



REDE MOCAMBICANA DOS  
DEFENSORES DE DIREITOS HUMANOS

**RMDDH**

Friday, October 7, 2022 | Year III, Number 32 | President: Prof. Adriano Nuvunga | English

## **Three years without Anastácio Matavele, three years of impunity for those responsible for the crime!**

- One of the most troublesome voices and Human Rights Defender in Gaza Province, Anastácio Matavele was shot dead on the morning of October 7, 2019, in the city of Xai-Xai, one week before the general elections of which he was an observer. The assassination – which fulfills all the requirements of a politically ordered killing – was carried out by agents assigned to special units of the Police of the Republic of Mozambique (PRM) in Gaza Province.



In a sentence of 18 June 2020, the Judicial Court of the Province of Gaza sentenced four (04) defendants to sentences ranging from 23 to 24 years in prison: Alfredo Macuá-cua, commander of the Sub-Unit of the Rapid Intervention Unit (UIR) ) of Gaza; Tudelo Guirugo, commander of the Special Operations Group (GOE); and Edson Sílica, a GOE patrolman who served as driver of the platoon that shot Anastácio Matavele; and Euclídio Mapulasse, another GOE patrolman who was in the car on the day of the crime, was sentenced to 23 years in prison. The four defendants were also ordered to pay joint damages to the heirs of Anastácio Matavele in the amount of 1,500,000 meticaís.

The Judicial Court of the Province of Gaza also sentenced Januário Rungo, Chief of Staff of the UIR, to a penalty of three (03) years in prison, converted into a fine of 45,000 meticaís; and Justino Muchanga, head of the Armament Section, to two (02) years in prison, a penalty also converted into a fine of 40,000 meticaís. Despite these convictions, the trial did not clarify the crime that silenced the Human Rights Defender. In other words, the sentence did not say who ordered the murder of Anastácio Matavele; what were his motivations; and how he contacted UIR agents.

The sentence did not explore in a transparent, exhaustive and in-depth way the reasons that led to Matavele's murder, nor did it demonstrate the investigation carried out to identify the moral perpetrators of the murder, despite there being strong signs in the file that the material agents of the crime would have been mandated to execute the activist Matavele.

One of the elements that could help to clarify the various questions that remained unanswered during the trial is Agapito Matavel, described by fellow sentenced men as the agent who led the GOE squad responsible for carrying out the crime. However, for three years, Agapito Matavel has been reported as a fugitive from justice by the police and the-

re seems to be no interest on the part of the authorities in locating and arresting the GOE platoon commander.

In addition to the lack of clarification of the crime, the court exempted the State from responsibility for a crime committed by its special agents using their weapons. In fact, the biggest dispute of the Matavele family's lawyers was the civil liability of the State for the damages caused by the bad performance of its agents. To this end, they submitted an action requesting that the State was jointly obliged to pay compensation in the amount of 35 million meticaís in favor of the heirs of the victim Anastácio Matavele. The request for assistance is based on the Constitution of the Republic, which establishes, in no.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 positioned itself on the side of the Public Ministry, which always argued that the defendants acted at their own risk and that the mission to assassinate Anastácio Matavele was in their particular interest, without, however, indicating the premises that led to this conclusion. And he ignored irrefutable facts that show that Matavele's murder was a state mission: all those involved were police officers, some in positions of responsibility; the weapons used were requisitioned and returned to the UIR headquarters; and the agents chosen for the mission were released from normal work for two weeks to ensure better preparation; the shooters operated during normal business hours.

Months after the crime was committed, three involved were promoted by the General Command of the Police, as promised. Until the trial, everyone continued to receive their wages; four agents who were detained were entitled to a lawyer (Elísio de Sousa) paid by the General Command of the PRM. And because the mission was official, Matavele's executioners were not prosecuted, except for

Mapulasse who claimed to have responded to a disciplinary process, but did not know the outcome, seven (07) months after having participated in Matavele's murder.

On the three-year anniversary of the murder of Anastácio Matavele, the Mozambican Network of Human Rights Defenders (RMDDH) expresses its solidarity with the victim's family and demands that the Mozambican authorities, namely the PRM and the Attorney General's Office Republic (PGR), take all the

necessary steps to locate, arrest and deliver the fugitive Agapito Matavele to the judiciary so that he can be tried and held accountable for the heinous crime. The trial of the GOE platoon commander responsible for the murder of Anastácio Matavele is the only hope for clarifying the circumstances of the crime, as well as for revealing the names of the real masterminds.

Maputo, October 07, 2022



<b>Property:</b>	RMDDH
<b>President:</b>	Prof. Adriano Nuvunga
<b>Editor:</b>	Emídio Beula
<b>Author:</b>	Emídio Beula
<b>Layout:</b>	RMDDH

#### FINANCING PARTNERS



Reino dos Países Baixos



Rua Dar-Es-Salaam, número 279, Bairro Sommerschild, Maputo -Moçambique **Contacto** +258 857645056  
 **Email** : info@redemoz-defensoresdireitoshumanos.org @RMDDH\_Moz rmdmh\_moz  
 **Facebook**:@RMDDHMoz redemoz-defensoresdireitoshumanos.org/ **LinkedIn**: rmddh