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Court that suspended Nampula mayor now denies it did so

Following demonstrations against the election results, the Nampula Provincial Court, in a ruling two months ago, suspended the Mayor of Nampula, Paulo Vahanle, from the exercise of his duties for four months. This week the same court issued another ruling in which it denied that it had suspended Vahanle from his duties. The first ruling was signed by judge Esmeralda Baulene, but this week's ruling had an official stamp but was undated and had no signature of a judge.

On 22 November 2023, the Nampula Provincial Law Court took three measures against Vahanle, at the request of the Public Prosecutor's Office. The first measure was to suspend Vahanle from the exercise of his duties, on the grounds that it was "pertinent, urgent and opportune to take precautionary measures" to prevent Paulo Vahanle from "repeating his illicit conduct" - allegedly organising a demonstration.

The second measure was to suspend the right to demonstration and assembly of the mayor, who was also head of the Renamo list of candidates in the municipal elections and thus candidate for re-election as mayor. This measure was because it was believed he had used this right "in an abusive and excessive manner", putting at risk "a higher right", namely the right to life.

The third measure was to order "a search and seizure of any cell phones that may be found in the possession of the accused (Paulo Vahanle) and any other objects related with crime, particularly the spears (arrows) displayed at the public meeting."


The searches were held at his home in the Carrupeia neighbourhood of Nampula city, that same week. There the court seized his Huawei cell phone, home made spears and an iron bar 1.3 metres long.

But this week, two months later, the same court issued another dispatch, undated and without the signature of a judge, but with the court's official stamp, in which it denied it had suspended Paulo Vahanle from his duties. The court said its suspension of Vahanle "from exercising the profession or activity the exercise of which depends on a public title or on an authorization by a public authority", was not suspending the mayor from his duties, but only suspending his right to assembly and demonstration. The rulings (in Portuguese) are on <https://bit.ly/Moz-Nam-Pres>

The decision applied against Paulo Vahanle was the same as that applied against the mayor of Nacala-Porto and head of the Renamo list there, Raul Novinte, including the same arguments for

the two decisions. In the Nacala case, the court decided to suspend Raul Novinte from the exercise of his duties, profession and rights.

In Mozambique political party control of the state apparatus leads to people often having to respond to what are always referred to as "higher political orders". In this case no judge will be involved and the original ruling is not reversed, but it appears an official has had to issue an order simply denying the first ruling.

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