

## OPEN LETTER

27 April 2020

Index: AFR 41/2239/2020

His Excellency, Filipe Jacinto Nyusi  
President of the Republic of Mozambique  
Avenida Julius Nyerere, PABX 2000  
Maputo, Mozambique

Your Excellency,

### **RE: OPEN LETTER OF CONCERN ON DECLINING HUMAN RIGHTS SITUATION IN THE NORTHERN PROVINCE OF CABO DELGADO, MOZAMBIQUE**

We, the undersigned civil society organizations write to express our grave concern with the deteriorating human rights situation in northern Mozambique, particularly reports of violence against citizens by state security forces including the Rapid Intervention Unit (UIR) and the Special Operations Group (GOE), as well as the harassment and intimidation by these same forces of civil society groups (CSOs) and journalists simply for doing their work in the region. We are especially concerned with the enforced [disappearance](#) on April 7, 2020, of radio journalist, Ibraimo Abú Mbaruco, whose last known communication was of being “surrounded by soldiers”.<sup>1</sup>

While we share the Mozambique government’s deep concern with the ongoing security crisis in Cabo Delgado, that has in recent months seen an [alarming escalation](#) of violence against residents and state infrastructures<sup>2</sup>, and recognize that the government has a right and duty to ensure the safety of citizens from insurgent attacks, we reiterate that an effective counter terrorism strategy must respect and affirm rights, including the right to freedom of expression and media freedom. On April 7, 2020, [Mbaruco](#), a young journalist with Palma Community Radio broadcaster was reported missing. He forcibly disappeared shortly after leaving work around 6pm. He sent a text message to his colleague that he was “surrounded by soldiers”.<sup>3</sup> Mbaruco has not been seen or heard from since. His disappearance mirrors the case of journalist [Amade Abubacar](#), who was in January 2019 arrested by soldiers and arbitrarily held in incommunicado detention for three months.<sup>4</sup>

Disturbing images have been circulating depicting state security forces of UIR and GOE stopping and assaulting passersby from Paquitequete neighborhood in the City of Pemba. On April 14,

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<sup>1</sup>Committee to Protect Journalists, Radio journalist Ibraimo Abú Mbaruco missing in Mozambique, April 17, 2020, available at <https://cpj.org/2020/04/radio-journalist-ibraimo-mbaruco-missing-in-mozamb.php>. See also Media Institute of Southern Africa (Mozambique), Mozambican journalist, Ibraimo Abu Mbaruco Missing, April 10, 2020, available at <https://misa.org/news/mozambican-journalist-missing/?fbclid=IwAR2uyRWI06v-7JzhrzNXSwhwQW4ezDanPmnZYCGWWDjCfSgYh4qo9fFwnYE>.

<sup>2</sup> Amnesty International, Mozambique: Authorities must do all needed to lawfully protect people in Cabo Delgado, March 23, 2020, available at <https://www.amnesty.org/en/latest/news/2020/03/mozambique-authorities-must-do-all-needed-to-lawfully-protect-people-in-cabo-delgado/>.

<sup>3</sup> Id. Supra note 1.

<sup>4</sup> American Bar Association, Center for Human Rights, Preliminary concerns on the arrest and detention of Mozambican Journalist, Amade Abubacar, January 11, 2018, available at <https://drive.google.com/file/d/0B8HSIbsQeYKQnIzTjYtRkpmZTRpX0F0bHBFQkInX2p1ZVA4/view>.

2020, UIR and GOE forces detained for two hours the Pemba-based STV journalist, Hizidine Achá, [confiscated](#) his cellphone and forced him to delete images on his camera. The images showed the officers assaulting people.<sup>5</sup> The brutal assault of people is in direct violation of the right to life, physical and mental integrity and the right to be free from torture, and other ill- treatment, as guaranteed under Article 40 (1) of Mozambique’s Constitution.

Earlier, in March 2020, it was [reported](#) that the Defense and Security Forces (FDS) were carrying out “raids” against residents in the nine affected districts of northern Mozambique, by stopping and interrogating individuals, subjecting them to arbitrary searches, and arresting any individuals whose electronic device contained audio messages or information on WhatsApp, Facebook or Twitter, relating to the attacks.<sup>6</sup> Non-governmental organizations’ workers and journalists have been the primary targets of these actions.

These “raids” coupled with repeated restrictions on journalists attempting to cover the situation in the region corroborate conclusions of a systematic and deliberate effort to restrict access to information about the extent of the crisis in Cabo Delgado. We respectfully remind the government of Mozambique of the [critical role that the right to freedom of expression and media freedom, can play in promoting equality, combating intolerance, and keeping people informed.](#)<sup>7</sup>

The security forces recently imposed an undeclared and therefore unjustified [curfew](#) from 7 pm to 5 am, in Pemba claiming that Paquitequete residents hide “insurgents” by allowing them to infiltrate groups of internally displaced persons who have fled attacks from the neighboring areas of Mocímboa da Praia, Macomia, Quissanga, Quirimbas, and Ibo island.<sup>8</sup> The night curfew has also been reported in Palma city.

