

URGENT ACTION

JOURNALIST GRANTED PROVISIONAL RELEASE

Journalist Amade Abubacar was granted provisional release from Mizeze Prison in Pemba City on 23 April. He is back home with his family awaiting trial for charges of “public incitement of a crime through electronic media”, “incitement” and “injury against public forces officials”. A date for his trial is yet to be set.

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

Minister of Justice, Constitutional and Religious Affairs
Joaquim Veríssimo

Ministry of Justice, Constitutional and Religious Affairs
Av. Julius Nyerere 33
Maputo, Mozambique

Email: mjcr@mjcr.gov.mz and vilanchic@yahoo.com.br

Dear Honourable Minister Joaquim Veríssimo,

I would like to bring to your attention the case of **Amade Abubacar**, a radio journalist with Nacedje community radio based in Macomia district, Cabo Delgado province, northern Mozambique.

On 23 April, journalist Amade Abubacar was granted provisional release from Mizeze prison in Pemba City by the Cabo Delgado Provincial Court. His lawyer had filed a bail application on his behalf on 26 February at the same Court.

Amade is still facing charges for the crimes of crimes of “public incitement of a crime through electronic media”, “incitement” and “injury against public officials”, under articles 323, 393 and 406 of Mozambique’s Penal Code. He was held in pre-trial detention for more than 90 days before being formally charged. Article 308 of the Criminal Procedural Code states that a person cannot be held in pre-trial detention for more than 90 days after their arrest.

A date is yet to be set for his trial.

Amade was arrested on 5 January by police officers in Macomia district without a warrant. At the time of his arrest, Amade was interviewing people who fled their homes due to the intensification of violent attacks carried out by individuals believed to be members of an extremist group, the Al-Shabaab. Amade was held incommunicado by the military for 12 days, during which time he alleges he was subjected to different forms of ill-treatment which may amount to torture.

I urge you to:

- Ensure all the charges against Amade Abubacar are dropped immediately as he has been charged solely for exercising his right to freedom of expression while working as a journalist;
- Ensure that the right to freedom of expression and media freedom are fully respected and that journalists are able to carry out their work without fear of attack, intimidation or harassment.

Yours sincerely,

AMNESTY
INTERNATIONAL



ADDITIONAL INFORMATION

Amade Abubacar is a local journalist with Nacedje community radio based in Macomia district, Cabo Delgado province. He is also a freelance journalist. He was arrested on 5 January by the Police of the Republic of Mozambique (PRM) in Macomia district and taken to Macomia's Police Station. He was arrested while 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 Al-Shabaab. On the same day, Amade was transferred from police custody to military custody, where he spent 12 days in incommunicado detention and he alleges to have been subjected to different forms of ill-treatment. Military forces are prohibited from holding civilian detainees in detention. He was transferred back to police custody on 17 January.

He was first brought before court on 18 January which was beyond the 48 hours limit set by law for a person to be brought to court after arrest. The Macomia's District Judicial Court ordered his continued pre-trial detention at the Macomia District Police Command. On 24 January, Amade was transferred from the Macomia district prison to Mizeze prison in Pemba city, the capital of Cabo Delgado province.

On 16 April, after more than 90 days in pre-trial detention, he was formally charged.

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-Shabaab, 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 rubies. 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.

PREFERRED LANGUAGE TO ADDRESS TARGET: Portuguese - English

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: [11 06 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)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/afr41/0235/2019/en/>