



**SUBMISSION TO THE UN COMMITTEE ON ENFORCED  
DISAPPEARANCES (CED)**

**For the Review of Malawi under Article 29(1) of the ICPED  
Session: 30th Session (March 2026)**

**Submitted by: Inua Advocacy  
Observer Organization to the African Commission on Human and  
Peoples' Rights (ACHPR)  
Website: [www.inuaadvocacy.org](http://www.inuaadvocacy.org)  
Email: [info@inuaadvocacy.org](mailto:info@inuaadvocacy.org)**

**Prepared by: *Innocent Magambi*  
Chief Executive Officer, Inua Advocacy  
Email: [imagambi@inuaadvocacy.org](mailto:imagambi@inuaadvocacy.org)**

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## 1. Executive Summary

This submission presents evidence of a systematic pattern of enforced disappearances, short-term enforced disappearances, clandestine detentions, and unlawful deportations of refugees, asylum seekers, and migrants, primarily of Ethiopian origin in Malawi between 2022 and 2025. The violations involve:

- Malawi Defence Force (MDF) officers
- Malawi Immigration Department personnel
- Collusion with powerful human trafficking networks
- Secret detentions at Kamuzu Barracks
- Transfers and deportations without judicial oversight
- Failure to register persons deprived of liberty
- Refoulement in violation of Article 16 of the Convention
- Incommunicado detention of women and infants
- Handing detainees to unknown private individuals

At least 21 named individuals and 15 additional individuals in the Immigration case were subjected to these violations.

These practices constitute breaches of Articles 1, 2, 3, 12, 14, 15, 16, 17, 18, 20, and 24 of the Convention.

## 2. Background Context

Malawi faces entrenched trafficking and smuggling networks operating in and around Dzaleka Refugee Camp, involving Ethiopian smugglers and traffickers. Rival networks, particularly led by *Adino* and *Brano*, compete violently and reportedly exert influence over certain state officials.

Between 2022 and 2025, Inua Advocacy documented credible testimonies indicating that:

- MDF personnel cooperated with certain traffickers to target rival groups, not traffickers generally.
- Arrests and deportations were used to reinforce criminal monopolies, not law enforcement objectives.
- Suspects and migrants were held at Kamuzu Barracks, a military base not designated as a lawful holding facility.
- Many detainees were deported without charges, hearings, or registration and some were handed directly to unidentified civilians.

This pattern places Malawi in direct violation of its obligations under the ICPPED.

## 3. Legal Framework Concerns Under the Convention

### 3.1 Article 16 – Non-Refoulement

Malawi expelled and returned individuals to Ethiopia and DRC with substantial grounds to believe they were at risk of serious harm, without legal procedures.

### **3.2 Articles 17, 18, 20 – Secret Detention and Access to Information**

- **Lack of Registration of Detainees:** According to testimonies we collected, individuals detained at Kamuzu Barracks were not issued official detention records, and families were not informed of their whereabouts. Repeated inquiries with MDF authorities including the Military Police, the Deputy Chief of Staff, and the MDF Public Relations Officer, failed to produce documentation confirming the detention of these individuals. This strongly indicates that these detentions occurred without registration, in violation of Articles 17, 18, and 20 of the Convention.
- **Denial of Information and Communication:** Victims and their families were denied access to information regarding the detention, charges, and location of the detainees, preventing legal representation and communication, which is required under the Convention. This applies particularly to the cases of Deborah and her infant, Kondo Ahmed Mohammed, and the five Ethiopian asylum seekers from Salima, among others.
- **Pattern of Systemic Violations:** The absence of registration and notification was consistent across multiple cases and raids documented between 2022 and 2025, demonstrating a systematic practice of secret detention rather than isolated incidents.
- **Impact on Legal Safeguards:** The failure to register detainees and provide information effectively deprived them of legal protections, including the right to challenge detention in court and the right to access legal counsel, in breach of Articles 17–20 of the Convention.

### **3.3 Article 3 – Enforced Disappearance by Non-State Actors**

The State failed to prevent disappearances influenced or requested by trafficking networks, amounting to tolerance or acquiescence.

### **3.4 Articles 12, 14, 15 – Investigation and Cooperation**

- No independent investigations were conducted.
- Collusion between officials and traffickers obstructed justice.

### **3.5 Article 24 – Rights of Victims**

Victims and families received:

- No information
- No procedural safeguards
- No restitution for confiscated property

## **4. Documented Cases of Enforced Disappearance**

### **4.1 Documented Cases: 21 Individuals Detained at Kamuzu Barrack**

### **A. Five Ethiopian asylum seekers – Salima District’s Arrest (August 2022)**

Arrested by the Criminal Investigation Department (CID) under MDF instructions, detained at Kamuzu Barracks, deported without trial:

1. Tadesa Sami Lema
2. Kiros Meani
3. Delelo Ayele Lamanego
4. Tarekang Abosse
5. Ersumo Mahertu

#### **Violations:**

- Secret detention (Kamuzu Barracks)
- No court appearance (Art. 17)
- Forced deportation (Art. 16)
- No information provided to families (Art. 18)

### **B. Case of Kondo Ahmed Mohammed (December 2023)**

- Arrested following trafficking-related clashes.
- Detained at Area 18 police station in Lilongwe, then Immigration office, then Kamuzu Barracks.
- Deported to Ethiopia on 22 December 2023 without trial.
- Vehicle and money confiscated.

