

DAY SIX OF THE "HIDDEN DEBTS" SCANDAL TRIAL

Ndambi Guebuza denies all the accusations, he remembers almost nothing and attacks the Attorney General's Office

- "What a question! I don't see what the point of that question is." This is how Armando Ndambi Guebuza responded to the question whether he was still friends with the defendant Bruno Langa, the first question posed by the representative of the Public Prosecution, Ana Sheila Marren-gula. The question was simple and straightforward, but instead of giving a yes or no answer, the son of the former President of the Republic preferred to go on the attack, revealing the troubled relationship between the Guebuza family and the Attorney General's Office (PGR).



Already in September 2020, when the Council of State met to authorise the hearing of the former President of the Republic at PGR on the scandal of the “hidden debts”, Armando Guebuza expressed his distrust in relation to that body. “We will provide the clarifications requested without, however, leaving behind our distrust in relation to the constant and non-compliant action of the Attorney General’s Office,”¹ Guebuza said, at the meeting of the Council of State on 15 September 2020. Yesterday it was his son’s turn to express the same distrust in relation to the Attorney General’s Office. In the undisguised presence of his father (Armando Guebuza) in the tent where the trial is being held, Ndambi Guebuza said the following: “I don’t trust you. You are liars. You are liars,” he repeated looking at the representative of the Public Prosecution.

The defendant said that his detention is part of a political persecution campaign against his family: “The PGR is the vehicle used to persecute not only my family, but also the fighters of the national liberation struggle of this country. The mission of the PGR is to persecute, mistreat, denigrate the image and imprison. It was not by chance that there was an attempt to poison my family. What has the PGR done so far? It has done nothing. My whole family was in danger of dying. The poison was put in the pudding. I had to be arrested in the first term to guarantee a third term. PGR was the machine created for political persecution. My sister (Valentina Guebuza) was assassinated. I am here to collaborate with the court because I have seen that PGR was a disgrace”.

Judge Efigénio Baptista had to intervene to warn the defendant, saying that he understood his anger at the situation in which he is, bearing in mind the figure that he is. “Let’s make a deal: If the Prosecution asks a question and you feel you don’t want to answer, say you don’t want to answer”. Asked under what circumstances he met Iskandar Safa and Jean Boustani, owner and manager of Privinvest group respectively, Ndambi replied that it was in the United Arab Emirates, where he had travelled to attend a business fair. “They contacted me”.

Regarding the defendant António Carlos do Rosário, senior intelligence officer (SISE), he replied saying he knows him, but has no relationship with him and denies having travelled together either to Germany or to Abu Dhabi. The Public Prosecutor confronted the defendant with the report of the trip to Germany, where his name is mentioned. Ndambi Guebuza replied as



follows: “I am not aware of that report. I can also write your name. Everyone is free to write what they want”. He was also confronted with the report of the trip to Abu Dhabi, where there are photos in which he appears alongside defendants Teófilo Nhangumele, Bruno Langa and António Carlos do Rosário, in the offices of Privinvest group, with Iskandar Safa. In response, he repeated that he travelled to explore business opportunities.

