

Brussels, **26 MAI 2015**
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H.E. Ms Ana Gomes MEP
European Parliament
Rue Wiertz 60
1047 Brussels

Dear Ana,

I would like to thank you for your letter of 10 April 2015 concerning the case of Rafael Marques de Morais, the Angolan journalist facing trial in his country. The trial stems from a criminal defamation suit filed against him by several generals following the release in 2011 in Portugal of his book "Blood Diamonds: Torture and Corruption in Angola".

The EU Delegation in Luanda is monitoring developments on Rafael Marques's trial and the human rights focal point within the Delegation has regular direct contact with him and his lawyer.

The European Union is actively following the political and human rights situation in Angola and the freedom of the press as well as guarantees for fair trials are part of our continued political dialogue with the Angolan Government. The decriminalisation of the defamation laws in the next criminal code that is currently being drafted will be raised by the EU Delegation in Luanda in their exchanges with the Angolan authorities.

During the first EU-Angola Ministerial under the Joint Way Forward, in Brussels in October 2014, the European Union drew the attention of Angola to the defamation laws that are restricting the investigative journalism and to the fact that a free pluralistic media is an essential component of a multi-party democracy. A frank and open exchange took place on this point.

More generally, in 2014, Angola underwent the Universal Periodic Review (UPR) of the UN Human Rights Council, and freedom of expression was one of the discussion points. While Angola accepted some recommendations to further promote freedom of expression, association and press, it stood clearly against several recommendations aiming at the decriminalisation of the defamation laws and their repeal.

The Angola Minister of Justice and Human Rights, H.E. Rui Jorge Carneiro Manguera, stated in Geneva on 19 March 2015¹, that art 40 of the Constitution of the Republic of Angola, along with the Press Law and other legal instruments, guarantee the freedom of expression as a fundamental right but also the respect of honour, reputation and image of the private life of citizens. He underlined that the restriction requiring the offender (whether or not a journalist) to face criminal proceedings for defamation, slander or similar offenses is in accordance with the Constitution and the Criminal Code.

We will however continue to raise this important point in our regular political dialogue with Angola, at bilateral and multilateral levels.

I would like to thank you for your actions in defence of fundamental freedoms and human rights.

Yours sincerely,



Federica Mogherini

¹ <http://www.upr-info.org/en/review/Angola/Session-20---October-2014/Adoption-in-the-Plenary-session#top>