



REPUBLIC OF MALAWI

STATEMENT

BY

**HIS EXCELLENCY
DR LAZARUS MCCARTHY CHAKWERA
PRESIDENT OF THE REPUBLIC OF MALAWI**

**ON THE
ANTI-CORRUPTION BUREAU**

**KAMUZU PALACE, MALAWI
MONDAY, 24TH JANUARY 2022**

Fellow Malawians,

Earlier today, I held a meeting with the Director General of the Anti-Corruption Bureau, Ms. Martha Chizuma, and the Minister of Justice, Hon. Titus Mvalo. I called for the meeting pursuant to Section 4(4) of the Corrupt Practices Act, which requires the Director General of the Bureau to report to me and the Minister on the general conduct of the affairs of the Bureau.

Among the things tabled at this meeting was an audio recording of a conversation between Ms. Chizuma and another person, which Ms. Chizuma has confirmed to be an authentic recording of a conversation she has acknowledged to me and the Minister to constitute misconduct on her part. In the recording, which has been widely circulated across social media and covered by the press, she discusses certain elements and perspectives related to the Bureau's fight against corruption.

Specifically, she discusses what one of our foreign partners said to her about the role she must play in the

fight against corruption; she discusses exactly when the Bureau will take action on its findings because doing so earlier would lead to compromise; she discusses her knowledge of a bribe accepted by a specific judge two days prior to attending a hearing before that judge; she discusses her emotional and mental state in the course of conducting her work; she discusses the amount of money she believes has passed through the hands of a suspect the Bureau recently arrested; she discusses the sentiments some members of the Judiciary expressed to her about the ruling of a court she argued a case in; she discusses her belief that the justice system in Malawi will not do what is right in handling corruption cases unless it is forced; she discusses the fact that the lawyers at the Bureau told her that behind the lawyers defending corruption suspects in court are twenty or thirty corrupt lawyers; she discusses how many millions of dollars have been spent on bribery by a corruption suspect; she affirms the expressed view that there is no one in the whole country in whose hands a bribe has not passed; she discusses the defensive attitude of Catholics and Pentecostals to corrupt public officers who may be members of their church, and the pressure those

churches are being put under to comply; she discusses how we should forget about Civil Society being of any use in the fight against corruption; she discusses rumors she has heard alleging that she no longer has the support of the President who appointed her.

Understandably, the recording has sparked public debate about whether or not Ms. Chizuma has breached her Oath of Office, whether or not she has compromised the credibility of the Bureau and the security of its investigations, whether or not she has violated the same Corrupt Practices Act she was appointed to enforce, whether or not she has defamed the judge of an independent court, and whether or not she has discredited the Clergy and Civil Society.

I consider that debate to be healthy, because Ms. Chizuma's conduct, or the conduct of any public servant in a public office, is neither infallible nor beyond scrutiny nor above the law. Now since the conduct of any ACB Director is regulated by law, there are several legal minds who have told me that the audio recording contains information justifying Ms. Chizuma's removal

as Director of the Anti-Corruption Bureau on the grounds of misconduct in terms of Section 6B (2) of the Corrupt Practices Act, 2019. But upon consideration of multiple factors, I have determined that the best thing to do in this instance is to keep a watchful eye on her general conduct of the Bureau's affairs in order to ensure that there are no other incidents of concern about her fitness for office going forward. As such, I have given her a stern warning about what the law demands and what I expect from her as the person I appointed to that office.

Now, as much as Ms. Chizuma's conduct in this unfortunate incident has been disappointing, I would like to state why I appointed her to head the Anti-Corruption Bureau in the first place and why I have reaffirmed to that position with a warning. I appointed her because I considered her to be a person of great courage, the kind of courage needed to take on dangerous cartels of corruption that have milked our country dry for decades, including foreign ones that donate to us the crumbs leftover from the bread they steal from us. I appointed her because I considered her to be a person of great integrity, the kind of integrity

needed to resist every inducement that would be thrown her way to compromise her. I appointed her because I considered her to be a person of great strength, the kind of strength needed to keep fighting for justice even when it looks hopeless and dark. I appointed her because I considered her to be a person of great vision, the kind of vision to see the whole edifice of corrupt activities and see how best to dismantle it. I appointed her because I considered her to be a person of great experience, the kind of experience she had as the Ombudsman, where she proved herself to be a warrior for justice. And I appointed her because I considered her to be a member of the team of warriors for justice I have been building to serve Malawians.

