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Two years without Anastácio Matavele; two years of injustice!



One of the most troublesome voices and human rights defender in Gaza Province, Anastácio Matavele was shot dead on the morning of 7 October 2019 in Xai-Xai City, one week before the general elections for which he was an observer. The murder - which mee-

ts all the requirements of a politically ordered killing - was carried out by officers assigned to special units of the Police of the Republic of Mozambique (PRM) in Gaza Province.

In a trial of 18 June 2020, the Judicial Court of Gaza Province sentenced four (04)

defendants to sentences ranging from 23 to 24 years long-term imprisonment: Alfredo Macuacua, commander of the Gaza Rapid Intervention Unit (UIR) Sub-Unit; Tudeo Guirugo, commander of the Special Operations Group (GOE) and Edson Silica, a GOE patrolman who served as the driver of the platoon that shot Anastácio Matavele; and Euclídio Mapulasse, another GOE patrolman who was in the vehicle on the day of the crime, were sentenced to 23 years long-term imprisonment. The four defendants were also condemned to pay a joint compensation of 1,500,000 meticaís to Anastácio Matavele heirs.

The Judicial Court of Gaza Province also sentenced Januário Rungo, Chief of Staff of UIR, to three (03) years in prison, converted into a 45 thousand meticaís fine; and Justino Muchanga, Chief of the Weapons Section, to two (02) years in prison, also converted into a 45 thousand meticaís fine. Despite these convictions, the trial did not clarify the crime that silenced the human rights defender. That is, the trial did not say who ordered the murder of Anastácio Matavele; what his motivations were; and how he contacted the UIR agents.

The judgement did not explore in a transparent, exhaustive and in-depth manner the reasons that led to Matavele's assassination, nor did it demonstrate the investigation carried out to identify the masterminds of the assassination, despite there being strong signs in the records that the perpetrators of the crime would have been mandated to execute Matavele.

One of the persons that could help clarify the various questions that remained unanswered during the trial is Agapito Matavel, described by fellow convicts as the agent who led the GOE platoon responsible committing the crime. However, Agapito Matavel is reported by the police to be a fugitive from justice and there seems to be no interest on the part of the authorities in locating and arresting the commander of the GOE platoon.

In addition to the lack of clarification of the crime, the court cleared the State of

a crime committed by its special agents and using its weapons. In fact, the biggest dispute of Matavele family lawyers was the civil liability of the State for damages caused by the misconduct of its agents. To this end, they submitted a lawsuit requesting that the State be jointly and severally obliged to pay an indemnity of 35 million meticaís, in favour of the heirs of the victim. The request for assistance is based on the Constitution of the Republic, which states, in paragraph 2 of Article 58, that the State is responsible for damages caused by illegal acts of its agents, in the exercise of their functions, without prejudice to the right of recourse under the law.

However, the court sided with the Public Prosecutor, who always maintained that the defendants acted at their own risk and that the mission to assassinate Anastácio Matavele was in their private interest, without, however, indicating the premises that led them to this conclusion. And they ignored irrefutable facts that show that Matavele's assassination was a State mission: all those involved were police officers, some with positions of responsibility; the weapons used were requisitioned and returned to the UIR barracks; and the officers chosen for the mission were relieved of normal work for a fortnight to ensure better preparation; the gunmen acted during normal office hours.

Months after the crime was committed, three of those involved were promoted by the Police General Command, as promised; until the trial they all were still getting their salaries; four officers who were detained were entitled to a lawyer (Elísio de Sousa) paid for by the Police General Command. And because the mission was official, the executioners of Matavele were not prosecuted disciplinarily, with the exception of Mapulasse who said he had responded to a disciplinary process, but he did not know the outcome, seven (07) months later.

In connection with the second year of the murder of Anastácio Matavele, the Mozambican Network of Human Rights Defenders

(RMDDH) expresses its solidarity with the family of the victim and demands that the Mozambican authorities, namely the PRM and the Attorney General's Office (PGR), do all necessary steps to locate, arrest and deliver the fugitive Agapito Matavel to the judiciary so that he can be tried and held accountable for the heinous crime. The

trial of the commander of the GOE platoon responsible for the murder of Anastácio Matavel is the only hope for clarifying the circumstances of the crime, as well as for revealing the names of the real sponsors.

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Rua de Dar-Es-Salaam N° 279, Bairro da Sommerschild, Maputo - Moçambique

+258 21 418 336

www.cddmoz.org

info@redemoz-defensoresdireitoshumanos.org

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