

URGENT ACTION

ACTIVIST RELEASED ON BAIL, SET TO STAND TRIAL

Fumba Chama affectionately known as Pilato was released on a 3000 USD bail on 21 May. His trial will begin on 25 June. Pilato was arrested on 16 May on arrival at Kenneth Kaunda Airport in Lusaka. He had been forced to flee the country on 5 January after receiving threats on his life from members of the ruling Party, Patriotic Front.

Fumba Chama, affectionately known as **Pilato**, was granted bail amounting to 3000 USD by a magistrate court in Zambia on 21 May. He was released and is set to stand trial along five other activists on 25 June.

Pilato, an activist and musician, was arrested on 16 May at Kenneth Kaunda International Airport after going through immigration. He was returning to the country to attend a trial in which he and five other activists are facing the charge of 'disobedience to lawful orders' contrary to section 127 of the Penal Code which attracts a penalty of imprisonment of up to two years.

The six activists were arrested in 2017 and jointly charged for protesting over corruption in the procurement of 42 fire trucks at an exorbitant cost of 42 million US dollars. They were released in 2017 pending a trial that was to begin in January 2018. However, by the time the trial was to start Pilato had been forced to flee because he released a song in December 2017 entitled Koswe Mumpoto (rat in the pot), which members of the ruling party, the Patriotic Front (PF), considered insulting to President Lungu and his ministers. After his failure to appear in court for the start of the trial, the magistrate issued a bench warrant of arrest for Pilato. The state prosecutor mentioned that they would be engaging Interpol to bring Pilato back into the country to attend the trial.

Please write immediately in English or your own language:

- Calling on the authorities to guarantee Pilato's safety, personal security and wellbeing and ensure that he is protected from threats by ruling party members;
- Urging them to drop all charges against Pilato and the five other activists and ensure that human rights activists are not unlawfully detained, arrested or threatened in the legitimate exercise of their work;
- Urging them to end misuse of the criminal justice system to persecute human rights activists and perceived opponents of the ruling party, Patriotic Front.

PLEASE SEND APPEALS BEFORE 19 JULY 2018 TO:

Director of Public Prosecutions

Ms. F.L Shawa-Siyunyi S.C
Ministry of Justice
Plot BLX 29B
Independence Avenue
Lusaka, Zambia
Email: ca@npa.gov.zm
Salutation: Dear DPP

Minister of Justice

Mr Given Lubinda
Ministry of Justice
P.O. Box 50106
Fairley Road, Ridgeway
Lusaka, Zambia
Salutation: Honourable

And copies to:

Zambia State President
His Excellency, Edgar C Lungu
Office of the President
Plot 1 Independence Avenue
10101 Lusaka
P.O.Box 50212
Zambia
Email: lunguedgar@gmail.com
Twitter: @EdgarCLungu
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. This is the first update of UA 94/18. Further information:

<https://www.amnesty.org/en/documents/afr63/8403/2018/en/>

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ADDITIONAL INFORMATION

Pilato is a Zambian musician, activist and political commentator whose music is full of political satire in a country where freedom of expression is severely restricted. This has led to his arrest several times.

The environment in Zambia is increasingly hostile to anyone perceived to be an opponent of the State. Intimidation and harassment of activists who are seen as non-conforming or even having different views from those of government is widespread. The Zambia government has not held members of the ruling party to account for intimidating and harassing human rights defenders and other members of the public. Prominent government officials have in some cases attended trials of activists or people arrested for insulting the President. Their presence has served to intimidate magistrates who are inclined to rule in favour of the ruling party.

On 11 December 2017, members of the ruling party ordered radio and TV stations to stop playing Pilato's song and instructed Pilato to stop singing the song. The police also prohibited his live shows. Pilato started receiving death threats from PF supporters on his mobile phone in the form of anonymous calls, whatsapp voice notes and videos. He was forced to flee Lusaka fearing for his life. On 15 December 2017, Pilato left Lusaka fearing for his life and was offered shelter in a village after PF (Ruling party) supporters sent him a recorded video message threatening his life. On 31 December 2017, he attempted to flee to neighbouring Zimbabwe but was denied exit by authorities from Zambia. He successfully left Zambia for South Africa, through Livingstone International Airport on 5 January.

Pilato has been arrested before on charges of defamation of the President President Lungu after he released the song, Alungu Anabwela in 2015, which was interpreted to be targeting the president. Currently he is charged jointly with Mika Mwambazi(F) Sean Tembo(m), Lewis Mwape(m), Laura Miti (f) and Bonwell Mwewa (m) for 'disobedience to lawful orders', following a protest held outside parliament over corruption in the procurement of fire tender trucks.

Name: Fumba Chama also known as Pilato

Gender m/f: Male

Further Information on UA: 94/18 Index: AFR 63/8554/2018 Issue Date: 7 June 2018