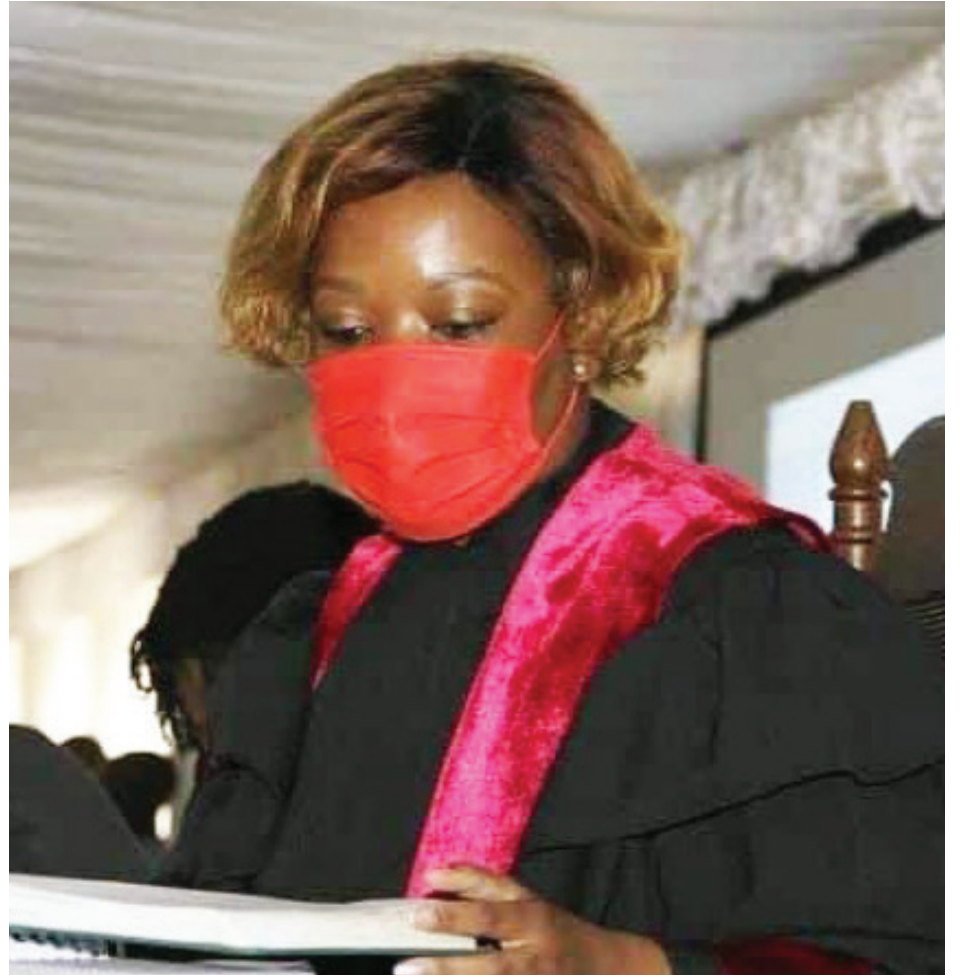
Responding to a question from the judge, Ndambi said that when his father was the President of the Republic, it was the State Protocol that handled logistical issues of his trips. “Whenever he had a trip, he would inform the State Protocol and they would arrange everything, including the tickets.” This statement led the Prosecutor to question whether the State Protocol would even pay for his private trips in his capacity as the son of the President of the Republic. Ndambi explained: “As the children of the President, we had rights and privileges. And that is happening at the moment with the children of the current President of the Republic. On every trip, the President’s children are entitled to a State Protocol”.

The Public Prosecutor reminded the defendant that during his hearing by the criminal investigation judge, Delio Portugal, in 2019 he reportedly said he did not have any account in Abu Dhabi. “Now you are saying exactly the opposite, that you have

an account in Abu Dhabi. You have been untruthful.” Ndambi Guebuza did not like this and said, “I was not untruthful. You asked me if I had opened a bank account in Abu Dhabi to receive bribes. I don’t trust you. You are liars. You are liars.” Despite the defendant’s answers that showed a lack of respect towards the court, the representative of the Public Prosecution did not give up asking the questions. After telling the defendant that SISE (the Intelligence Services) had confirmed that it had paid all the costs of the trip to Abu Dhabi in January 2012, including per diems to Ndambi Guebuza, Bruno Langa, Teófilo Nhangumele and António Carlos do Rosário, the representative of the Public Prosecution asked: “What do you have to say about this”. The defendant replied that it was the Protocol of State that arranged for his tickets.

The indictment states that it was Bruno Langa who, at the request of Teófilo Nhangumele, contacted Ndambi Guebuza so that he could take the proposal of the Privinvest group to his father, in his capacity as President of the Republic. Ndambi allegedly demanded a cash reward to do so. Questioned by the Public prosecutor, the defendant denied everything. “I did not receive any document from Bruno and I did not hand over anything to my father. As the President of the Republic, my father has his own channels, he has his advisors. I have never made any request

¹ <https://www.dw.com/pt-002/mo%C3%A7ambique-pgr-chama-armando-guebuza-para-falar-sobre-d%C3%ADvidas-ocultas/a-54972242>



for money to Bruno. You are a Prosecutor and you should know that the President of the Republic has his own channels. Are you saying that I was the one who ruled the country?"

