

PRESS RELEASE

Eighteen young women and men illegally detained for a month in Gaza for exercising a fundamental right

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Today, 15 November 2019, makes up exactly one month (30 days) of the detention, to all means excessive and utterly unnecessary, in the city of Chokwe, district headquarters of the same name, in Gaza province, of a group of 18 young members of the New Democracy (ND) - a newly created political party running for the Legislative Elections of 15 October - who have since been incarcerated in the cells of the District Police Command of the Republic of Mozambique (PRM) from the neighbouring district of Guijá, in the same province.

These young people, six of whom are female, were arrested in the morning of October 15, when, duly holding their observer’s credentials, were carrying out ND surveillance work, allegedly for holding false credentials. Strangely, all relevant local authorities, including the judicial ones, ignored the fact that the structures of that political party provided an explanation for the authenticity of those credentials, which were handed to them together with other 198 (216 credentials handed) out of 280 requests, all duly filed.

A collaborator to the Center for Democracy and Development (CDD) in Chókwè found that the 18 young members and supporters of ND were arrested

after refusing “invitation to collaborate” and offered MZN 1,000.00 (one thousand meticaís) each of them, by a male individual, dressed as a civilian, who moved freely through all the voting tables in that city.

Even in the absence of proof of the alleged falsehood, a criminal judge proceeded to legalize, on the same day, the arrest of those young people who, shortly after 8 pm, whom were transferred from the cells of PRM Command in Chókwè District to neighbouring Guijá district, which, once again, shows that Mozambique, which from the formal point of view is a democratic rule of law, is still bound to investigate, in a context that would be expected, principles such as human dignity, and that deprivation of liberty was the exception rather than the rule.

ND said in a statement days ago that the 18 young people, whom the party calls “political prisoners”, are being held in unhealthy conditions, highlighting the fact that the six women in the group are in a tiny cell, without minimum sanitary conditions, no bathroom, so, as the CDD confirmed from local sources, they are obliged to make their needs in newspapers and plastic bags.

To CDD, it is indeed problematic that a country that claims to be civilized admits to the curtailment of freedom - the greatest legal asset after life and physical integrity - simply by exercising a fundamental right clearly and explicitly enshrined in the Constitution, namely the right to political participation in general terms (article 73) and through political parties (articles 74 and 75).

It is within this framework that CDD claims:

- To the President of the Republic (PR), who guarantees the Constitution of the Republic and with obligations to protect human rights, as is clear from his oath under fundamental law (article 149), to appeal publicly to those entitled to the minimum acceptable in a Democratic Rule of Law;
- To the Attorney General of the Republic (PGR), who is the head of the guardian institution par excellence of legality, to go personally to the districts of Chókwè and Guijá, in order to ascertain what is actually

happening on the ground and thus to return the immediate restitution of legal and constitutional legality;

- To the National Commission on Human Rights (CNDH), so that, as soon as possible, it may publicly pronounce on the case, in all respects of our collective dignity as a country;
- The Superior Council of the Judicial Magistracy (CSMJ), headed by the President of the Supreme Court (TS), to open an inquiry aimed at ascertaining the legality of the action of the investigating judge who agreed that the 18 juvenile detainees should be kept deprived of their liberty.

We end by recalling that freedom, as a fundamental right, must never be undermined on account of political expedients that cannot be reasonably explained, especially since it is very certain that the Mozambican State has an obligation to interpret and apply the rules on fundamental rights in accordance with the Universal Declaration of Human Rights (UDHR) and the African Charter on Human and Peoples' Rights (ACHPR), as follows from Article 43 of the Constitution.

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