# DECIDE REPORT

Mozambique, 17 November 2026

## *FIRST DAY OF VENÂNCIO MONDLANE'S TRIAL DOMINATED BY PRELIMINARY ISSUES*



The trial of Venâncio Mondlane, leader of the ANAMOLA party, a Mozambican opposition force, began this Tuesday (17.11.2026) at the Supreme Court in Maputo. The session was taken up mainly by the legitimacy of the defender chosen by the defendant, the reading of the Public Prosecutor's indictment and, at the very end, the filing of a 223-page defence response. The hearing was adjourned and resumes tomorrow, 18 November, at 10:00.

**Summary of the Day**

- Defender accepted: the Court admitted Shamir Mendes as the defendant's defender, despite objections from the Public Prosecutor and the Assisting Party, on the grounds that he is not registered as a lawyer.
- Indictment read: the Public Prosecutor charges the defendant with five crimes: Public apology for crime, Incitement to collective disobedience, Public instigation to commit a crime, Instigation to terrorism and Incitement to terrorism.
- Assisting Party in the case: joined the indictment with regard to the terrorism-related crimes and the commission of terrorism.
- Missing case documents: the defence reported missing documents, prolonged retention of the case file and procedural defects in the indictment, and therefore requested that the proceedings be declared null. The bench will decide.

Adjournment: the session was adjourned after the defence asked that a 223-page response be delivered tomorrow to all those present, so that they can follow the Public Prosecutor's charges on an equal footing.

**1. Opening of the session**

The hearing began at around 10:40 at the Supreme Court, presided over by Justice Luís Mondlane. The defendant, Venâncio Mondlane, entered the courtroom right after the representatives of the Public Prosecutor's Office. The prosecution was led by the Deputy Attorney General of the Republic, Amabélia Chuquela, who is also handling the case filed by the DECIDE Platform accusing Bernardino Rafael and Pascoal Ronda over the deaths that occurred during the 2024 demonstrations.

Rede Viária de Moçambique (Revimo), the toll-road concessionaire, took part in the proceedings as an assisting party (assistente). The session was followed by the media and by civil society organisations, including the DECIDE Platform, the Centre for Public Integrity (CIP), the CDD and the Mozambican Bar Association.

The Court set the hours of the sessions: from 10:00 to 15:30, with a break from 12:00 to 13:00, unless an extension is duly justified.

**2. Preliminary issues**

Before addressing the merits of the case, the Court resolved three preliminary issues, which took up most of the morning.

a) Legitimacy of the defender

The Public Prosecutor said it had asked the Bar Association for information about Shamir Mendes, named as the defendant's defender. According to the Public Prosecutor, the Bar replied that he is registered neither as a lawyer nor as a trainee lawyer. It added that he does not hold a legal technician's card and should not be wearing a gown.

The defence replied that Shamir Mendes acts as a defender and not as a lawyer, and that the law does not require that status, only good standing and, preferably, a law degree. It stressed that he holds a law degree, is a university lecturer and provides legal assistance. It also invoked the provisions of the Code of Criminal Procedure that allow for the role of defender. The Assisting Party, for its part, invoked the Statute of the Bar Association to argue that, in a hearing, only lawyers may represent a party.

Called upon to speak, the defendant invoked the right to the best possible defence and said he felt comfortable with the defender he had chosen. After hearing the other judges, the Presiding Judge admitted Shamir Mendes as defender, based on the defendant's interest and the principle of full defence. The discussion of this issue lasted about an hour and a half.

b) List of witnesses

The Court granted the request of the Assisting Party to the Public Prosecutor to hear five witnesses instead of the four initially listed.

c) Missing documents and access to the case file

The defence said that documents are missing from the case file, which had already

been requested from the authorities without a response. It also stated that the Public Prosecutor retained the case file for more than 113 days, which prevented the defendant from consulting it and from raising possible nullities in the proceedings or the indictment. The Presiding Judge referred the matter to the bench, which will rule on it later.

**3. The Public Prosecutor's indictment**

The Deputy Attorney General read an indictment of around 106 points. The Public Prosecutor argues that the defendant devised a plan to subvert the established order and incite groups of citizens to commit hostile and violent acts. It further alleges that the defendant planned to move his family to a safe place and leave the country around 21 October.

As evidence, the Public Prosecutor presented:

- a telephone conversation attributed to the defendant, in which he allegedly announced a high-impact speech;
- live broadcasts on social media, with excerpts that, according to the prosecution, contained calls to violence;
- the blocking of public roads during the demonstrations, which the prosecution links to the occurrence of deaths, without stating the number of victims or the perpetrators;
- protest placards and messages, horn-honking and whistle protests, the suspension of flights and the closure of borders.

According to the Public Prosecutor, these acts caused deaths and injuries, without specifying on which side or how many. In addition, it mentioned the destruction of warehouses and factories by members of the public. The defendant faces five charges: public apology for crime, instigation to collective disobedience, public instigation to commit a crime, instigation to terrorism and incitement to terrorism. It should be noted that the Public Prosecutor describes three aggravating circumstances and no mitigating ones.

The Assisting Party joined the indictment with regard to the two terrorism-related crimes, namely: Instigation to Terrorism and Commission of Terrorism.

**4. Defence response and adjournment**

At the end of the session, the defence filed a 223-page response and asked for printed copies to be distributed the following morning, in the name of equality of arms, publicity and transparency of the proceedings. The Presiding Judge said the response should have been submitted within the agreed deadlines, without taking the Court by surprise, and considered that the conduct was not in good faith. The session was adjourned shortly before 14:30.

**Next session and points to watch**

- Wednesday, 18 November 2026, at 10:00, at the Supreme Court.
- The bench's decision on the missing documents and the length of time the case file was retained.