Ana Sheila Marrengula did not like being called madam and she asked the court to warn the defendant on the need to be respectful. "I do not allow the defendant to address me as madam. I am performing State duties here. There is no close relationship here. There should be point of order, there is no need for lack of respect. I would appreciate that the defendant knows how to address me." And the judge had to intervene, calling Ndambi Guebuza's attention: "My dear man, I have already asked you to be calmer, answer the Public Prosecution's questions. If you don't want to answer, say you don't want to. She wants to be addressed as worthy Prosecutor (Digna Procuradora)".

The interrogation continued with the Public Prosecutor asking if the defendant had any documents about the "partnership" relationship he said he had with Jean Boustani. "I believe my lawyers can submit some documents. And I don't want to talk about that subject again," he replied. To the question on how he accounted for the fact that the documents for opening the bank accounts in Abu Dhabi for him, Bruno and Nhangumele were issued on the same day, the defendant said he had no answer. He said, "If you want to know, call Prinvest. They are the ones who handled the documents".

"I did not receive any document from Bruno and I did not hand over anything to my father. As the President of the Republic, my father has his own channels, he has his advisors. I have never made any request for money to Bruno. You are a Prosecutor and you should know that the President of the Republic has his own channels. Are you saying that I was the one who ruled the country?"



According to the Public Prosecutor, one of the trips to Abu Dhabi, specifically the trip in March 2013 when Ndambi and Bruno were going to receive the first installment of 60% of the amounts agreed with Prinvest, coincided with the visit of the President of the Republic, Armando Guebuza, to the same city with the aim of visiting the shipyards of that business group. On this fact, the defendant only confirmed travelling several times to Abu Dhabi, but said he couldn't remember the dates and that he never travelled to receive any money.

Several emails linked to the project to protect the Exclusive Economic Zone, the trips to Abu Dhabi and several transfers of the 33 million dollars he received from Prinvest group were found on his laptop seized by the authorities. The Public Prosecutor questioned the defendant about the transfer of USD 1.5 million made by Prinvest to a Turkish company regarding the purchase of two properties in a luxury condominium in Matola city. Ndambi Guebuza again replied arrogantly: "Don't you madam disrespect me". Once again, the judge had to bring order in the room. The Prosecutor continued with the questions, "Does Mr Armando Ndambi Guebuza own a property located in Pretoria?" The defendant again replied in an arrogant and disrespectful manner, "Are you politically campaigning with me?"



South African firm Jouberts Attorneys was the main channel used to receive the money from Prinvest

The first transfer from the Prinvest group to Ndambi Guebuza's Abu Dhabi-domiciled account took place on 26 March 2013. It was USD14 million, corresponding to 60% of the USD 33 million. "You said you did not provide any work to Prinvest; you were not an employee of Prinvest; and that you never received any money from Prinvest. Right? But I have here a transfer of USD 14 million made on 26 March 2013, one day after Bruno and Teófilo had each received USD 5,100,000 - corresponding to 60% of the total amount. The transfer order for USD14 million was sent by Prinvest to his email. Mr Ndambi signed to confirm receipt of the amount and sent back the email," the judge of the case described the situation, citing emails found on Ndambi Guebuza's computer. But the defendant denied it: "I did not receive 14 million dollars from Prinvest. It is false. Something may be wrong. The signature might have been forged."

The South African law firm Jouberts Attorneys was the main channel Ndambi Guebuza used to receive the Prinvest money. For example, the first transfer from Prinvest to Jouberts Attorneys' account, domiciled in the FNB bank, was 25.5 million rand. Considering that the law firm had to justify to the bank the receipt of the Money, asked Ndambi to explain his relationship with the Prinvest group. The information read by the judge was contained in emails found on Ndambi Guebuza's computer, but the defendant was not able to explain the facts.

