

URGENT ACTION

REFUGEES, ASYLUM SEEKERS HELD ARBITRARILY

Fifteen refugees and asylum seekers (14 men, one woman) from the Democratic Republic of Congo (DRC) and one male refugee from Ethiopia are currently held at the Third Police Station in Pemba city, Cabo Delgado Province in Mozambique. They have been held since 17 January and are not being given necessary medical care and adequate food.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

**Minister of Interior
Jaime Basílio Monteiro**

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Dear Minister Jaime Basílio Monteiro,

I am writing to you on the case of 16 people (11 refugees and five asylum seekers, including one woman), who are currently detained at the Third Police Station in Pemba city, Cabo Delgado province. According to the 16 refugees and asylum seekers, they have not been receiving adequate food or necessary medical care. At one point, they were kept without food for 25 days in a row. The prison's conditions, including sanitation, have also deteriorated after Pemba city was hit by Cyclone Kenneth in April 2019.

The 16 were arbitrarily arrested by police and immigration officers in Maratane Camp in Nampula province, northern Mozambique on 17 January. According to testimonies from the refugees, they were hand-cuffed, beaten and arrested without a warrant. They were not informed of the reasons for their arrest and detention. On 19 January, they were transferred from Nampula city to the Third Police Station.

On 23 January, the government of Mozambique deported seven men from the group to their country of origin, the DRC. A Mozambican immigration officer forced them to board a flight to Kinshasa, DRC, without their being notified of a deportation order, or being permitted to challenge their deportation. They were denied entry at the airport in Kinshasa as immigration officials claimed that the emergency travel documents issued in their names by the Cabo Delgado Provincial Directorate of Immigration did not prove their DRC citizenship. The men were not allowed to be in possession of these travel documents during deportation. They were held for three days at the Jomo Kenyatta International Airport in Nairobi, Kenya, waiting to board a flight back to Mozambique. They were returned to Pemba city on 26 January and taken to the Third Police Station, where they are detained currently.

On 12 March, lawyers filed an application for the provisional release of the 16 refugees and asylum seekers' and the Pemba Provincial Court has yet to rule on the request.

I urge you to:

- Ensure the immediate release of the 16 refugees and asylum seekers and allow them to return to the Maratane Camp in Nampula province, and under no circumstances deport them to their countries of origin or to any other country in which they would be at risk of serious human rights violations, in line with Mozambique's international human rights obligations;
- Ensure that, pending their release, the 16 refugees and asylum seekers' conditions of detention are in line with international standards, including access to food, water and adequate health care.

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

On 5 October 2015, a woman from the Democratic Republic of Congo (DRC) and her baby died during labour at the Maratane Camp Health Centre. On the same day, several refugees started a demonstration against the death of the mother and her baby and the poor medical assistance they were allegedly provided in the camp. As a result of the demonstration, the Health Centre was damaged, and some people broke into the food storage room and stole food and other materials.

On 9 October 2015, the administrator of the Maratane Refugee Camp filed a complaint with the Police of the Republic of Mozambique (PRM) of Nampula and gave to the officers a list with 24 names of those allegedly responsible for the vandalism of the centre facilities, including all of the 16 refugees and asylum seekers currently detained in Pemba city. The Public Prosecutor criminally charged them with robbery and damage to a state building. On 29 May 2017, the Cabo Delgado Provincial Court found all the accused not guilty.

Everyone – including irregular migrants, regular migrants, asylum-seekers and refugees – has the rights to freedom of expression, peaceful assembly, due process and judicial guarantees, to adequate detention conditions, including access to food, water and adequate health care, and to not be subjected to arbitrary detention, ill-treatment, collective expulsion or *refoulement*. All states are forbidden from transferring anyone to a place where they would be at real risk of serious human rights violations.

In April 2019, Cyclone Kenneth caused a landfall in Mozambique's northern province of Cabo Delgado. The cyclone destroyed houses and damaged vital infrastructure such as school, hospital, road, sanitation facilities and communications networks. The Third Police Station, where the 16 refugees and asylum seekers are being held, was flooded due to the cyclone and was left in poor condition.

PREFERRED LANGUAGE TO ADDRESS TARGET: Portuguese - English
You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 25 July 2019
Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: 14 men from the Democratic Republic of Congo (they/them), one woman from the Democratic Republic of Congo (she/her) and one man from Ethiopia (he/his)

LINK TO PREVIOUS UA: [N/A]