Detention of 42 Nigerian citizens in Maputo raises serious legal and human rights concerns

● Forty-two Nigerian citizens have been detained for more than a week at Língamo Prison, in Maputo province, following a police operation conducted on 28 February at Praça de Touros, a well-known market for the sale of vehicle accessories and spare parts.

According to available information, the individuals were arrested on suspicion of involvement in the sale of allegedly stolen vehicle parts. The detainees, however, deny the allegations and state that they possess documentation proving that the goods they were selling are new and legally acquired.

Since their arrest, the individuals have remained in custody without being presented before an Investigating Judge within the legal timeframe established under Mozambican law.

LEGAL FRAMEWORK GOVERNING DETENTION

The Constitution of the Republic of Mozambique establishes clear guarantees regarding the right to liberty and personal security. Article 69 of the Constitution stipulates that any detained person must be brought before the competent judicial authority within the legally prescribed timeframe for validation of the detention.

The Criminal Procedure Code, specifically Articles 297 to 304, further regulates the procedures that must be followed after an arrest, including the obligation to present the detainee before a judicial authority for review of the legality of the deprivation of liberty.

Detaining any individual beyond the legally prescribed period without judicial presentation consti-

tutes unlawful detention, representing a violation of the rights of the accused and the fundamental right to personal liberty.

REACTION FROM NIGERIAN AUTHORITIES

The situation has already begun to generate concern at the international level. The Chairperson of the Nigerians in Diaspora Commission (NIDCOM), Abike Dabiri-Erewa, sent a letter to Mozambican authorities expressing concern and requesting clarification regarding the circumstances of the arrests.

In a statement released in Abuja, she indicated that if there is evidence that the detainees committed any crime, they should be formally charged and presented before the courts. Otherwise, they should be released.

The statement, signed by the commission's spokesperson Abdur-Rahman Balogun, further indicates that the detained individuals are legal residents in Mozambique, a fact that raises additional questions regarding the proportionality of the police operation.

The commission also questioned the criteria used during the operation, as available information suggests that only Nigerian nationals were detained, despite the market being frequented by traders of various nationalities.

COMMUNITY MOBILISATION

On 10 March, more than thirty relatives and friends of the detainees gathered at the Nigerian Embassy in Maputo to demand clarification regarding the circumstances of the arrests and to request diplomatic intervention.

To date, Mozambican authorities have not issued detailed public statements regarding the case.

The situation raises serious concerns regarding compliance with legal safeguards governing detention and respect for the fundamental principles of the rule of law in Mozambique.

MISSION:

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