

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

Index: AFR 35/8267/2018

24 April 2018

Madagascar: Investigate the killing of two protesters

Malagasy authorities must ensure a prompt, thorough and impartial investigation into the killing of two demonstrators in Antananarivo and perpetrators must be brought to book, Amnesty International said today. The investigation's report should be made public. Members of the security forces present at the scene and suspected to be responsible should be suspended pending the investigation and if there is relevant admissible evidence, brought to justice in proceedings that meet international standards of fairness. Victims and relatives must be provided with access to effective remedies and adequate reparations, including compensation.

Malagasy security forces opened fire on protesters on 21 April 2018, causing the deaths of two people. The protesters were demonstrating against the new electoral laws which were voted early April, ahead of the elections planned for the end of the year, as they believe they favour the party in power and could block out their candidates from running in the upcoming presidential elections.

Amnesty International believes that the use of excessive force against protesters voicing their concerns illustrates the authorities' contempt for the rights to life, and freedoms of peaceful assembly, association and expression.

There are reports that the protest was not authorised, and that some of the protesters may have used violence including throwing stones at the police. However, the police should have reacted proportionately, using only the minimum force necessary to contain the situation and re-establish public order.

Madagascar has a legal obligation under international human rights law to respect, protect, promote and fulfil the right of everyone to life. The UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials requires law enforcement officials to 'as far as possible, apply non-violent means before resorting to the use of force and firearms'.

In any event, firearms should not be used except to defend people against the imminent threat of death or serious injury or to prevent a grave threat to life, and only when less extreme means are insufficient. Using lethal force to prevent protestors from gathering is in no way an appropriate response.

Therefore, Malagasy security forces should exercise maximum restraint in future when dealing with such protests.

Background

On Saturday 21 April, police forces opened fire against protestors in the capital city Antananarivo, leading to the death of two protestors, and 15 others being injured.

Tensions between the government and opposition forces have been crystallising since 3rd April 2018, when new electoral laws were voted in Parliament. Opposition leaders complained that the three new laws will lock out their candidates from the presidential election due at the end of the year. They have also accused the government of paying bribes to the deputies to influence their votes.

On Saturday 21st April, hundreds of protestors gathered in the centre of the capital, on the symbolic square of the 13th May, to demonstrate against the electoral laws. Opposition MPs had planned to report orally to the protestors about the discussions that took place within the Parliament. Authorities had declared the protest illegal earlier in the week, but opposition activists decided to maintain the protest. Clashes erupted after police fired tear gas and rubber bullets to try to disperse the protestors.