

HUMAN RIGHTS VIOLATIONS IN CABO DELGADO

## European Parliament defends independent investigation and deplors the use of Mercenaries



Treated with some superficiality and secrecy by the national authorities, the situation in Cabo Delgado is starting to draw the attention of the international community. On Thursday, September 17, the European Parliament discussed the issue and, in the end, passed a resolution expressing its deep concern regarding the deteriorating security conditions and the worsening humanitarian crisis in northern Mozambique, especially in Cabo Delgado.

Besides, given the deteriorating situation of more than 350,000 displaced people, the European Parliament calls on the European Union and the Member States to work closely with SADC and its member countries in drawing up an effective action plan to solve the worsening situation of the humanitarian crisis. "A more coordinated regional and international effort is needed to respond to the humanitarian and security crisis in Cabo Delgado, including the need to tackle cross-



-border challenges, such as terrorist uprisings, food security, internally displaced people and smuggling”, reports the European Parliament Resolution on the humanitarian situation in Mozambique.

In the document, the European Parliament underlines that the current security problems further aggravate the already fragile humanitarian situation, due to high levels of underdevelopment, climate shocks, and conflicts. Therefore, it urges the Mozambican authorities to take effective and decisive measures to fight against “the Islamist insurrection and protect Cabo Delgado citizens” and expresses deep concern that the insurrection is gaining support among regional and international terrorist organizations, such as it has happened in the regions of the Sahel and the Horn of Africa.

“If it is not stopped, the insurrection could grow and spread to neighbouring countries, threatening regional stability”, it warns, recalling that the Mozambican Army is ill-equipped to deal with the increase in terrorism in the region, which justifies the urgency for

effective and sustainable policy, both from the government and from regional and international actors.

In the regional domain, the European Parliament refers that the SADC Policy, Defence and Security Troika, including its multinational unit to fight serious insurrection situations, should be an active player in the management of the conflict in Cabo Delgado, containing it in the short run. From a long-term perspective, SADC is called upon to encourage and support the Mozambican authorities in implementing new reforms aimed at promoting democracy, human rights, and the rule of law, which are factors that represent a prerequisite for stability, peace, and development.

Despite advocating a more active role for SADC, the European Parliament stresses that it is necessary to ensure that any regional military intervention protects, respects, and promotes human rights and encourages Mozambican authorities to support and work with regional and international organizations, as well as civil society organizations and com-

munity-based groups, to create platforms for peace-building initiatives that promote peaceful involvement, dialogue, reconciliation, and coexistence among all stakeholders.

And because the ideological front of the military insurgency in Cabo Delgado exploits local poverty to recruit young people and win social alliances, the European Parliament argues that the Executive should carry out the necessary reforms to respond adequately to the needs of the population, preventing it

from being an easy target to radicalization. Possible reforms include, for example, the urgent need to create jobs and opportunities for Cabo Delgado inhabitants, especially for young people. It is also necessary to work towards eliminating some of the underlying causes of terrorism, "such as insecurity, poverty, human rights violations, inequality, exclusion, unemployment, environmental degradation, corruption, the misuse of public funds and impunity".

## **Mozambique must respect international instruments to which it is a signatory.**

Regarding the successive complaints of human rights violations by the Defence and Security Forces (FDS), the European Parliament argues that the Government should launch an independent and impartial investigation, remembering that Mozambique is part of the International Treaty on Civil and Political Rights, of the African Charter on Human and Peoples' Rights and the United Nations Convention against Torture, which are instruments that forbid torture and other ill-treatment and arbitrary deprivation of life.

The Government has recently been rejecting calls from Amnesty International and Mozambican civil society to launch an independent and impartial investigation into allegations of torture and killings allegedly committed by the FDS. The authorities argue that the shocking images of barbarism circulating on social media were recorded by insurgents to confuse public opinion and by malicious people who intend to tarnish the country's image.

But European parliamentarians consider that the FDS responded with disproportionate violence, sometimes in violation of international human rights commitments, and recall that the President of the Republic, Filipe Nyusi, admitted that there were "involuntary violations" of human rights committed by government forces in Cabo Delgado. For this reason, the European Parliament insists that Maputo authorities must openly cooperate with international institutions, such as the UN Special Rapporteurs, and allow indepen-

dent researchers and human rights observers to enter and work in the country, including in the analysis of the humanitarian needs of Cabo Delgado's population to provide the necessary assistance.

"Mozambique should enforce the human rights standards of international conventions that it has ratified, namely in its detention centres", defends the resolution, adding that the barbaric actions attributed to al-Shabaab should not be faced with new human rights violations by the FDS.

And because the violations include limitations and barriers to the exercise of rights to information and freedom of the press and expression, the resolution underlines the importance of authorities protecting the rights of journalists, human rights defenders, activists, and all those who limit themselves to exercising their human rights and expressing their opinion on issues of public interest. The resolution calls on the Mozambican authorities to "conduct an impartial investigation of all suspected cases of media vandalism, suppression of freedom of expression and charges related to harassment and intimidation of journalists".

