

## PRESS RELEASE

# The Swiss Supreme Court upholds Carlos Manuel de São Vicente's appeal and refuses to cooperate with Angola for the time being

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By an important decision dated 30 August 2022, the Swiss Supreme Court has recognized that there were serious doubts about the independence and impartiality of the Angolan judiciary authorities. As a consequence, it has upheld Carlos Manuel de São Vicente's appeal in the mutual legal assistance proceedings between Switzerland and Angola and rejected any cooperation at this stage.

In this highly expected decision, annulling a decision of the Swiss Federal Criminal Court dated 23 May 2022, the Supreme Court considered that Carlos Manuel de São Vicente's case was "particularly important", justifying a review on the merits of the appeal.

The Supreme Court undertook a detailed assessment of the various issues and evidence put forward by Mr. de São Vicente and his Swiss lawyers, [Clara Poglià](#) and [Romain Dupuis](#) of the law firm [Schellenberg Wittmer Ltd](#), and reached the conclusion that some of them casted serious doubts about the independence and impartiality of the Angolan judiciary authorities, and therefore about the proper conduct of the Angolan proceedings.

In light of these findings, the Supreme Court decided that the Swiss authorities could not cooperate with Angola before assessing the possibility and the effectiveness of obtaining several diplomatic guarantees from this country, in particular with respect to the independence and impartiality of the Courts and the compliance with Mr. de São Vicente's procedural rights.

This is a landmark decision, since the Swiss Supreme Court recognizes that there are serious doubts regarding the respect of Mr. de São Vicente's right to a fair trial in Angola.

Mr. de São Vicente hopes that other countries will follow the path opened by the Swiss Supreme Court and refuse to cooperate with the unlawful proceedings led by the Angolan authorities.

Mr. de São Vicente continues to contest all charges against him and to claim his innocence. He has already seized the UN Working Group on Arbitrary Detention and the African Commission on Human and Peoples' Rights to denounce the illegality of the Angolan proceedings.

The Swiss Supreme Court's decision is available (in French and in a redacted version) on its website ([1C 349/2022 30.08.2022 - Tribunal fédéral \(bger.ch\)](#)).

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