

URGENT ACTION

59 PROTESTERS OFFICIALLY CHARGED

Sixty-three protesters were arrested in January and February 2019 for their involvement in a peaceful protest. On 5 February 2020, 59 protesters were formally charged with “criminal association”, “rebellion”, “insult of the State” and “public disturbance and resistance”. Six protesters remain detained. The Public Prosecutor has dropped the cases against four protesters. The Cabinda Provincial Court will now decide whether to accept the charges against the 59 protesters or withdraw the accusations against them.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Minister of Justice and Human Rights
Francisco Manuel Monteiro de Queiroz
Ministério da Justiça e dos Direitos Humanos
Rua 17 de Setembro
Luanda
Angola
Email: secretariado.dh.mf@gmail.com

Dear Minister Francisco Manuel Monteiro de Queiroz,

I write to you concerning the 59 protesters who were charged for the crimes of “criminal association” (article 8 of 3/14 Law), “rebellion” (article 21 of 23/10 Law), “insult (ultraje) of the State” (article 25 of 23/10 Law) and “public disturbance and resistance” (articles 185 and 186 of Penal Code) on 3 July 2019. On that date, one of the lawyers of the protesters was notified that the accusations against four protesters had been dropped, due to the lack of sufficient evidence.

The lawyers were only notified of the official charges against the other 59 protesters on 5 February 2020. The Cabinda Provincial Court will now decide whether to accept the charges against the 59 protesters or withdraw the case against them.

Six protesters, **Filipe Macaia Luemba**, **Alberto Puna “Sapiente”**, **Pedro Macaia Conde**, **Joaquim Júnior Bety**, **Ruben Mavungo Domingos** and **Francisco Barros Muanda**, have been arbitrarily detained in Cabinda Province civil prison since 29 January and 1 February 2019 .

The crackdown by the authorities on peaceful protesters in Cabinda undermines the rights to freedom of expression and peaceful assembly in Angola. Therefore, I urge you to:

- Ensure the immediate and unconditional release of Filipe Macaia Luemba, Alberto Puna “Sapiente”, Pedro Macaia Conde, Joaquim Júnior Bety, Ruben Mavungo Domingos and Francisco Barros Muanda, detained solely for peacefully exercising their rights to freedom of expression and peaceful assembly;
- Ensure that all the charges against the 59 protesters are dropped immediately, as they have been charged solely for peacefully exercising their rights to freedom of expression and peaceful assembly;
- Ensure that the rights to freedom of expression and peaceful assembly are fully respected, protected, promoted and fulfilled, and that activists in Cabinda are guaranteed their right to express their views freely without fear of reprisals and unlawful restrictions.

Yours sincerely,

ADDITIONAL INFORMATION

The Treaty of Simulambuco was signed on 1 February 1885. It gave Cabinda the status of a protectorate of the Portuguese Crown. Cabinda is located on a sliver of land sandwiched between the Democratic Republic of Congo and the Congo Republic. It is internationally recognized as part of Angola and produces most of the country's oil export. Separatist groups have been seeking independence or autonomy from Angola for over 20 years. The Angolan Government's attempts to negotiate with representatives of the Cabindan separatist groups have not been successful.

On 7 January 2019, the Independence Movement of Cabinda (Movimento Independista de Cabinda – MIC) Secretary sent a communication to the President of the Republic of Angola, João Manuel Gonçalves Lourenço, and copies to the Provincial Government of Cabinda, the Provincial Police Command, the Public Prosecutor of the Republic, to Angolan political parties, and other authorities, to inform them about the peaceful protest scheduled for 1 February. The MIC asked for the Angolan Police to be present at the protest to ensure the safety of protesters.

Angolan security forces arrested eight youth activists from MIC at their homes on 28 January in Cabinda Province. They were preparing leaflets for the peaceful protest on 1 February.

The next day, 18 people, including family members and colleagues of the detained youth activists, were arrested by the police while peacefully protesting to demand their release in front of the Service of Criminal Investigation building in Cabinda. Protesters took to the streets of Cabinda on 1 February to celebrate the 134th anniversary of the signing of the Treaty of Simulambuco and to reiterate calls for Cabinda's independence from Angola. They also called for the release of those previously arrested. The police arrested 32 protesters on that day. On 12 February, the police arrested another activist allegedly for his involvement in the same peaceful protest.

Amnesty International is also concerned with the continued use of excessive force by police against protesters and their arbitrary arrests. On 1 March, MIC activists and family members of the 50 detained protesters were preparing a demonstration at the 1st of May square in Cabinda to demand their release. The police arrived before the start of the protest and began to assault the protesters, kicking and punching them. The police arrested 11 people who were released hours later without charge. Seven of the arrested protesters were hospitalized due to the police beatings and returned home on the next day.

Several protesters allege that they were subjected to ill-treatment by police officers at the time of their arrest and while in prison.

A judge at the Cabinda Court ordered the provisional release of 13 detainees on 27 February, ruling that their arrest at home without a warrant was illegal. Later, on 19 April, the judge ordered the provisional release of a further 40 protesters, on the grounds that they present themselves before the court every 15 days.

PREFERRED LANGUAGE TO ADDRESS TARGET: Portuguese.

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: [13 April 2020]

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Cabinda Protesters (They/Their)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/afr12/0320/2019/en/>

Also send copies to

HIS EXCELLENCY Mr Geraldo Nunda
Embassy of the Republic of Angola
22 Dorset Street W1U 6QY
020 7299 9850 Fax 020 7486 9397
embassy@angola.org.uk