The Prinvest group made further

transfers again from its account at First Gulf Bank in Abu Dhabi to the account of the South African firm Jouberts Attorneys: seven (7) million rand on 17 June 2014; 18.9 million rand on 23 December 2014; 31.6 million rand on 30 December 2014; 8.7 million rand on 22 June 2015. Upon receipt of the money, Jouberts Attorneys would inform the defendant Ndambi Guebuza and he in turn would order transfers to purchase goods and pay for services. Asked by the judge whether he was interested in seeing the emails regarding the transfers, Ndambi replied in the negative. "I don't need to see the emails. The Attorney's General Office already revealed the emails when I was in detention. That is what they did to justify my detention." When asked whether he confirmed receipt of the money, the defendant replied positively, and that it was as a result of the partnership he had with Jean Boustani.

Pam Golding Properties is another South African firm quoted by the judge as having been used by Ndambi Guebuza to receive money from Prinvest. In December 2013, it received a transfer of USD 800,000 and on 23 April 2014 10.5 million rand. The Public Prosecutor's Office was surprised that some transfers from Prinvest to Jouberts Attorneys were made by Batsatsane, from her account in Lebanon. Batsatsane is a South African citizen who is said to have first presented the Prinvest group's project proposal for the protection of the exclusive economic zone to the Mozambican authorities.

Money invested in top-of-the-range cars

In addition to real estate, Ndambi used the money to the purchase of luxury vehicles. Beside the two flats in Matola and in the South African capital Pretoria, the defendant allegedly bought two houses, one of which cost 11 million rand. He spent nearly five million rand on restoration work and equipping the property. Still in South Africa, he bought a property for Valentina Guebuza, his sister who was murdered by her husband in December 2016.

The long list of vehicles bought includes Rolls-Royce (for 2.2 million rand); Ferrari (4, 1 million rand); Rolls-Royce; BMW X5; BMX X6; Ferrari (6.1 million rand); white Land Rover Discovery (886,000 rand); black Land Rover Discovery, another black Land Rover Discovery, Aston Martin (4.1 million); MacLaren Spider (5 million rand); MacLaren (4.9 million rand); Rolls-Royce (7 million rand); Maserati (1.6 million rand); BMW X5, Ferrari 458 Speciale. Some vehicles were gifted to identified persons in the case. The judge also spoke of an aircraft chartered for four days, which left South Africa to Vilanculo, a tourist destination of choice in Mozambique, where Ndambi Guebuza was accompanied by other people who are believed to be friends.

When asked on these facts, the defendant replied: "I would not like to talk about my partnership with Boustani and the applications. Every day it is the same song. You did this, you stole this, the General Attorney's Office did that." And he continued in his narrative against the guardian of legality: "The Public Prosecutor's Office sent this to the Jornal Notícias. They said I am a thief and a criminal. Does the judge think that is fair? I have a family. My family could be kidnapped due to the dissemination of this information. The Public Prosecutor's Office was not serious with this case. Even the Notícias newspaper, which I think is the most serious in the country, published information about me. I was considered criminal just after my arrest". The judge was very accommodating to the defendant and said he understood his feelings against the Public Prosecutor's Office. But he asked him to remain calm and answer questions.

Prinvest sent 7,427 bottles of wine to the Presidency and an undecoded packages

When the Public Prosecutor's Office seemed to have exhausted the questions that made the defendant nervous, the Prosecutor Ana Sheila Marrengula quoted again an email from Boustani sent to Ndambi Guebuza, on 31 March 2013. In that email found on the defendant's computer, Boustani said he had chartered a plane that would leave France for Maputo, carrying boxes of various drinks: 7,427 bottles of wine. Boustani wrote: "We sent the box of wine to the Presidency". The sentence suggests that the wine was a gift from the Prinvest group to the Presidency of the Republic. "Why did

Mr Ndambi Guebuza have to be informed about this merchandise going to the Presidency of the Republic?" - questioned the Public Prosecutor. Answer: "I prefer that a videoconference is held with Jean Boustani so that he can explain why he sent it to me.

The Public Prosecution insisted on the questions as it wanted to know why the wine sent to the Presidency did not pass through Customs and what was in the second parcel Boustani referred to. "In the email sent to you, Mr Boustani wrote that there were two packages that came on the plane. We already know that one was wine and the

other? What was in the second packages," magistrate Ana Sheila Marrengula inquired. The defendant lost his temper and replied: "Ask Jean Boustani? Would the lady want some wine?" The judge promptly intervened: "Mr. Armando, don't do that again. Don't be disrespectful to people. Don't disrespect the Public Prosecutor's Office. You grew up in a polite environment".

