

URGENT ACTION

HUMAN RIGHTS DEFENDER AND JOURNALIST CHARGED

Human rights defender Rafael Marques de Morais and journalist Mariano Brás Lourenço have formally been charged with ‘defamation of a public authority’ and ‘outrage to a sovereign body’ in relation to an article they published on questionable acquisition of public land by the Angolan General Public Prosecutor. Both charges carry a penalty of one year in prison and three years in prison respectively.

Rafael Marques de Morais is a human rights defender, an award winning investigative journalist and the editor of Maka Angola, an online media channel. He wrote and published an article online on the Maka Angola website. The article was on the questionable acquisition of public land by the Angolan General Public Prosecutor. **Mariano Brás Lourenço** is a journalist and editor of Angolan newspaper “O Crime”. Through the newspaper “O Crime”, he published Rafael Marques de Morais’ article and included some of his own personal commentary on the article.

On 20 June both men were formally charged with ‘defamation of a public authority’ (maximum penalty: one year in prison) and ‘outrage to a sovereign body’ (maximum penalty: three years in prison), the latter is a crime against the security of the state.

Criticism of public institutions of all kinds, including bodies that are part of the legislative, executive and judiciary as well as public officials is a right. The UN Human Rights Committee, which monitors States’ compliance with the International Covenant on Civil and Political Rights, has called on States not to prohibit such criticism. Public officials should display a higher degree of tolerance to criticism than private individuals.

In the case that Rafael Marques de Morais and Mariano Brás Lourenço are imprisoned, Amnesty International will consider them to be prisoners of conscience as the charges against them are politically motivated and relate to the peaceful exercise of their right to freedom of expression. The charges against them are also seen as a government tactic to deter other government critics.

Please write immediately in Portuguese, English or your own language:

- Urging Angolan authorities to immediately drop all the charges against Rafael Marques de Morais and Mariano Brás Lourenço, as they have been charged solely for peacefully exercising their right to freedom of expression;
- Calling on the authorities to end the practice of harassment and intimidation of people peacefully expressing their views, and to uphold the right to freedom of expression;
- Calling on them to repeal all legislation which unduly limits freedom of expression.

PLEASE SEND APPEALS BEFORE 24 NOVEMBER 2017 TO:

Minister of Justice and Human Rights

Rui Jorge Carneiro Mangureira

Ministry of Justice and Human Rights

Rua 17 de Setembro, No. 32

CP 1986

Luanda, Republic of Angola

E-mail: rui.mangureira@minjus.gov.ao

Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

The United Nations Human Rights Committee is a human rights treaty body formed by independent experts that monitor implementation of the International Covenant on Civil and Political Rights (ICCPR) to which Angola is bound and has a legal obligation to comply with. Its General Comment 34 provides that “State parties should not prohibit criticism of institutions”, which includes public bodies of all kinds, including bodies that are part of the legislative, executive and judiciary. The United Nations Human Rights Committee has also affirmed that the harassment, intimidation or stigmatisation of a person, including their arrest, detention, trial or imprisonment for reasons of the opinions they may hold, constitutes a violation of the ICCPR.

Dissent is frequently dealt with repression, and violence, by the Angolan authorities. Amnesty International documented how the rights to freedom of expression, association and peaceful assembly have been unlawfully restricted in Angola in its report *Punishing Dissent: Suppression of Freedom of Association and Assembly in Angola* (Index AFR 12/004/2014). Some of those who have challenged the government of President José Eduardo dos Santos have been subjected to unlawful killings, enforced disappearance, arbitrary detention and torture and other ill-treatment. Despite freedom of expression and peaceful assembly being clearly enshrined in the country’s constitution and in several international treaties that Angola has signed and ratified, violations of these rights continue to occur.

More information about Rafael Marques de Morais previous persecutions can be found here:

<https://www.amnesty.org/en/documents/afr12/1840/2015/en/>

Name: Rafael Marques de Morais and Mariano Brás Lourenço

Gender m/f: male

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