

DAY 2 OF "HIDDEN DEBT" TRIAL

Cipriano Mutota denies that he was the person who brought Prinvest to Mozambique

- The hearing of the SISE officer who, at the time of the facts, headed the Studies and Projects Office, will be continued this morning. Yesterday he spoke of his commitment to the project that culminated with the creation of ProIndicus; of the unclear circumstances of Nhangumele's involvement in the work of State security, since he was an outsider; of the moment when he was removed from the Studies and Projects Office and placed in traineeship in Foreign Affairs; of his struggle to have his share of the money distributed by Prinvest, and of the applications made with the more than 600 thousand dollars...



Cipriano Mutota, SISE official for 40 years

The second day of the trial of Case No. 18/2019-C also started with a delay of about 30 minutes. The Judge, Efigénio Baptista, entered the tent, where the sessions take place, at 09.27am. It was less crowded compared to the first day. The reason is simple: only one of the 19 defendants who were present on Monday was in the tent for questioning. Cipriano Mutota, 63, an officer of the State Intelligence and Security Service (SISE) for 40 years, who presented himself in prison uniform

Rodrigo Rocha, Mutota's lawyer, was not happy to see Mutota in the unmistakable orange-coloured overalls. He objected saying that there is no law that obliges defendants to present themselves in prison uniform in court. And he did not stop there: he asked that his client be allowed to leave the tent to remove the prison uniform which, in fact, was overlaid on civilian clothes. The Public Prosecutor did not object to the request, but there was the judge who stood his ground: the issue of prison uniform falls within the competence of the National Penitentiary Service (SER-NAP). "The court does not have the power to decide on the matter", full stop!

From the Mozambican Bar Association (OAM), private assistant in the case, came another preliminary issue related to the composition of the court. Since the court decided to conduct the trial of "hidden debts" case as a great demand case and to apply the 1929 Code of Criminal Procedure, OAM has the opinion that the participation of elected judges (not judges of law) is indispensable, under penalty of the trial being considered null and void. However, Judge Efigénio Baptista rejected the request, stating that under the terms of the judicial organisation law, the participation of elected judges in the trial is optional, except in cases of voluntary manslaughter and statutory rape.

And as the court was preparing to start with the much-anticipated cross-examination, the defence lawyer complained that it had not been notified of the USD 2.9 billion civil claim in the final indictment filed on Monday by the Prosecution. In the previous stages of the case, including in the provisional indictment of March 2019, the prosecution did not ask for compensation for the state, so it cannot do so in the middle of the trial and without the defendants having been notified to exercise their right of defence. Faced with this the judge had to agree and ordered that the defendants be notified of the existence of the request for compensation so that, if they so wished, they could present their objection within 20 days. Abdul Gani, lawyer of Gregório Leão, at the time of events the General Director of SISE, has already said that he will object to the request of the Prosecution, which, he believes, is exaggerated.



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After the preliminary issues, the questioning of the defendant Cipriano Mutota began at 10.45 am. Given the time he has been at SISE (40 years), the position he was holding at the time of the events (Director of the Studies and Projects Office) and his involvement in the design of the security project, that gave rise to ProIndicus, it was expected that Mutota would shake the tent with some revelations. But he was more hilarious than revelatory. For instance, to a question from the Prosecution about how he came to know that Privinvest had already paid amounts to Teófilo Nhangumele, Bruno Langa and Armando Ndambi Guebuza, he replied that it was through a (rhetorical) question asked by Ângela Leão when she was at his office on an unspecified date: "Do you see the machines there in town?" Mutota said he did not understand the scope of the question and when he insisted to know what machines the wife of his director at SISE and partner in the MULEPE company was referring to, she replied: "Ask your friend Teófilo".

It was on the basis of this message that Mutota went to press Nhangumele, firstly to find out what was happening. And once he was informed about the matter, he began to demand for his share of the money, which he describes as a thank you for "contributing to the project". It was a long battle, because the people who had received the money (Teófilo Nhangumele, Bruno Langa and Armando Ndambi Guebuza) did not agree to contribute part of the amount to Mutota. Mutota's insistence on demanding money from the three, much less the indication from Jean Boustani, of Privinvest, that they should contribute part of the amount received to pay the SISE of-

ficer who was involved in the early stages of the project design, was to no avail.

