

## Malawi: Hearing of Repressive Law set for 29 March

The High Court has issued a notice that hearing of a case where the Malawi Human Rights Commission (MHRC) is challenging the legality of the amendment of repressive law that empowers information minister to ban publications will take place on 29 March 2011.

 By [Gregory Gondwe](#) 18 Mar 2011

The hearing will decide whether the matter would be handled as a constitutional matter or not, before commencement of a court battle.

High court registrar Dorothy Nyakaunda Kamanga who issued the notice on March 14, 2011 said this will be a hearing where both the applicant [MHRC] and the respondent [attorney general] will be present.

"Take notice that the hearing of the application for certification of the case as constitutional in nature under section 9 of the Courts Act in this matter shall take place on Tuesday 29th March at 10 o'clock in the afternoon in the chamber before his lordship the Honourable Chief Justice," reads the notice in part. Before a case is considered as constitutional, it goes under a certification process presided by the Chief Justice.

The Notice has been signed by the registrar of the two parties to be heard are the MHRC and the Attorney General.

MHRC took the amended law to court on 11 March, 2011 in an attempt to have it invalidated after government's unyielding stance when local and international institutions used all sorts of persuasions to dismiss this piece of legislation.

Media bodies are awaiting the outcome of the hearing as they have expressed interest to join the case.

Media Council of Malawi (MCM) and Malawi chapter of the Media Institute for Southern Africa (MISA-Malawi) as well as the Human Rights Consultative Committee (HRCC) have said they will also be joining the case once the Chief Justice Lovemore Munlo certifies it.

### ABOUT GREGORY GONDWE

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