

URGENT ACTION

JOURNALIST'S REQUEST FOR PROVISIONAL RELEASE REJECTED

On 18 January, Macomia's District Judicial Court ruled that the pre-trial detention of journalist Amade Abubacar was lawful and ordered that he remain in detention awaiting trial. Mr. Abubacar was arrested by police on 5 January and transferred from the Macomia District Police Command to military detention in Mueda district. He was held incommunicado by military forces for 12 days before being transferred back into police custody. He is currently being held at the Macomia District Police Command.

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

Joaquim Veríssimo
Minister of Justice, Constitutional and Religious Affairs
Av. Julius Nyerere 33
Maputo, Mozambique
Email: mjcr@mjcr.gov.mz and vilanchic@yahoo.com.br
Salutation: Honorable Minister

Dear Honorable Minister Joaquim Veríssimo,

Amade Abubacar is a local journalist with Nacedje community radio based in Macomia district, Cabo Delgado province, northern Mozambique. On 18 January, Macomia's District Judicial Court ordered his continued pre-trial detention at the Macomia District Police Command. The judge ruled that Amade's detention was lawful as he was presented in court a day after his transfer into police custody. According to Article 311 of Mozambique's Penal Code, a person has to be brought before a court within 48 hours of their detention. The judge failed to take into consideration that Amade Abubacar was arrested on 5 January, held incommunicado by Mozambican military forces for 12 days before being transferred back into police custody on 17 January. His continued detention is a violation of his rights to fair trial and due process.

The judge rejected a request for Amade's provisional release on the grounds that according to evidence presented in the police investigation file there is no doubt as to his guilt. The judge stated that his release would allow him to continue to commit criminal acts and disturb the social peace. As evidence to the court, the police presented a list of names of suspected Al-Shabab members that Amade was found in possession of during his arrest. The police also pointed out that Amade's boss was unaware of the interviews he was conducting.

Amade is facing trumped-up charges of "public incitement using electronic media" and "violation of State secrecy through social media" under articles 322 and 323 of Mozambique's Penal Code. Amnesty International is very concerned that the charges brought against Amade Abubacar are solely because of his work as a journalist and exercising his right to freedom of expression.

I urge you to:

- Ensure that Amade Abubacar is immediately and unconditionally released from detention;
- Ensure that, pending his release, Amade Abubacar is not subjected to torture and other ill-treatment, and that he is allowed access to his family and lawyers;
- Ensure that the right to freedom of expression is respected and that journalists are able to carry out their work without fear of attacks, intimidation, harassment or censorship.

Yours sincerely,

**AMNESTY
INTERNATIONAL**



ADDITIONAL INFORMATION

Amade Abubacar was arrested on 5 January by the Police of the Republic of Mozambique (PRM) in Macomia district, Cabo Delgado province, northern Mozambique and taken to Macomia's Police Station. He was arrested when he was interviewing internally displaced people (IDPs) who had fled their homes due to the intensification of violent attacks carried out by people believed to be members of an extremist group known as Alshabab in northern Cabo Delgado province. On the same day, Amade Abubacar was transferred from police to military custody, where he spent 12 days in incommunicado detention. He was transferred back to police custody on 17 January.

The northern districts of Cabo Delgado province, including Macomia, have experienced armed attacks since October 2017. The attacks are carried out by people believed to be members of an extremist group, Al-Shabab, who invade villages, set houses on fire, hack villagers to death with machetes and loot their food. Several residents of the attacked villages have fled to other districts fearing for their lives.

This province is important to the central government due to its richness in mineral resources, including gas and ruby. Therefore, the government increased the military presence in the region after the attacks began. Since then, the authorities have intimidated, harassed and prevented journalists from reporting on the situation. Amade has been covering attacks on civilians by armed groups in the Cabo Delgado province since its beginning. In fact, the community radio where Mr. Abubacar works, Nacedje radio, is a state-owned community radio in Macomia district, Cabo Delgado province in Northern Mozambique. He has been working at Nacedje community radio for more than 10 years. He was the director of this radio station for a couple of years. Nevertheless, in September 2018, he was demoted from his position as director. The reason for his demotion was his frequent reporting on the armed attacks targeting the northern districts of Cabo Delgado province. His demotion was already a result of government censorship and harassment of journalists in the region. Mr. Amade Abubacar was arrested while carrying out his work in the city he is based in.

For more information, please read the Amnesty International press release "Mozambique: End Brutal Killing Spree by Armed Group" (<https://www.amnesty.org/en/latest/news/2018/06/mozambique-end-brutal-killing-spree-by-armed-group/>).

PREFERRED LANGUAGE TO ADDRESS TARGET: Portuguese

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 07/03/2019

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Amade Abubacar (he, his, him)

LINK TO PREVIOUS UA: <https://oneamnesty.sharepoint.com/sites/iar/12bd9da7-f9b5-4370-bc6a-5cd9ab6009c3>