Mutota did not give up. He turned to the United Arab Emirates and pressured Boustani until he committed to pay him two million dollars. To do so, he asked Mutota to go to Abu Dhabi (United Arab Emirates) to open a bank account to which the amounts would be transferred, following the procedure that had been used by Nhangumele, Bruno Langa and Ndambi Guebuza. But the SISE officer did not agree to travel to Abu Dhabi for the purpose of opening the account. As Boustani was also reluctant to transfer the money to Mozambique, the two came into an agreement: Mutota indicated two South African friends who agreed to receive the money in their accounts and then pass it on to the legitimate recipient. This is how Mutota got seven (7) trucks bought by Privinvest from a company of his friend in the UK and received money worth more than USD 600,000, also transferred from Privinvest to the account of another friend of his, a South African citizen as well.

Asked by the prosecutors what use he made of the amount of USD 600,000, Mutota replied: "I spent it because the money came in tranches. There was no payment for a specific good, I would withdraw five thousand, three thousand dollars. I spent most of it on my sesame and corn farm field in Mocuba. Regarding the use made of the money that was raised from his account in a single tranche of USD 150,000, he said he could not remember what it was used for. To justify the legality of the amount he received in his account, Mutota lied to the bank saying he had sold his stake in a UK-based agricultural company.

SISE officer doesn't know if it was really necessary to create a company to guarantee Mozambique's security

In the case file, Mutota is described as the SISE officer who presented to his Director-general (Gregório Leão) the proposal of the Prinvest Shipbuilding group for the protection of Mozambique's exclusive economic zone, in the expectation that the document would reach the President of the Republic, Armando Guebuza. According to the indictment, it was in 2011 that Mutota had access to the representatives of Abu Dhabi Mar, one of the companies of the Prinvest group, through his friend residing in South Africa, Joe Mokgokong, who telephoned him about the interest of the group based in the United Arab Emirates. The two agreed that they should talk further in Maputo and, after meeting in a restaurant at marginal, it was decided that Batsetsane Thlokoane, the representative of Abu Dhabi Mar, should travel to the Mozambican capital to meet with Mutota. And so it happened: Thlokoane was in Maputo on an unspecified date in 2011 and met with the then director of the Studies and Projects Office, who was accompanied by Nhangumele.

During formal questioning this Tuesday, Mutota denied this version and told a new one. He said that in his capacity as director of Studies and Projects Office, he was tasked with a mission to produce a study on threats to state security, between 2008 and 2010. Terrorism, illegal immigration, drug trafficking by sea, illegal fishing, and kidnappings were the major threats at that time. The study was initially submitted to SISE Management Board, then to its Advisory Board. Lastly, a final document was prepared and sent to the "information consumers" - in this case the President of the Republic and the Prime Minister. The document contained proposed solutions, and most of them were approved. One of the measures was to provide means and human resources for border protection and control of the maritime, lake and island areas.

From late 2010 and 2011 he was nominated by his Director-General to attend a meeting at the Ministry of Science and Technology. He was not aware of the matter of the meeting nor if there would be a need for translation services, but Mutota said that took the initiative to invite his longtime friend Nhangumele to help him in understanding the English language. Moreover, he said that he has long-time South African friends, he communicated with some of them and with Boustani when he was dealing with the process of the reception of the Prinvest money, he also said that during Apartheid time he



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was on charge of the security for the ANC members "in exile" in Mozambique, even so he needed the translation services from English to Portuguese and vice-versa from his friend Nhangumele.

In this meeting, which had the attendance of the person in charge of IT at SISE at the time, a presentation on maritime security in the Mozambique Channel was made by Jean Boustani, accompanied by the *Abu Dhabi Mar* representative in Southern Africa, Batsetsane Thlokoane. "I took the slides of the presentation to show it to my Director and he said that he had already seen the document with his colleague António Carlos do Rosário." But before it, Mutota left the Ministry of Science and Technology meeting for a restaurant in the company of Nhangumele, Mbatsatsae and Boustani. The purpose: it was to talk about the presentation of the maritime security project.

When the project was presented to the Minister of Finance, Manuel Chang, he suggested the SISE team to contact other Ministries that had more or less similar projects, namely: the Ministries of National Defense, Interior, Fisheries, and Transport and Communications. The idea was to produce a unique protection project, for it to be submitted to the Minister of Finance for due funding. "We were instructed to gather more information, and in coordination with the four ministries we produced a feasibility study, which indicated the problem, the budget of 360 million dollars. The Minister of Finance appointed Isaltina Lucas, the former National Director of Treasury, to

work on the budgetary part of the project. "Considering that it was a very technical work, I decided that Teófilo should work with her. I worked on the argumentation part".

