

PUBLIC STATEMENT

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Madagascar: Authorities must not use addressing COVID-19 as excuse to crackdown on human rights

Amnesty International calls on the authorities to stop using the measures to address COVID-19 as a pretext to sanction media outlets, opposition figures or anyone critical of the government's actions. The authorities must ensure full and effective respect for the human rights of everyone, including the rights to freedom of expression, peaceful assembly and media freedom.

On 16 July, former Minister of Communication under the Hery Rajaonarimampianina administration and opposition figure, Harry Laurent Rahajason, was arrested and sent to pre-trial detention in the capital city's Antanimora prison. Rahajason, also known for his former journalism work under the alias 'Rolly Mercia', was charged with complicity in undermining state security, after he was accused of organising and funding a protest. The protest, which was banned due to the state of emergency, called for the release from prison of a student leader, Berija Ravelomanantsoa, who has been in pre-trial detention since 8 June. Harry Laurent Rahajason has not yet received any date for his trial. Following his arrest, the opposition party HVM to which Rahajason belongs has called for his immediate release.

This arrest is the latest in a series of arrests that have taken place since the beginning of the year and which point to a pattern of criminalising dissenting or critical voices, particularly in the context of the efforts by the government to address COVID-19.

On 4 April, journalist Arphine Helisoa [was arrested and sent to pre-trial detention](#) after she was accused of spreading fake news and incitement of hatred towards the President, Andry Rajoelina. Arphine Helisoa was finally released on 4 May after spending a month in pre-trial detention following a Presidential pardon of journalists in prison. This was the second time Arphine Helisoa, who is perceived to be close to the opposition, is charged with spreading fake news by Madagascar's judicial authorities. She was also charged in September 2019.

On 8 April, a television presenter was also sent to pre-trial detention, accused of spreading fake news on social media regarding the number of COVID-19 cases. Regarding the cases of journalist Arphine Helisoa and the television presenter, the Minister of Communication and culture, Lalatiana Rakotondrazafy, told RFI that for both cases, the two women were being charged not as journalists, but as individual persons.

On 16 April, Reporters Without Borders (RSF) [denounced](#) the silencing of an opposition TV channel, Real TV on 6 April. The channel was to rebroadcast an interview with former President Marc Ravalomanana, long-standing rival of the current president, in which Ravalomanana criticized the government's handling of the COVID-19 pandemic but the transmitter and antenna were damaged, preventing the broadcast. According to RSF's statement, this is 'all the more disturbing for having come shortly after Real TV and two other opposition media outlets (...) received a formal warning from the ministry of communication and culture about their coronavirus coverage, including their failure to provide live retransmission of the state media's news bulletins about the pandemic. The warning also referred to the interview originally broadcast on 25 March in which Ravalomanana said the government closed Madagascar's borders too late and could not handle the crisis on its own. The ministry said the interview constituted incitement to hatred of the

authorities and civil disobedience.” RSF has called on the Malagasy government to ensure a thorough and impartial investigation is conducted to identify those suspected to be responsible.

Since the outbreak of COVID-19, the government of Madagascar has taken repressive measures to control the information shared by the media and individuals. Law 91-011, dating back from 1991 on situations of exception, provides for the requisition of all media, both radio and television stations, which are required to only share official information. Other restrictive measures include prohibiting radio stations from broadcasting shows in which the public can call-in.

Such measures will undermine the enjoyment of the right to freedom of expression and media freedom. In a statement published on 19 March 2020, the United Nations Human Rights Office, OHCHR, while recognising the need for governments to address disinformation, for example by providing reliable information, has [called on governments](#) to avoid criminalisation of information relating to the pandemic, including because of the chilling effect on freedom of expression it would have.