

URGENT ACTION

TWO MEN FACING TRIAL FOR FACEBOOK POST

Economist Carlos Nuno Castel-Branco and newspaper editor Fernando Mbanze have been charged with crimes against the security of the state in relation to a Facebook post on poor governance in Mozambique. Their trial begins on 3 August.

Carlos Nuno Castel-Branco is an economist and the co-founder of Social and Economic Studies Institute (IESE), one of Mozambique's leading research institutions. He is accused of defaming the former Head of State of Mozambique and was charged under article 22 of the State Security Law (Law 19/91) on 11 June in relation to a Facebook post he made in November 2013. In the Facebook post, he questioned the manner in which former President Armando Guebuza had governed Mozambique. The charge against Carlos Nuno Castel-Branco is termed as a crime against the security of the state and carries a penalty of up to 2 years in prison and a corresponding fine. His trial has been set for 3 August.

Fernando Mbanze is the editor of the Mozambican newspaper MediaFax. He is charged with abusing freedom of the press under article 42 of Press Law (Law 18/91) in conjunction with the State Security Law. He published Carlos Nuno Castel-Branco's Facebook post as an open letter in MediaFax.

The cases against the two should have been dropped under the Amnesty Law passed by the Mozambican parliament, the Assembly of the Republic, in August 2014. The law gives amnesty for all security related offences committed between March 2012 and August 2014.

In the case that they are imprisoned, Amnesty International will consider them to be prisoners of conscience as their trial is politically motivated, relating to the peaceful exercise of their right to freedom of expression, and it is intended to send a message of intimidation to other government critics.

Please write immediately in English, Portuguese or your own language:

- Urging Mozambican authorities to immediately drop all charges against Carlos Nuno Castel-Branco and Fernando Mbanze, as they have been charged solely for peacefully exercising their right to freedom of expression;
- Calling on the authorities to end the practice of harassment and intimidation of people peacefully expressing their views, and to uphold the right to freedom of expression;
- Calling on them to repeal all legislation which unduly limits freedom of expression.

PLEASE SEND APPEALS BEFORE 1 SEPTEMBER 2015 TO:

Minister of Justice, Constitutional and

Religious Affairs

Abduremane Lino de Almeida

Ministry of Justice

Av. Julius Nyerere, 33

Maputo

Republic of Mozambique

Fax: +25821494264 and +25821487853

Salutation: A sua Excelência

General Prosecutor of Mozambique

Beatriz da Consolação Mateus Buchili

Office of the General Prosecutor

Av. Vladimir Lenine, 121

Maputo

Republic of Mozambique

E-mail: pgr@pgr.gov.mz

Salutation: Exma. Dra.

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.

**AMNESTY
INTERNATIONAL**



URGENT ACTION

TWO MEN FACING TRIAL FOR FACEBOOK POST

ADDITIONAL INFORMATION

In December 2014, the Access to Information Bill came into effect. Despite this step forward, the right to freedom of expression continues to be suppressed in Mozambique. The government uses the State Security Law (Law 19/91) and the Press Law (Law 18/91) to restrict the right to freedom of expression.

Names: Carlos Nuno Castel-Branco and Fernando Mbanze

Gender m/f: both male

UA: 162/15 Index: AFR 41/2136/2015 Issue Date: 21 July 2015