

MADAGASCAR WHISTLEBLOWER FACES 5-YEAR IMPRISONMENT

Ravo Ramasomanana, a former employee of the Ministry of Public Health, is facing imprisonment of up to 5 years for threatening public order and security and inciting political unrest and hate after posting a video on social media in April 2021 implicating the Ministry of Public Health in corruption allegations. He has disclosed information of public interest. Such disclosures are protected under the rights to information and freedom of expression. The authorities must immediately drop all charges against Ravo Ramasomanana and ensure he is able to freely exercise his right to freedom of expression without any reprisals.

On 15 April 2021, Ravo Ramasomanana posted what became a widely circulated video on social media revealing information pertaining to alleged rigged tenders, fictitious jobs, contracts by mutual agreement not authorized by law, forgery, use of forgeries during the awarding of procurement contracts, and the embezzlement of MGA44 billion (about USD 11.7 million) within the Ministry of Public Health. He was charged with threatening public order and security and inciting political unrest and hate under articles 89, 90 and 91 of Law 84-001 from 12 June 1984. The use of these articles is abusive and should not be used as a repressive tool to silence critical voices. The Criminal Court of Antananarivo initially scheduled the trial for 27 September. However, the Public Prosecutor did not file the charges and the Court adjourned it to 15 November.

Write to the Minister of Justice urging him to:

- respect Ravo Ramasomanana's right to freedom of expression and the people of Madagascar's right to information by ensuring the prosecution authorities immediately drop all charges against him.
- protect whistleblowers, ensuring they are not subject to reprisals for speaking out, and promptly, thoroughly, effectively and transparently investigate Ravo Ramasomanana's claims of wrongdoing within the Ministry of Public Health. The authorities must make public the outcome of any investigation and ensure that those suspected to be involved in the corruption allegations are brought to justice in fair trials.

Write to:

Minister of Justice
Herilaza Imbiki
43 Rue Joel Rakotomolala
Faravohitra - Antananarivo
Madagascar

Email: spminjus@yahoo.fr
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Salutation: Your Excellency,

And copy:

Mrs. Sahondra Harilala Rakotoniaina
Counsellor & Chargé d'affaires, a.i.
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Additional Information:

In the video he uploaded onto social media on 15 April 2021, Ravo Ramasomanana also spoke about contracting Covid-19 and criticised the lack of equipment and inadequate treatment. The video was widely shared on Facebook, TV, as well as on messaging apps in Madagascar.

On 3 May 2021, Ravo Ramasomanana was summoned to appear in court on 5 May in connection with the social media post. He was unable to appear as he was still in quarantine after contracting Covid-19. On 12 May 2021, following his summons, he filed a complaint against the Ministry of Public Health with the Antananarivo anti-corruption prosecutor's office concerning his claims regarding "forgery and use of forgeries, abuse of office, active and passive corruption, breach of trust, misappropriation of public funds and complicity". To date there has been no updates on the complaint.

On 15 June 2021 Ravo Ramasomanana honoured the summons and appeared in court where he was informed about another file that had just arrived which was a complaint from the Gendarmerie Nationale, claiming that the head of the cybercrime department received abusive messages on his phone after the summons for Ravo Ramasomanana was published on Facebook.

Ravo Ramasomanana is not the first whistleblower in Madagascar to be punished with prosecution for speaking out. In June 2020, Dr. Berija was arrested and sentenced in September 2021 to 44 months in prison after he posted a video on Facebook criticising President Andry Rajoelina. Several members of Dr. Berija's family including his father, mother, sister, wife and baby who was a few months old were all charged with complicity and imprisoned for days. Ravo Ramasomanana's family members are at risk of the same fate if he is convicted.