

URGENT ACTION

ANGOLAN YOUTH ACTIVIST MUST BE RELEASED

Angolan youth activist, Francisco Mapanda, was charged with contempt of Court and subjected to a summary trial. He was sentenced to eight months in prison on 28 March. Despite the recent conditional release of several other prisoners of conscience in Angola, he remains imprisoned at Comarca de Viana Prison serving his sentence.

Angolan youth activist **Francisco Mapanda** (also known as Dago Nível Intelecto) was in court on 28 March following the sentencing of 17 Angolan youth activists, known as the Angola17. During the proceedings, he said out loud that "the trial was a farce". The judge immediately opened a separate proceeding against Francisco Mapanda, convicted him of contempt of court (*desacato*) and sentenced him to eight months in prison on the same day. He was immediately taken to Comarca de Viana Prison where he is serving his sentence. The Constitutional Court on 5 July analysed the Extraordinary Appeal lodged by Nito Alves' lawyer on a very similar case of contempt of Court and found that his trial violated some rights guaranteed by the Angolan Constitution and, therefore, ordered his release. The Supreme Court ordered the conditional release of the Angola 17 on 29 June.

Criticism of public institutions of all kinds, including bodies that are part of the legislative, executive and judiciary as well as public officials is a right. The UN Human Rights Committee, which monitors States' compliance with the International Covenant on Civil and Political Rights, has called on States not to prohibit such criticism. Public officials should display a higher degree of tolerance to criticism than private individuals.

Amnesty International considers Francisco Mapanda a prisoner of conscience, convicted solely for peacefully exercising his right to freedom of expression.

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

- Calling on the Angolan authorities to quash the conviction against Francisco Mapanda and immediately and unconditionally release him as he is a prisoner of conscience, imprisoned and convicted solely for the peaceful exercise of his right to freedom of expression;
- Urging the authorities to ensure that the criminal justice system is not used to target or harass activists and human rights defenders;
- Urging them to end the practice of arbitrary arrests, harassment and intimidation of activists and human rights defenders, and to uphold the rights to freedom of association, peaceful assembly and expression

PLEASE SEND APPEALS BEFORE 24 AUGUST 2016 TO:

Minister of Justice and Human Rights

Rui Jorge Carneiro Manguera

Ministry of Justice and Human Rights

Rua 17 Setembro, No. 32

CP 1986

Email: rui.manguera@minjus.gov.ao

Fax: +244 222 330 327

Luanda, Republic of Angola

Salutation: Your Excellency

And copies to:

Director

Ana Celeste Januario

National Center of Human Rights

Email: ana.januario@minjusdh.gov.ao

and celestejanuario5@yahoo.com

Fax: +244 222 333 407

Also send copies to diplomatic representatives accredited to your country. HIS EXCELLENCY MR MIGUEL GASPAR FERNANDES NETO, Embassy of the Republic of Angola, 22 Dorset Street W1U 6QY, 020 7299 9850, Fax 020 7486 9397 Email press@angola.org.uk salutation: Your Excellency

Please check with your section office if sending appeals after the above date.

**AMNESTY
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ADDITIONAL INFORMATION

According to sources interviewed by Amnesty International, the treatment received by Francisco Mapanda from prison services changed after some members of the Angola17 group were transferred from the prison where he is held to the Prison Hospital Sao Paulo on 4 May.

Before, the food brought to the Angola17 group members and to Francisco Mapanda was not being inspected by the prison services. However, since Francisco Mapanda was the only prisoner of conscience that remained in Comarca de Viana, the food brought by his family began being inspected. The food was being delivered early in the morning by his relatives, but only given to him late in the evening. Sometimes the food would be damaged by the time of delivery to Francisco Mapanda and he would feel sick after eating it. He then asked his relatives to stop bringing food to him in prison and started eating prison services' food which, according to him, is not adequate.

The United Nations Human Rights Committee is a human rights treaty body formed by independent experts that monitor implementation of the International Covenant on Civil and Political Rights (ICCPR) to which Angola is bound and has a legal obligation to comply with. Its General Comment 34 provides that "State parties should not prohibit criticism of institutions", which includes public bodies of all kinds, including bodies that are part of the legislative, executive and judiciary. The United Nations Human Rights Committee has also affirmed that the harassment, intimidation or stigmatisation of a person, including their arrest, detention, trial or imprisonment for reasons of the opinions they may hold, constitutes a violation of the ICCPR.

The 17 Angolan youth activists were tried for "preparatory acts of rebellion" and "criminal conspiracy" and convicted for jail terms of between 2 years and 3 months to 8 years and 6 months on 28 March. Angolan security forces arrested and detained 15 of the activists between 20 and 24 June 2015 in Luanda after they had attended a meeting to discuss politics and governance concerns in the country. Two other female activists were charged and stood trial alongside them but had not been detained initially. The Supreme Court on 29 June analysed the habeas corpus and ordered the 17 Angolan youth activists' conditional release pending a final decision on their case. The lawyers lodged two appeals - one before the Supreme Court and another one before the Constitutional Court – that have yet to be heard. The terms imposed by the Supreme Court for their conditional release are that the activists are not allowed to leave the country and they have to participate in mandatory monthly appearances before the Luanda Provincial Court.

However, only 16 of the activists were conditionally released on 29 June, as Nito Alves had been convicted on 8 February to a six-month jail term for contempt of Court and was expected to be released only on 8 August 2016. Nonetheless, on 5 July the Constitutional Court analysed the Extraordinary Appeal lodged by Nito Alves' lawyer and found that his trial violated some rights guaranteed by the Angolan Constitution and, therefore, ordered his release.

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