Nyondo said some officers in the region involve themselves in malpractices such as bribery and corruption by receiving money from people for police bail.

He advised the community against offering bribes to officers, saying it is illegal and that it dents the reputation of the police service.” (Nyasa Times (26 January 2018) *Nyondo warns Malawi police officers against corruption*)

Malawi 24 stated in January 2017:

“The Malawi Police Service has faulted Malawian drivers for fueling corruption on the roads of the country.

Deputy Head of Traffic at Police headquarters in Lilongwe Assistant Commissioner McPherson Matowe said Malawians are to blame for fueling corruption on the roads.

Matowe added that many drivers in the country offer bribes to road traffic officers when they are held over offences.

“Most Malawians whenever they are involved in road offences what they do is negotiate with the officers and bribe them. They are the ones perpetrating such kind of behaviours that’s why they don’t come to report corruption cases,” said Matowe.

However, Minister of Transport and Public Works Jappie Mhango said he is optimistic that the public reforms are to help curb the practice.

In a move to reduce corruption by road traffic officers, the Malawi government directed that from March this year all penalties are to be paid directly to government through banks.” (Malawi 24 (19 January 2017) *Police fault Malawians over corruption*)

Nyasa Times stated on 10 August 2016 that:

“Times Television footage of two female police traffic officers demanding a bribe and pocketing the money from a man in a car has emerged.

According to Daily Times, the two female cops were caught on Times TV roving camera apparently taking bribes from a motorist near Phalombe Hardware in Limbe.

The officers did not use the receipt book where money goes to government's Account Number One and pocketed the money as the video s showing he road user adding money twice before one of the cops reached her hand into the car to the cash.

Deputy national spokesman for police, Thomeck Nyaude, blamed road users for the rise in corruption among traffic officers.

He said it is the Malawi society that is corrupt.

"Traffic officers jut go on the road to enforce traffic laws. Traffic officers are part of Malawi Police Services and are told not to indulge in corruption," the daily quoted Nyaude.

He said the people are the ones who lure cops to received bribes.

Police will hold accountable the cops in the video if they can be .

Petty graft continues to plague Malawi 's economy.” (Nyasa Times (10 August 2016) *Malawi: Two Malawi Traffic Police Officers Bribe Caught On Camera*)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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