Once the project was presented to the President of the Republic, the decision was to create means to implement the project. The referred means would have to do only with the institutions of the Defense and Security Forces. "Since the Ministries had no way to be shareholders, they had to participate through their companies: the Ministry of National Defense participated by holding 50% through the Monte Binga company; SISE also held 50%, through GIPIS. The Ministry of Interior was tasked with the regularization of its company DALO CONSTRUÇÕES, for it to participate in the ProIndicus shareholder structure.

Mutota recalls that in the first presentation he made at the Presidency of the Republic, there were the Ministers of National Defense (Filipe Nyusi), Interior, Fisheries, the political advisor to the President of the Republic (Renato Matusse). "I didn't know that was the second time the meeting was being held. I only knew it when I was heard at the Attorney General's Office. It's when I realized that António Carlos do Rosário had already presented the same project."

Despite being one of the most committed persons to the conception of the project, Mutota was transferred from the Studies and Projects Office to the Foreign Operations Directorate of SISE and went to a professional traineeship at the Minis-

try of Foreign Affairs and Cooperation in late 2013. Until his departure from the Studies and Projects Office, the project budget was USD 360 million, and included capacity building, technical equipment, medium and long range radars, maritime and air surveillance. The initial budget for the project was USD 302 million, but it went up to USD 360 million because of the need to adding USD 50 million to thank all of those who had contributed to the positive completion of the project, the so-called "fee".

When asked by the prosecutor's on the reasons that contributed to the failure of the Project, Mutota he said that he did not follow the implementation phase, so he cannot explain the reasons. But, still as a SISE officer, he cannot explain whether it was really necessary to create a "mean" to ensure the security and defense of the country; nor if Privinvest participated in the design and feasibility study phases.

Nhangumele was also removed from the project. It was at a meeting held at the Mi-

nistry of National Defense, whose Minister headed the Joint Operational Command. "In that meeting, the Minister of National Defense, Filipe Nyusi, asked me who Nhangumele was. I said that he was a friend. At the end of the meeting he instructed my Director-General to remove Nhangumele, as the Commander-in-Chief said that these matters should only be discussed by Defense and Security Personnel Forces." From that moment Gregorio advised Mutota to communicate the decision to Teófilo, that was when he was removed from the project and should hand over all the material related to it.

When asked how Nhangumele, who was neither an SISE nor of National Defense and Security Forces officer, has worked and participated in meetings even at the Presidency of the Republic level, on a project that has to do with state security, Mutota replied that he would need an authorization to answer to this question. But considering the OAM's insistence, he affir-

med that Nhangumele was a SISE collaborator. Even though removed, Nhangumele apparently remained influential to the point that he was able to receive USD 8.5 milion. Mutota, whom Boustani had promised USD 2 million, only received a total of USD 980,000.

In regard to the Armando Guebuza's son involvement, he explains that he was informed by Nhangumele that the project was not moving forward, and he would contact Bruno Langa, who, in turn, should talk to his friend Ndambi Guebuza, so that he could intercede with his father: "I was not part of the delegation to Germany, with the mission to verify the potentialities of *Abu Dhabi Mar* because I had had misfortunes. He asked the SISE Director-General for him to be replaced by Teófilo (Nhangumele) and he agreed. Thus, the delegation comprised António Carlos do Rosário, Ndambi Guebuza, Bruno Langa and Nhangumele. The same delegation traveled again to *Abu Dhabi Mar* for the same purpose.





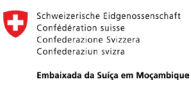
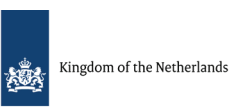







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| <p>Property: CDD – Centro para Democracia e Desenvolvimento</p> <p>Director: Prof. Adriano Nuvunga</p> <p>Editor: Emídio Beula</p> <p>Author: Emídio Beula</p> <p>Team: Emídio Beula, Ilídio Nhantumbo, Isabel Macamo, Julião Matsinhe, and Ligia Nkavando.</p> <p>Layout: CDD</p> | <p>Address: Rua de Dar-Es-Salaam Nº 279, Bairro da Sommerschild, Cidade de Maputo. Telephone: +258 21 085 797</p> | <p>Twitter: CDD_moz</p> <p>E-mail: info@cddmoz.org</p> <p>Website: http://www.cddmoz.org</p> |
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