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Venâncio Mondlane's Trial – Day Two Courtroom Update

- On the second day of the trial, the Public Prosecution Service and Rodrigo Rocha, acting for the party assisting the prosecution, again challenged Shamir Mendes's participation in the defence team. Venâncio Mondlane reiterated his claim that the proceedings were politically motivated and intended to prevent him from standing in the next elections.



The trial of Venâncio Mondlane, a former presidential candidate and president of the National Alliance for a Free and Autonomous Mozambique (ANAMOLA), continued at the Supreme Court in Maputo on Wednesday, 18 November 2026. Case No. 52/2025P concerns the post-election protests of 2024 and 2025. On the second day, the Public Prosecution Service and Rodrigo Rocha, representing Rede Viária de Moçambique (REVIMO) in its capacity as a party assisting the prosecution, pressed for Shamir Mendes's removal from the defence team and objected to the oral presentation of the written defence. Mondlane said the proceedings were politically motivated and intended to prevent him from standing in the next elections. The trial was expected to resume on Thursday, 19 November, with questioning of the defendant by the panel of judges, the prosecution and REVIMO's representative.

Prosecution and REVIMO representative renew objection to Shamir Mendes's participation in the defence

When the hearing resumed, the prosecution and Rodrigo Rocha, representing REVIMO, again challenged Shamir Mendes's participation in Venâncio Mondlane's defence team and maintained their objection to his continued participation in the hearing.

The prosecution stated that proceedings were pending against Mendes before the Maputo City Prosecutor's Office under Case No. 43/11/P/2026, in which he was suspected of practising a regulated profession without authorisation. REVIMO's representative contended that Mendes had been caught in the act of committing the same alleged offence and demanded that he be arrested and removed from the courtroom. He also stated that the matter had already been reported to the Mozambique Bar Association (OAM).

Mendes responded that he was unaware of having been formally designated a defendant in those proceedings and had no knowledge of the accusation. He thanked Deputy Attorney-General Amabélia Chuquela for bringing the information to his attention at the hearing and emphasised that formal designation as a defendant would not establish guilt.

When presenting its written submissions, the defence drew attention to the fact that the proceedings against Mendes had been instituted by the same prosecutor whose authority to conduct the pretrial investigation in Mondlane's case the defence was challenging.

In response to the renewed objections, Presiding Judge Luís Mondlane ruled under Article 70 of the Code of Criminal Procedure that Mendes could remain on the defence team in a limited capacity. Mendes was permitted to remain in the courtroom and assist lead defence counsel, Escova Mutola, but could not address the Court directly.

Prosecution and REVIMO representative object to oral presentation of the written defence

Once the issue of Mendes's participation had been resolved, the defence proceeded to present its written submissions, which ran to more than 230 pages including annexes. Nine copies of the submissions and accompanying annexes were distributed to the Court and the other participants in the proceedings.

Before the presentation began, the prosecution and REVIMO's representative objected to the submissions being read aloud in court. They argued that the defence should be limited to lodging the copies with the Court.

The defence insisted on presenting the grounds of its case. The Court authorised the oral presentation, holding that equality of arms and the defendant's right to present a full defence required that he be given an opportunity to set out his position.

The defence was initially allotted one hour and fifteen minutes, equal to the time the prosecution had taken to read the indictment on the first day of the trial. In view of the length of the submissions, the Court granted a further fifteen minutes, bringing the total to one hour and thirty minutes. Escova Mutola presented the submissions on behalf of the defence. In the time available, he outlined the principal arguments and was unable to address all the grounds set out in the written submissions in full.

Defence challenges the prosecutor's authority and the validity of the evidence

In its written submissions, the defence argued that the proceedings were political in nature and arose from the 2024 post-election demonstrations, which had been called following allegations of electoral fraud.

In support of that position, the defence cited, among other materials, the Constitutional Council's decision proclaiming the 2024 election results and acknowledging irregularities in the electoral process, as well as the legal instrument establishing the Inclusive National Dialogue (DNI). According to the defence, these instruments acknowledged issues concerning the post-election crisis, the integrity of the electoral process and the independence of institutions.

The defence further argued that the establishment of the DNI amounted to recognition of the political problems that had prompted the demonstrations. It submitted that the Court should take the electoral context into account when assessing the facts, given the irregularities acknowledged by the Constitutional Council and the issues subsequently addressed through the DNI process.

On procedural grounds, the defence challenged the validity of the indictment and the authority of the prosecutor who had directed the pretrial investigation. It maintained that the prosecutor, who held a third-category appointment, was competent to deal only with district-level cases. Given that this was a provincial-level case, the defence argued that a formal transfer or delegation of authority was required to authorise his involvement. It also submitted that he had held his appointment for less than a year when he was assigned to the case.

