

URGENT ACTION

TWO MEN ON TRIAL FOR FACEBOOK POST

Economist Carlos Nuno Castel-Branco and newspaper editor Fernando Mbanze have been on trial since 31 August for crimes against the security of the state in relation to a Facebook post on poor governance in Mozambique. A court decision is expected on 16 September.

Carlos Nuno Castel-Branco, an economist, is accused of defaming the former Head of State of Mozambique and was charged on 11 June under Article 22 of the State Security Law for crimes against the security of the state in relation to a Facebook post he wrote in November 2013. In the Facebook post, he questioned the manner in which the President at that time, Armando Guebuza, was governing Mozambique.

Fernando Mbanze is the editor of the Mozambican newspaper MediaFax. He is charged with abusing freedom of the press under article 42 of Press Law as well as under the State Security Law. He published Carlos Nuno Castel-Branco's Facebook post as an open letter in MediaFax.

The trial against the two began on 31 August and the prosecutor has asked that they be convicted. A court decision is expected on 16 September. However, they should not have been tried because the Amnesty Law passed by the Mozambican parliament in August 2014 gives amnesty for all security related offences committed between March 2012 and August 2014.

In case they are imprisoned, Amnesty International will consider them to be prisoners of conscience as their trial is politically motivated, relating to the peaceful exercise of their right to freedom of expression, and it is intended to intimidate other government critics.

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

- Urging Mozambican authorities to immediately drop all charges against Carlos Nuno Castel-Branco and Fernando Mbanze, 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 20 OCTOBER 2015 TO:

Minister of Justice, Constitutional and Religious Affairs

Abduremane Lino de Almeida

Ministry of Justice

Av. Julius Nyerere, 33

Maputo

Republic of Mozambique

Fax: +258 2149 4264 and +258 2148

7853

Salutation: A sua Excelência

General Prosecutor of Mozambique

Beatriz da Consolação Mateus Buchili

Office of the General Prosecutor

Av. Vladimir Lenine, 121

Maputo

Republic of Mozambique

E-mail: pgr@pgr.gov.mz

Salutation: Exma Dra.

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. This is the first update of UA 162/15. Further information:

<https://www.amnesty.org/en/documents/afr41/2136/2015/en/>

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ADDITIONAL INFORMATION

In December 2014, the Access to Information Bill came into effect. Despite this step forward, the right to freedom of expression continues to be suppressed in Mozambique. The government uses the State Security Law (Law 19/91) and the Press Law (Law 18/91) to restrict the right to freedom of expression.

Names: Carlos Nuno Castel-Branco and Fernando Mbanze
Gender m/f: male

Further Information on UA: 162/15 Index: AFR 41/2415/2015 Issue Date: 8 September 2015