This is what I believed about Ms. Chizuma at that time, and this is what I believe about her today. And ever since I appointed her, I have found her to be a strong partner in fulfilling the promise of Ending Corruption that I made to Malawians, which is the fourth pillar of my SUPER Hi5 agenda. I believe that it is because of her resolve to fight corruption that corruption has fought back and used someone she trusted to betray her and

expose both her and me to embarrassment. I therefore want those evil forces that recorded her to know that neither I nor Ms. Chizuma are moved by their efforts to derail my agenda to rid Malawi of corruption. If you thought that making this recording would force me to fire her, you better think again. And if you thought that you can use Ms. Chizuma's work or improper comments on that audio to attack me and get me out of the way, you better think again. You may have gotten to the ACB Director this time, but you can never get to all of us who are fighting this fight in different parts of the government. We will never retreat and we will never relent. As Martha Chizuma says on that audio, Nkhondo iyiyi ndi ya tonse, ndipo tiwina.

My resolve to win this fight is the reason why I and many Malawians stood by her to see that Parliament confirmed her after she was initially rejected by its Public Appointments Committee. My resolve to win this fight is the reason why I have never once interfered with ACB investigations, including those into the conduct of my own Ministers. My resolve to win this fight is the reason why even I myself have cooperated with ACB

investigations by subjecting myself to questioning by its officers, which no sitting Head of State has ever done in this country. My resolve to win this fight is the reason why in all my public and private statements about the ACB, I have been the most vocal advocate against corruption and supporter of its work. My resolve to win this fight is the reason why I have fought many forces to ensure that the Bureau is fully funded and its Chief is well-protected.

I must therefore confess that because of how vested I am in the fight against corruption, listening to some of the remarks Ms. Chizuma makes on that recording was painful. But because I took an oath of allegiance to the Constitution and pledged to work only in the best interest of Malawian, I have chosen to put Malawi first.

As a further demonstration of my resolve to confront all forms of lawless conduct by public officials, I wish to take this opportunity to pronounce myself on two matters that affect my Administration. First, in exercise of the powers vested in me by the Constitution, I have dissolved my entire Cabinet effective immediately, and

all the functions of Cabinet revert to my office until I announce a reconfigured Cabinet in two days. That reconfigured Cabinet will exclude the current Minister of Lands, to allow him to answer the corruption charges he is facing in court and clear his name there. This is a decision I have made following yesterday's submission to me of an official ACB report on the charges the Minister is facing, which is the same process I followed when I dismissed two Ministers in the past.

Secondly, I have directed the Minister of Justice to inform the Attorney General that I do not support the offer of amnesty to those who defrauded Government and the Malawian people. Although the idea of an amnesty was a campaign promise enshrined in our manifesto as a way of speedily recovering Government's stolen assets, it cannot be effected without a clear legislative framework that allows it to be implemented lawfully and without appearing soft on corruption. The Minister of Justice is thus on instruction to review this policy and work with the Attorney General in designing a sound alternative for recovering Malawi's stolen treasures.

Let me conclude by stating that the developments surrounding Ms. Chizuma are a timely reminder that the war on corruption is too vast to be waged or won by one person or one agency. It needs Malawians of courage and integrity in intelligence agencies like the Financial Intelligence Authority and the National Intelligence Service. It needs Malawians of courage and integrity in law enforcement agencies like the Anti-Corruption Bureau and the Malawi Police Service. It needs Malawians of courage and integrity in watchdog entities like the Malawi Human Rights Commission, the National Assembly, and the Ombudsman. It needs Malawians of courage and integrity in regulatory agencies like the Malawi Revenue Authority, the Reserve Bank of Malawi, and others. It needs Malawians of courage and integrity in the Executive and Judicial branches of Government, and in the political parties that compete for state power. And crucially, it needs Malawians of courage and integrity among the Citizenry to report any acts of corruption they witness.

So although Ms. Chizuma is heard saying in that recording that the British authorities told her that the fight against corruption depends solely on her integrity, I disagree. Anyone who truly understands the way this country is structured and the depth of corruption within our midst knows that winning this war depends on all of us. It has to, because a war is won by armies, not a lone soldier isolated from all the others.

I believe that this army of Malawians of courage and integrity exists, and if you consider yourself to be in its ranks, your time to shine your light and expose the darkness of corruption has come. Shining your light means pointing out those who have paid or received bribes or demanded bribes. But it also means admitting that corruption is so deep in our country that many of us may have benefitted from its proceeds without even knowing it. It means admitting that we all need to be more vigilant about where the money we spend comes from. Because at this point, few of us can guarantee that none of the funds donated by foreigners, or used to pay for our education, or our political campaigns, or our wedding reception, or our funeral ceremonies, or our

church buildings, or our shopping, or our travel came from acts of corruption. So we must be more vigilant and each shine a light on ourselves, not just others.

But as you shine your light, be sure to take great pains to always conduct yourself professionally, ethically, collaboratively, and legally. Malawi simply cannot afford to lose your light because of a careless mistake or because you exposed yourself to evil people who will not hesitate to betray you or use you to descend Malawi into chaos. As the Scriptures say in 1st Corinthians 16:13, it is not enough to stand firm, or to be courageous, or to be strong. You must also be on your guard.

I thank you for your attention.