



HISTORY

COURT CONDEMNS PRM AGENTS FOR ABUSES IN DEMONSTRATIONS BUT CORPORATION CLAIMS NOT TO LOCATE THEM

In an important judicial victory regarding accountability for alleged human rights violations that occurred in the context of post-election demonstrations in Mozambique, two officers of the Police of the Republic of Mozambique (PRM) were convicted in separate cases by the Judicial Court of the City of Beira, in an action led by the Mozambican Association of Christian Lawyers (AMAC).

In case no. 176/1ªTC/2023, an agent was convicted of the crime of voluntary bodily harm that resulted in illness or inability to work, under articles 172, paragraph 1, and 66 of the Code of Criminal Procedure. The sentence set compensation in the amount of 75,000.00 meticaís, intended to compensate for the physical and moral damages suffered by the victim.

In case no. 414/1ªTC/2024, another officer was convicted of the crimes of voluntary bodily harm, with the same aggravating consequences, and for the crime of threats, under the terms of articles 172, no. 1, and 195, no. 1, respectively. In this case, the Court determined the payment of compensation in the amount of 40,000.00 meticaís.

However, despite the final court decisions, the convicts did not pay compensation to the victims. According to AMAC, several steps were taken to raise awareness for the voluntary fulfillment of obligations, all without success.

Such a situation contradicts the principle of mandatory judicial decisions, enshrined in article 214 of the Constitution of the Republic of Mozambique (revised by Law No. 1/2018), which requires compliance by all, without exception.

The seriousness of the case is increased by the PRM's allegation of difficulties in locating the convicted agents. In response to the Court's requests, the corporation informed that they were transferred to other police stations, without, however, indicating their current location, alleging ignorance of their respective destinations.

This position raises concerns about the effectiveness of the internal mechanisms for control, management and traceability of its staff, as well as the institutional capacity of the PRM to cooperate with the justice system. The absence of precise information on the whereabouts of convicted agents may constitute, in theory, a relevant administrative failure, as well as indicate a possible violation of the duty of cooperation with the courts, compromising the execution of sentences and the effectiveness of justice.

It should be noted that this is not the first time that difficulties have been reported in locating PRM agents, which, in different contexts, has been pointed out as a factor of constraint to the speedy processing of cases.

. In this context, the process submitted by the DECIDE Platform is also included, aiming at the accountability of the then General Commander of the PRM, Bernardino Rafael, and the former Minister of the Interior, Pascoal Ronda, in the context of alleged police actions in the context of the post-electoral demonstrations in Mozambique.

It is expected, with due institutional rigor, a more transparent and collaborative action by the PRM Commands, in order to ensure the location of convicted agents and full compliance with judicial decisions.

This case, as a relevant milestone in the accountability of police officers for unlawful conduct in the context of demonstrations, could represent an important precedent for strengthening the Rule of Law, provided that judicial decisions are effectively enforced.