There is a [crisis](#) in Mozambique that grows more sophisticated by the day. Since the violence began in 2017, over [900 people](#) have been killed and [hundreds of thousands](#) displaced. The humanitarian crisis has been exacerbated by the continuing effects of [Cyclone Kenneth](#) and now the challenges presented by the global [COVID-19](#) pandemic.<sup>9</sup> It is concerning that Mozambique’s response to the insurgent threats has been [marred](#) by allegations of human rights violations and abuses including extra judicial killings, arbitrary arrests and denial of access to information about what is happening in Cabo Delgado.<sup>10</sup> It is not surprising that this has [resulted](#) in concerns of alienation and mistrust in the communities. We echo warnings by [United Nations Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms](#) while Countering Terrorism, Ms. Fionnuala

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<sup>5</sup> Zitmar News, Palma journalist still missing as police continue harassment in Cabo Delgado, April 15, 2020, available at <https://zitamar.com/palma-journalist-still-missing-as-police-continue-harassment-in-cabo-delgado/>

<sup>6</sup> Carta de Mozambique, Attacks in Cabo Delgado: SDS hands out “combs” to citizens and military personnel in the nine affected districts, March 12, 2020, available at <https://cartamz.com/index.php/politica/item/4645-ataques-em-cabo-delgado-fds-passam-pente-fino-a-cidadaos-e-militares-nos-nove-districtos-afectadosp>.

<sup>7</sup> U.N Office of the High Commissioner, Joint Declaration on Freedom of Expression and Countering Violent Extremism, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19915&LangID=E>.

<sup>8</sup> Financial Times, Mozambique’s Islamist insurgency adds to gas industry nerves, April 21, 2020, available at <https://www.ft.com/content/c6e7bdba-bd0e-4be9-983e-3cdc54237fb8>.

<sup>9</sup> Voice of America, Corona virus, militant attacks impacting gas project in Mozambique, April 12, 2020, available at <https://www.voanews.com/extremism-watch/coronavirus-militant-attacks-impacting-gas-projects-mozambique>.

<sup>10</sup> Human Rights Watch, Mozambique: Security Forces Abusing Suspected Insurgents, December 4, 2018, available at <https://www.hrw.org/news/2018/12/04/mozambique-security-forces-abusing-suspected-insurgents#>.

Ní Aoláin, “[m]any violent extremism prevention programmes worldwide are directly contributing to human rights violations and may even foster radicalization instead of preventing it..”<sup>11</sup>

In light of the above, we respectfully urge the Mozambican authorities to refrain from harassing and intimidating people and CSOs, including workers of non-governmental organizations and journalists. We also urge the authorities to launch a prompt, thorough, impartial and effective investigation into the allegations of human rights violations and abuses committed by security forces and bring to justice all those suspected to be responsible. Furthermore, we strongly recommend that Mozambique adopt proactive measures to protect its people from excessive use of force by security forces. We specifically call for the Mozambican authorities to promptly, thoroughly and effectively investigate the enforced disappearance of journalist Ibraimo Abú Mbaruco and to be transparent in these efforts. In cases of the arrest and detention of individuals suspected of terrorist activity, we urge authorities to ensure full due process guarantees such as the right to be informed of the charges, access to legal representation and to be brought before a court within 48 hours. Finally, we call upon the Mozambican authorities to take concrete steps in adopting a human rights approach in its fight against insurgency in Mozambique, particularly the right to freedom of expression and access to information.

We thank you for your attention on this crucial matter.

Sincerely,

Africans Rising  
Amnesty International  
Associação Dos Jornalistas De Cabo Verde - AJOC  
Centro Democracia e Desenvolvimento (CDD)  
CIVICUS  
Committee to Protect Journalists (CPJ)  
Friends of Angola  
Federação de Jornalistas de Língua Portuguesa - FJLP  
Federação Nacional dos Jornalistas – FENAJ, Brasil  
International Press Institute (IPI)  
Media Institute of Southern Africa  
OMUNGA  
Reporters Without Borders (RSF)  
Solidariedade Moçambique (SOLDMOZ-ADS)  
Southern African Human Rights Defenders Network  
Southern Africa Litigation Centre (SALC)  
The African Editors’ Forum (TAEF)

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<sup>11</sup> U.N Office of the High Commissioner, Violent Extremism: Prevention programmes should not violate human rights, March 4, 2020, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25655&LangID=E>.