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## **Angola must free prisoners of conscience facing trial over Togo football team attack**

Amnesty International today called for the immediate and unconditional release of two human rights defenders facing trial in Angola on charges linked to an attack on the Togolese football team that left two people dead and several injured.

Francisco Luemba, a lawyer, and Raul Tati, a Catholic priest, are set to face trial on charges of the crime of “other acts against the security of the state” on 12 July over the attack in the Cabinda region of Angola. Amnesty International has declared them prisoners of conscience.

Both were members of the now banned human rights organization Mpalabanda and have for many years publicly criticised the government and the Front for the Liberation of the Cabinda State FLEC - an armed group fighting for secession of Cabinda.

“These men have been arrested simply for peacefully expressing their opinion about Cabinda, by authorities that are taking advantage of the attack on the Togolese football team to crack down on human rights defenders.” said Muluka-Anne Miti, Angola researcher at Amnesty International.

“Amnesty International condemns the deplorable attack on the Togolese football team and calls on the authorities to ensure that those responsible are brought to justice.”

The Togolese football team came under fire on 8 January while travelling by bus through Cabinda to attend the Africa Cup of Nations.

Police arrested Raul Tati and Francisco Luemba shortly after the attack. The men were found with documents on Cabinda and had recently attended a conference aimed at finding a peaceful resolution to the situation in the troubled region.

This conference involved members of Front for the Liberation of the Cabinda State (FLEC), an armed group that has been leading an armed campaign for the secession of the region since Angola's independence in 1975.

Angolan authorities said that the arrests were made ‘in the context of police investigations aimed at determining the mentors of the terrorist attack against the Togo football team on 8 January 2010’ and charged the defendants with the crime of “other acts against the security of the state”.

Two other detainees, José Benjamin Fuca and Belchior Lanso Tati, who also attended the conference, allegedly confessed to being members of FLEC and all four were accused of violating article 26 of the

Angolan Law of Crimes against the Security of the State which states that “all and every act, not foreseen in the law that puts at risk or could put at risk the security of the state will be punishable”.

“Article 26 violates the principle of legality in criminal law. It is vague and does not enable individuals to foresee whether a particular action is unlawful. It basically means that any act which the authorities say is a crime will be a crime even if this was not stated in law at the time the act was committed,” said Muluka-Anne Miti.

“It clearly violates international human rights law and standards and must therefore be repealed.”

José Benjamin Fuca and Belchior Lanso Tati, who have also been charged under this law, should be released unless they are charged with a recognizable criminal offense and guaranteed a fair trial.

A fifth individual, André Zeferino Puati, who was convicted under this law on 11 June 2010 should be released or re-tried under a law which satisfies the requirements of international standards.