Some points in the European Parliament resolution had already been raised by civil society organizations, academics, and the media, and more recently by the Human Rights and Human Rights Defenders Report for the 1st Semester of 2020, launched on Tuesday by the Centre for Democracy and Development (CDD), in partnership with the Southern Africa

Human Rights Defenders Network (SAHRDN).

Five months ago, 17 civil society organizations, both national and international, wrote a letter to the President of the Republic, Filipe Nyusi, in which they expressed their concern on the increase in police violence against defenceless civilians in Cabo Delgado, whose authorship is attributed to members of the Rapid Intervention Unit (UIR) and the Special Operations Group (GOE). The organizations also denounced “harassment and intimidati-

tion” to civil society groups and journalists who have been working in that province ravaged by terrorist attacks since October 2017.

While recognizing the right and duty of authorities to use force to protect the population and defend national sovereignty, the charter signatories, including CDD, underlined that an effective strategy to fight against terrorism must respect and claim human rights, including rights to information and freedom of the press and expression.

## Oil companies must follow human rights principles



In its resolution, the European Parliament addresses the vast reserves of natural gas discovered in the Rovuma basin between 2010 and 2013, which are among the 10 largest in the world, and have the potential to place Mozambique on the list of the world’s four largest LNG producers. For the exploitation of these world-class reserves, investments are expected of more than US \$ 60 billion, for the coming years, the largest investment ever made in Sub-Saharan Africa.

Bearing in mind the appetite that such gas reserves generate in the international market, the European Parliament recalls that all foreign industrial and economic interests in Mozambique, whether from Europe or other

countries, must be led by the United Nations guiding principles on companies and human rights. Besides, “the Commission is exploring mandatory due diligence commitments to ensure that European Union investors and those involved in the extractive industry act responsibly and contribute to local development in countries like Mozambique”.

This appeal by the European Parliament comes at a time when the French company Total, leader of the Mozambique LNG project underway in Area 1 of the Rovuma basin, is practically becoming a majestic company in Cabo Delgado. In August, Total signed a new Memorandum of Understanding with the Government of Mozambique regarding the security

of oil operations. In light of the new understanding, the Government deployed contingents from the FDS, called “Joint Task Force”, to ensure the safety of the activities of the Mozambique LNG project in Afungi and the wider area of operations. In return, Total pays subsidies to the FDS affiliates and provides logistical conditions, including food supply.

There is no doubt that Total is using its financial power to privatize the FDS services through payment of subsidies and provision of logistical conditions that the Mozambican State is unable to provide to its defence and security forces. In addition to being against the Defence and Security Policy, approved

by Law 17/97, of October 1, the agreement between Total and the Government will not solve the insurgency problem in Cabo Delgado, as it privileges the interests of giants and marginalizes local communities that do not have the financial power to pay for security services provided by their own State.

MEPs consider it “extremely important that the local population, especially in the poorest provinces of the country, benefit from the exploitation of its natural resources”, therefore, urges the Government to allocate the income from extractive industry projects equally to local development projects, respecting environmental and social standards”.

## European parliamentarians question the use of Mercenaries

The September 17 resolution deplors the use of private security forces in the conflict and regrets that the option inflates the monetary cost to the State, in addition to the fact that mercenaries operate without any international supervision. In April, the Government hired the South African mercenary company, Dyck Advisory Group (DAG), to support the FDS in the aerial fight against terrorists who carry out attacks in Cabo Delgado. Before DAG’s arrival, Russian mercenaries were involved in Cabo Delgado operational theatre but were never able to contain the advance of the terrorists.

Again, several voices, including civil society organizations, asked for detailed information on hiring private military companies and criticized the option of using mercenaries, an outdated practice, discouraged by the African Union (through the OAU Convention on Elimination of Mercenarism in Africa)<sup>1</sup> and by the United Nations (through the International Convention against the Recruitment, Use, Financing and Training of Mercenaries)<sup>2</sup>.

But the Government never commented on the hiring of private military companies and involvement of mercenaries in the operatio-



nal theatre of Cabo Delgado, a practice that represents a severe threat to independence, sovereignty, and territorial integrity and harmonious development of the State<sup>3</sup>.

The European Parliament Resolution on the humanitarian situation in Mozambique will be presented to the European Council, the European Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Mozambican Government and Parliament, Member states, and SADC and African Union leaders.

<sup>1</sup> <https://cddmoz.org/?s=UNI%C3%83O+AFRICANA+%C3%89+CONTRA+O+USO+DE+MERCEN%C3%81RIOS>

<sup>2</sup> <https://cddmoz.org/?s=USO+DE+MERCEN%C3%81RIOS+EM+CONFLITO+ARMADO>

<sup>3</sup> <https://cddmoz.org/perante-o-silencio-do-governo-as-novidades-sobre-a-guerra-contra-o-terrorismo-que-chegam-aos-mocambicanos-atraves-dos-mercenarios/>



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