

January 16, 2001

His Excellency Joaquim Alberto Chissano  
President of the Republic of Mozambique  
Avenida Julius Nyerere 2000  
Caixa Postal 285 Maputo, Mozambique  
Via Fax: 011-258-492068

Your Excellency:

The Committee to Protect Journalists (CPJ) is writing to protest the ongoing prosecution of Marcelo Mosse, formerly chief reporter for the now defunct daily Metical, on criminal defamation charges.

Your son, Nympine Chissano, filed charges against Mosse and Metical over a February 21 Metical article reporting that Nympine was briefly detained in South Africa, around February 15, on unspecified charges.

In a written denial sent to Metical in March, Nympine Chissano's lawyer threatened legal action against the newspaper, declaring that his client was not detained and had "never transported cocaine or other substances forbidden by law inside or outside the country," according to AIM, the Mozambican state news service.

However, all sources interviewed by CPJ concur that the Metical story did not mention cocaine or any other illegal substance. That allegation first appeared in the Johannesburg Mail and Guardian under the byline of a South African journalist. Marcelo Mosse later repeated the allegation in the Portuguese weekly Expresso, for which he is the correspondent in Mozambique.

The next hearing is scheduled for January 21. Nympine Chissano is seeking damages of US\$80,000 from Mosse and Metical, said CPJ sources in Maputo. A guilty verdict could also result in a jail sentence for the journalist.

It is self-evident that Metical cannot be liable for allegations that it did not publish. For this reason alone, Nympine Chissano's case has absolutely no merit. It is also outrageous that your son is pursuing criminal charges in a defamation case. Civil penalties provide adequate redress for individuals who feel they have been defamed; journalists should never be jailed for what they write, publish, or broadcast.

Metical, which closed its doors in late December 2001, was the property of its founder and first editor, Carlos Cardoso, who was murdered, gangland style, on November 22, 2000. After Cardoso's death, ownership of the paper passed to Cardoso's two underage children, Ibo and Milena, under the legal supervision of their mother, Nina Berg. In the worst-case scenario, the court could jail Mosse and bankrupt the Cardoso family.

Given the evident absurdity of the legal case against Mosse and Metical, we hope that your son will drop all pending charges. Failing that, we urge Your Excellency to take all legal measures within your power to halt the prosecution of Marcelo Mosse and Metical.

We thank you for your attention to this urgent matter and await your response.

Sincerely,

Ann Cooper  
Executive Director

Mail & Guardian, Johannesburg, 11 Jan 2002

<http://www.africaaction.org/docs02/moz0201.htm>