

URGENT ACTION

ENVIRONMENTAL RIGHTS DEFENDER FALSELY ACCUSED

Malagasy environmental human rights defender Raleva has been detained based on the false charge of 'use of false title'. This comes after he publicly challenged a Chinese gold mining company to provide proof that it had been granted mining and environmental permits to proceed with its activities. There are also health concerns for Raleva as he has yet to fully recover from a surgery he underwent several months ago.

Malagasy environmental human rights defender **Raleva** was arrested in the Vohilava village on 27 September by local police, after a public meeting organized by representatives of a Chinese gold mining company and the local head of district. The meeting was to inform the area residents that the mining company had received the necessary permits to resume their previously suspended mining activities. The company's activities had been suspended by Madagascar's Ministry of Mines and Petrol following several protests in 2016 where protestors claimed the company was operating without the necessary approvals and permits required by law.

During the meeting, Raleva asked representatives from the gold mining company to show those present the mining and environmental permits. According to his lawyer, representatives of the company verbally threatened him, and he was subsequently arrested on the charge of 'use of false title'. He has been wrongfully accused of falsely using the title of "Head of District". Raleva has denied this accusation, and the local head of district was present at the meeting himself, making it difficult for Raleva to have presented himself as the head of district.

According to his lawyer, he was first taken to a private home where he was kept for a night, before being transferred to the Mananjary police station where he spent five nights. He was then transferred to Mananjary prison on 3 October, where he is now being held. A hearing date is yet to be set. Raleva underwent surgery several months before his arrest, and the living conditions in prison pose a threat to his health as he has not fully healed.

Raleva is a member of the human rights organisations 'Justice et Paix' and l'Observatoire Indépendant des Droits Economiques, Sociaux, et Culturels (OIDESEM), a satellite of the national organisation, Centre de Recherche et d'Appui pour les Alternatives de Développement dans l'Océan Indien (CRAAD-OI). CRAAD-OI conducts independent research to promote alternatives for sustainable development centred around human rights, and based on principles of social, economic and environmental justice.

Please write immediately in French or your own language:

- Urging authorities to immediately and unconditionally release Raleva as he is being detained solely for his peaceful human rights activism;
- Calling on them to ensure that pending his release, Raleva is granted immediate access to adequate medical care;
- Calling on them to ensure the criminal justice system is not misused to target human rights defenders.

PLEASE SEND APPEALS BEFORE 21 NOVEMBER 2017 TO:

Madame la Ministre de la Justice
Mme RASOLO Elise Alexandrine,
43 Rue Joel Rakotomolala
Faravohitra - Antananarivo
Madagascar
Email: sprinjus@yahoo.fr
Salutation: Son Excellence

Monsieur le Président de la République de Madagascar
Hery Rajaonarimampianina
Palais d'État Iavoloha
102 Iavoloha
Antananarivo
Madagascar
Salutation: Son Excellence

And copies to:
Madagascar Advisor
Tamara Léger
Amnesty International Southern Africa
Regional Office
Johannesburg
South Africa
Email: tamara.leger@amnesty.org

Also send copies to diplomatic representatives accredited to your country. Embassy of the Republic of Madagascar, 4 Avenue Raphael Paris XVIII France, 0033145046211, Fax: 0033145035870, info@ambassade-madagascar.fr

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

**AMNESTY
INTERNATIONAL**



URGENT ACTION

ENVIRONMENTAL RIGHTS DEFENDER FALSELY ACCUSED

ADDITIONAL INFORMATION

Since 2016, there have been increasing tensions between the local residents in the Vohalava and Ambaladara villages of Mananjary district and a Chinese gold mining company. Local residents have complained that the company does not have the permits required by law to extract gold. They have also protested against the environmental degradation they believe is a result of the mining activities. People who live in the surroundings of the mine have spoken about pollution of the Itsaka River, which is close to the gold mines, claiming it has severely affected water supply and food production in nine of the neighbouring villages.

On 27 August 2016, following several protests, Madagascar's Ministry of Mines and Petrol suspended the activities of the mining company until they were able to provide the documents required by Madagascar's Mining Code, including the mining and environmental permits. On the same day, the regional authorities proceeded to seize the company's equipment. On 7 June 2017, the Ministry of Mines and Petrol authorized the mining equipment to be handed back to the mining company on the condition that they would not be used until the required approvals and permits had been granted.

Amnesty International is deeply concerned about the abuse of the criminal justice system to target and harass human rights defenders and silence those who speak out against natural resource exploration and exploitation projects throughout the country. The organization has also documented the excessive use of pre-trial detention, particularly against human rights defenders, as a way to obstruct and delegitimize their work.

UA: 237/17 Index: AFR 35/7248/2017 Issue Date: 10 October 2017