

05 April 2019

Mozambique: Amade Abubacar in pre-trial detention for interviewing displaced persons

On 5 April 2019, human rights defender **Amade Abubacar** will have completed three months in pre-trial detention. His access to family remains restricted and he has reported being subjected to ill-treatment while in custody.

Amade Abubacar is a Mozambican journalist and human rights defender. He is a public servant at the Social Communication Institute (*Instituto de Comunicação Social*) and a reporter for the Nacedje Community Radio in Macomia. He also writes for the *Carta de Moçambique* newspaper, under the pseudonym Saíde Abibo. Amade Abubacar is well known for his work on the promotion of human rights in Cabo Delgado, and has become one of the main voices commenting on the violence crisis in the region.

On 5 January 2019, Amade Abubacar was arrested by the Police of the Republic of Mozambique (PRM) in Macomia district, northern Cabo Delgado, while he was conducting interviews with internally displaced persons trying to escape the violent attacks perpetrated by people believed to be members of the extremist group Al-Shabab. On the same day, the human rights defender was transferred to military custody, where he was held incommunicado for 12 days and, as he later reported, experienced ill-treatment.

On 17 January 2019, Amade Abubacar was brought back to police custody. The following day, his pre-trial detention was upheld by Macomia District's Judicial Court, based on investigations of crimes of "public incitement using electronic media" and "violation of state secrecy" (articles 322 and 323 of Mozambique's Criminal Code). On 25 January 2019, the human rights defender received a visit from his lawyer and other members of the Mozambican Bar Association, with whom he was able to contact exclusively through letters. On the occasion, Amade Abubacar reported that he had been ill-treated by the military. He had also been denied the right to receive visits from his family on 24 January 2019.

Amade Abubacar is currently detained in Mizeze Prison located in Pemba city, the capital of Cabo Delgado province. The prison authorities continue to restrict his right to contact his family members by only allowing him to exchange letters with visits. On 26 February 2019, a bail request was filed on his behalf, which has still not been addressed by the authorities from Cabo Delgado Provincial Court. To date, no formal charges have been brought against him. According to the Criminal Procedure Code of Mozambique, a person cannot be held in pre-trial detention for more than 90 days. On 5 April 2019, Amade Abubacar will have completed three months since his arbitrary arrest on 5 January.

Since October 2017, northern Cabo Delgado has seen an intensification of violent attacks attributed by local populations to the extremist group Al-Shabab, notorious for raiding villages, killing their residents and looting their food. Cabo Delgado province is rich in mineral resources and national authorities seek to maintain control of the region through the deployment of military forces. Law enforcement authorities, including the military, are responsible for restrictions on freedom of expression and access to information. Journalists and human rights defenders have denounced the intimidation, police harassment and arbitrary detention suffered by those who work to raise awareness about the growing violence. In December 2018, another journalist reporting on human rights issues, Estacio Valoi, had his equipment confiscated by the military and was also arrested to later be released without charges.

Front Line Defenders remains concerned about the criminalisation and intimidation of human rights defenders and journalists in Cabo Delgado. It believes Amade Abubacar's arrest to be directly connected to his legitimate and peaceful work in defence of human rights.

Front Line Defenders urges the authorities in Mozambique to:

1. Immediately and unconditionally release Amade Abubacar;
2. Ensure that the treatment of Amade Abubacar, while in detention, adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Cease the targetting of human rights defenders and journalists in Mozambique, especially those who work on freedom of information and freedom of expression;
4. Guarantee in all circumstances that all human rights defenders in Mozambique are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including deprivation of liberty and judicial harassment.

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