Calmer, he replied that he had never seen the email, that he did not know about the wine sent to the Presidency of the Republic, and even less about the fact that the goods had not passed through Customs.

Ndambi Guebuza remembers almost nothing and says he has no memory like an elephant

"I don't remember, it's been a long time", "I don't remember", "I can't specify the dates"... these were the answers that marked the first part of the hearing. Ndambi Guebuza could not remember almost anything and denied everything. He said that he was not involved in any project for the protection of the exclusive economic zone; that he only knows his friend Bruno Langa, and that it was with him that he travelled to Germany and Abu Dhabi; that his objective on those trips was to explore business opportunities and to deal with matters related to his "partnership" with Boustani. Although he was on all the trips with Teófilo Nhangumele and António Carlos do Rosário, he said he did not know for what purposes they were travelling.

He accepted that on one of the trips, besides his friend Bruno, he went with Nhangumele, although he had previously stated that he only met him now that the two are in detention. The judge wanted to know whether on that trip to Abu Dhabi they had left Maputo together, and the defendant replied that he could not specify. The judge insisted, "Where did you meet to travel?" Ndambi replied that he could no longer remember. "I have no memory like an elephant," he said. And the judge responded, "But we want memory of an ordinary person. Mutota, who is over 60, remembered things from 2008. Mr Teófilo too, who is much older than Mr Ndambi... But you are just over 40 years old and you remember nothing."

But the defendant insisted on his version of a short memory. It was so short that he could no longer remember the hotel where

"Where did you meet to travel?" Ndambi replied that he could no longer remember. "I have no memory like an elephant," he said. And the judge responded, "But we want memory of an ordinary person. Mutota, who is over 60, remembered things from 2008. Mr Teófilo too, who is much older than Mr Ndambi... But you are just over 40 years old and you remember nothing."

he stayed or whether he had been with the other defendants. "I don't remember, Honourable Judge you are going into details." Another justification for his memory lapses has to do with the fact that he did a lot of travelling. "I cannot say when I went,

I went there several times and I no longer remember the dates, the month and the year."

The judge showed photos in which defendants Ndambi, Bruno and Teófilo are on a private jet belonging to the Prinvest group that was taking them from Maputo to Abu Dhabi. They were the only passengers. The judge asks: "In exchange for what did Prinvest make a private jet available to you?" The defendant replied in the following terms. "We have a third world conception and at the time I didn't understand it either. But there it is normal for a businessman to have seven private jets." The judge agreed: "It is normal for Prinvest to have more than 50 private jets. But the question is: in exchange for what did Prinvest take you on its private jet? But the question was not answered.

To a question from the judge, he confirmed he had a bank account in Abu Dhabi, but could not remember its name. "I have been in prison for almost three years and I don't remember the name," he justified himself. In his words, the account was opened by his partner Jean Boustani.

This Tuesday, Ndambi is back in questioning and this time to answer questions from the Bar Association of Mozambique, a private assistant in Case No. 18/2019-C, and the defence. Yesterday he did not present himself in an orange suit, the uniform of the prison system. He was wearing the jail trousers, but the shirt and jacket were civilian clothes. Unlike defendants Cipriano Mutota and Nhangumele who came to the questioning dressed in orange. From top to bottom.



EDITORIAL INFORMATION

Property: CDD – Centro para Democracia e Desenvolvimento
Director: Prof. Adriano Nuvunga
Editor: Emídio Beula
Author: Emídio Beula
Team: Emídio Beula, Ilídio Nhantumbo, Isabel Macamo, Julião Matsinhe, and Ligia Nkavando.
Layout: CDD

Address:
 Rua de Dar-Es-Salaam Nº 279, Bairro da Sommerschild, Cidade de Maputo.
 Telefone: +258 21 085 797

Twitter: CDD_moz
E-mail: info@cddmoz.org
Website: http://www.cddmoz.org

PROGRAMMATIC PARTNER



FINANCING PARTNERS

