



Mission Permanente
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The Permanent Mission of the Republic of Angola to the United Nations Office and other International Organizations in Geneva presents its compliments to the Special Procedures Branch, OHCHR and has the honor to forward the Government Observations to the Communication with Ref. AL.G./SO 214 (67-17) of the Special Rapporteur on the rights to freedom of peaceful assembly and of association on the death of Mr. Manuel de Carvalho Ganga.

The Permanent Mission of the Republic of Republic of Angola to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Special Procedures Branch, OHCHR the assurance of its highest consideration.

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Republic of Angola

**INFORMATION ON THE CRIMINAL PROCEEDINGS ON THE
DEATH ANGOLAN CITIZEN MANUEL DE CARVALHO GANGA**

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Republic of Angola

INFORMATION ON THE CRIMINAL PROCEEDINGS ON THE DEATH ANGOLAN CITIZEN MANUEL DE CARVALHO GANGA

The Criminal proceedings No. 01/14, on the death of the national citizen Manuel de Carvalho Ganga was established by the National Directorate of Criminal Investigation and Attorney General's Office, through the National Criminal Investigation and Prosecution Department (DNIAP) on December 2013 afterwards the death of Manuel Carvalho Ganga, which took place on 11/23/2013.

According to the results of the investigation, the misfortune occurred at midnight, when the victim, aged 32 at the time, in the company of other citizens were surprised to breach the security perimeter of the Presidency of Republic compound. For security reasons the group was stopped but disobeyed than was detained for questioning by the Presidential Guard Unit.

The Presidential Guard Unit transported the detainees by car for questioning in the next day. However, while the vehicle was in motion, the victim fled jumping from the car, situation that precipitated the firing of a shot by one of the presidential guard elements that resulted in the death of the citizen Manuel de Carvalho Ganga. The other group members kept in the vehicle were transported safely.

The trial took place in the Provincial Court of Luanda, where the defendant is Mr Desidério Patrício de Barros, presidential guard, formally accused by the magistrate of the public prosecutor by the crime of murder provided for and punishable by Article 349 of the Penal Code, a penalty of 16-20 years in prison.

The process ran its normal course; the Judge recorded the indictment for the crime of murder on 03/06/2015, which formalized thus the charge.

The trial begun on 07/07/15, and several hearings were called and the final arguments of the parties took place on 17 November 2015.

On November 26, 2015 the Provincial Court of Luanda has acquitted Mr Desidério Patrício de Barros, of the accusations made against of the crime of murder of Mr. Manuel de Carvalho Ganga.

The decision did not satisfy the expectations of both parties (Attorney General's Office and prosecution lawyers) who appealed to the Supreme Court.

PERMANENT MISSION OF THE REPUBLIC OF ANGOLA, Geneva, 23
December 2015.