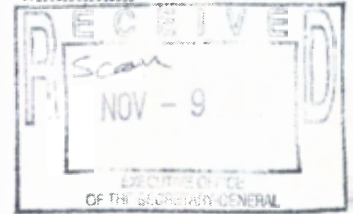


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All Communication should be addressed to:
The Ambassador and Permanent
Representative



In Reply Quote.....



PERMANENT MISSION OF THE REPUBLIC OF MALAWI TO THE UNITED NATIONS
866 UNITED NATIONS PLAZA, SUITE 486
NEW YORK, N.Y. 10017

ACTION
COPY

Mr. Porco (email)
VH
NH
HR L O

NOVEMBER 8, 2011

(Per. related copy)
11-09402

Your Excellency,

APPOINTMENT OF COMMISSION OF INQUIRY IN MALAWI

I have the honour, Your Excellency, to bring to your attention that the Government of Malawi has appointed a Commission of Inquiry on the 20th July Demonstrations in Malawi. The members of the Commission were sworn in Tuesday 25th October 2011 before His Excellency Ngwazi Professor Bingu wa Mutharika, President of the Republic of Malawi.

It will please, Your Excellency, to note that the Government of Malawi has moved ahead and the swearing-in of the members of the Commission of Inquiry signifies the official commencement of the work of the Commission and the full commitment of the Government of Malawi to have the events of 20 July 2011 thoroughly investigated.

In light of the above, we welcome your offer, Your Excellency, to designate an individual who can serve as a Member of the Commission in his/her personal capacity per your letter addressed to the President of the Republic of Malawi, dated 13 October, 2011.

(copy)
11-09931

Please kindly note, Your Excellency, the composition of the commission is as follows:

- | | |
|-----------------------------------|---------------|
| 1. Rt. Reverend Bishop (Emeritus) | |
| Felix Mkhori | - Chairperson |
| 2. Apostle Timoth Khoviwa | - Vice Chair |
| 3. Mr. James Naphambo | - Member |
| 4. Mr. Titus Thyolamwendo | - Member |

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- | | | |
|---------------------------|---|--------|
| 5. Mr. Levi Mihowa | - | Member |
| 6. Mr. Chris Giannakis | - | Member |
| 7. Father Raymond Likupe | - | Member |
| 8. Mr. Allison Mbang'ombe | - | Member |

Please find attached hereto a copy of the terms of reference for the Commission of Inquiry.

Finally, as the Commission is already operational, I wish to seek your support, Your Excellency, in designating an individual who can serve as a member of the said Commission.

Please accept, Your Excellency, the assurances of my highest consideration.



Brian G. Bowler

Ambassador/Permanent Representative

His Excellency Ban Ki-moon
Secretary-General of the United Nations

**TERMS OF REFERENCE FOR THE COMMISSION OF
INQUIRY INTO THE DEMONSTRATIONS, RIOTS,
LOOTING, ARSON, PUBLIC DISORDER, DEATHS,
PERSONAL INJURY AND LOSS OF PROPERTY
ON 20TH AND 21ST JULY, 2011**

❖ To inquire, and report to the President the circumstances leading to and surrounding the demonstrations, riots, looting, arson, public disorder, injuries and deaths that occurred in the cities of Blantyre, Lilongwe and Mzuzu, and Karonga District on 20th and 21st July, 2011, including the following:

1. The various events and occurrences that transpired before, during and after the riots, looting, arson, public disorder, deaths, personal injury and loss of property including the demonstrations;
2. The cause of the riots, looting, arson, and public disorder;
3. The leaders of the riots, looting arson and public disorder;
4. The manner in which the riots, looting, arson, and public disorder were co-ordinated;
5. The financiers, if any, of the riots, looting, arson, and public disorder;
6. The relationship, if any, between the demonstrations, on the one hand, and the riots, looting, arson, and public disorder, on the other hand;
7. The identities of all persons that led and coordinated the demonstrations, riots, looting, arson, and public disorder;
8. The identities of all persons who died or were injured during the riots, looting, arson, and public disorder;

9. What the individuals were doing at the time of their death or injury;
10. The cause of each death or injury;
11. The properties that were looted or burnt during the riots, looting, arson, and public disorder;
12. The identities of the owners of the properties that were looted or burnt during the riots, looting, arson, and public disorder;
13. The value of the property looted or burnt during the riots, looting arson;
14. The conduct, proficiency, and operational effectiveness of the police and other security agents in dealing with the rioters, looters, arsonists and demonstrators;
15. The conduct of the media and its impact before, during and after the riots, looting, arson, and public disorder; and
16. Produce a written report with recommendations.

❖ The Commission of Inquiry may also make such inquire, and make such findings and recommendations as are incidental to and connected with the riots, looting, arson, and public disorder that occurred on 20th and 21st July, 2011, or any matter connected therewith.

❖ The Commissioners shall conduct the inquiry and make a report of their findings within 8 months after the commencement of the inquiry.