The defence disputed the legal characterisation of the offences alleged against Mondlane, particularly the terrorism-related charges. It argued that the conduct described in the indictment did not constitute acts of terrorism and that offences of that nature should have been investigated by the Central Office for Combating Organised and Transnational Crime (GCCOT). It questioned why the Maputo City Judicial Court had not referred the case to that office and raised the possibility that the prosecution had artificially linked the offences initially alleged to the terrorism-related charges.

The defence also disputed the existence of a causal link between Mondlane's conduct

and acts committed during the demonstrations. It argued that Mondlane had no coercive or military authority to compel anyone to demonstrate and that it had not been shown that the acts of violence and destruction were consistent with the appeals he had made to demonstrators.

The defence also challenged the legality of the telephone interceptions in the case file. Counsel argued that the file contained neither the judicial authorisations for the interceptions nor the notices to telecommunications operators requiring them to provide call records. Counsel also identified alleged discrepancies in the timeline, including records of calls in April and September 2024, although the interceptions reportedly began only in October of that year. The defence further questioned why the file recorded calls made in Maputo while Mondlane was outside the country, and why several call records bore identical timestamps.

The defence also questioned an audio recording tendered in evidence that was circulating on YouTube and that, according to the prosecution, showed Mondlane orchestrating the subversion of the constitutional order. Counsel asked why the case file contained only the excerpt circulating on social media and sought the full recording. They also questioned the provenance of the file, the telephone number from which it had been extracted and the circumstances in which it had been obtained.

Counsel raised the possibility that the prosecution had obtained the recording from social media and presented it as the product of authorised telephone interceptions. The defence also asked how a recording purportedly obtained through lawful investigative measures had entered the public domain and who had released it.

The written submissions also alleged irregularities in the conduct of the prosecutor responsible for the investigation, including refusal to accept defence applications, denial of requests for investigative measures and the removal of one of Mondlane's assistants.

Venâncio Mondlane alleges political persecution and a false-flag operation

Following presentation of the written defence, Venâncio Mondlane was invited to respond to the charges. He spoke for one hour and twenty minutes and broadly reiterated the arguments advanced by his counsel.

Mondlane stated that the proceedings were politically motivated and intended to prevent him from standing in the next elections. He denied the charges and said he had never incited violence, maintaining that the demonstrations he had called were peaceful.

In his statement, he referred to the demonstrations of March 2023, which he described as having followed the municipal elections, and to what he said had been a violent police response. He linked those events to the post-election protests of 2024.

Mondlane criticised the prosecution for failing to act to restore electoral justice in 2023 and for failing to investigate properly the killings of 65 members of his movement, despite complaints having been lodged. He also referred to the widows and orphans of victims of police action and said the prosecution had proceeded with greater speed in the case against him than in those cases.

Mondlane alleged that the Public Prosecution Service was being used as an instrument of political persecution against opponents. He also alleged that the National Criminal Investigation Service (SERNIC) had relied on false information and unlawful telephone interceptions during his election campaign.

Mondlane renewed his allegation of a false-flag operation, which he said had been carried out by police and intelligence and security personnel who had infiltrated the movement. According to his account, those personnel fomented disorder by encouraging violence, stone-throwing and the setting of fires so that demonstrators could be blamed and allegations of subverting public order and attempting a coup d'état could be justified.

Mondlane also addressed the escape of prisoners from Machava Maximum Security Prison (BO) and questioned why no report had been issued to establish what had happened. He stated that several of the escaped prisoners were subsequently killed and criticised what he regarded as a failure to investigate and clarify those events. He said that incidents of this kind undermined confidence in public institutions.

In closing, Mondlane said that if the alleged falsification of audiovisual evidence were confirmed, those responsible should be identified and held accountable. He warned that tampering with evidence could foment conflict and undermine the country's stability. He further argued that such matters should be discussed widely and addressed through reconciliation and consensus within the Inclusive National Dialogue.

Trial to resume with the hearing of evidence

Following Mondlane's statement, the hearing was suspended as the scheduled closing time approached. To avoid beginning a stage of the evidentiary proceedings that would then have to be interrupted, the presiding judge adjourned the hearing for the day.

The trial was expected to resume on Thursday, 19 November, with the panel of judges questioning the defendant first, followed by the prosecution and the representative of REVIMO.

The Centre for Democracy and Human Rights (CDD) will continue to monitor and report on the trial through delivery of the judgment, paying particular attention to defence rights, each party's opportunity to respond to the other's case, procedural regularity and media access to the hearings.



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