#### **Violations:**

Articles 16, 17, 18, 20, 24.

### **C. Case of Deborah (Congolese refugee) and her infant (Dec 2023–Apr 2024)**

- Arrested by MDF officer (allegedly General Harold Dzoole).
- Held four months under 24-hour military guard at Kamuzu Barracks.
- Infant detained with pneumonia.
- Deportation to DRC via Zambia.
- Phones confiscated.

#### **Violations:**

Articles 17, 18, 20, 24; gender-specific and child-specific concerns.

### **D. Four Ethiopian refugees (April–May 2024)**

1. Yasin Mubarak (AKA Lire) – detained, convicted by MDF, deported; vehicle remains confiscated.
2. Tamrad – arrested by Dowa District Police, transferred to Kamuzu Barracks, deported without trial.
3. Trakang Yohanes (John) – same pattern.
4. Gecho Urkato – same pattern.

**Violations:**

Short-term enforced disappearances; Art. 17, 18, 20.

**E. Eight Ethiopian detainees – detained 4 months at Kamuzu Barracks (Oct 2024–Feb 2025)**

1. Isaac Tages
2. Hatmu Mathias
3. Arkuto Getchew
4. Semebo Sebsibe
5. Samuel Woldeyesus
6. Sammy Tadesse
7. Solomon Mulolo
8. Turusabu Torosa

No court appearance during four months; deported 1 February 2025.

**Violations:**

Articles 17, 18, 20, 24

**4.2 Maula Prison – Immigration Enforced Disappearance Case**

On 9 October 2025, 15 Ethiopian nationals were unlawfully removed from Maula Prison (Lilongwe) on the instruction of Immigration Deportation Officer Inspector Kondwani Banda, who directed two junior Immigration officers to release the detainees and transfer them to an unidentified civilian driving an X-Trail vehicle in Area 47, Lilongwe.

Names of victims:

1. Emmanuel Gebre Jaile
2. Misgano Yonasi Analo
3. Mamush Shomore
4. Mhsfine Ayele Ililo
5. Mamush Mishamo
6. Tasfaya Gorikabo Godebo
7. Adisa Abayina Bula
8. Mizgan Gabure Mache
9. Takatel Tamire
10. Tamirat Ashanaf Tesama
11. Tekele Lema
12. Teketel Tamirat
13. Yosef Kebede
14. Ashenesi Birihanu
15. Amana Yadeto Haseni

Their current fate and whereabouts are unknown.

**Violations:**

Articles 1, 2, 3, 12, 14, 16, 17, 18, 20, 24.

**5. Systemic Patterns Identified**

1. Use of Kamuzu Barracks as an illegal detention facility
2. Failure to register detainees, violating Articles 17–20
3. Collusion between MDF officers and dominant traffickers
4. Enforced disappearances used to eliminate rivals
5. Unlawful deportations without judicial review
6. Confiscation of phones, money, vehicles as coercion
7. Lack of investigation, even when internal whistleblowers report misconduct
8. Use of military force in civilian refugee camp operations
9. Women and children detained in military bases

These patterns establish the existence of persistent, ongoing violations of the Convention.

**6. Recommendations to the Committee**

Inua Advocacy respectfully urges the Committee to request that Malawi:

**A. Immediately disclose all detention records relating to:**

- Kamuzu Barracks
- Maula Prison
- Immigration holding cells
- Transfers of refugees between 2022–2025

**B. Conduct independent investigations into:**

- MDF involvement in arrests and deportations
- Collusion between security personnel and traffickers
- The disappearance of 15 Ethiopians in October 2025

**C. Prohibit military detention of civilians**

- Kamuzu Barracks must never be used to hold asylum seekers or migrants.

**D. Establish a centralized, public registry of all persons deprived of liberty****E. Guarantee access to lawyers, families, and UNHCR for all detained migrants****F. Ensure that all arrests involving refugees follow legal procedure**

- Including judicial review within 48 hours.

**G. Implement anti-trafficking reforms**

- Including oversight mechanisms to prevent security agencies from acting on behalf of traffickers.

- H. Provide reparations to victims whose property was confiscated.**
- I. Criminalize enforced disappearance fully under domestic law, in accordance with Article 4.**
  
- J. Strengthen protection of refugees and asylum seekers against refoulement**

Contact Information

Inua Advocacy

Attn: *Innocent Magambi*

CEO, email: [imagambi@inuaadvocacy.org](mailto:imagambi@inuaadvocacy.org) / WhatsApp: +265 999 950 573