

DAY XVI OF THE "HIDDEN DEBTS" SCANDAL TRIAL

## Sidónio Siteo said at the Attorney General Office that he sold houses to Ângela Leão and was later threatened by her

- Sidónio Siteo, 50, was the 10th defendant to be heard by the court that is trying the "hidden debts" financial scandal. He entered the tent where the trial sessions are taking place at around 2pm. He introduced himself as a businessman in the logistics area. Before answering questions, he asked the court for clarification on the crimes he is indicted of, saying that the Public Prosecutor indicts him of two crimes, namely the crime of association to commit a crime and the one of money laundering, but the Supreme Court revoked the crime of association to commit a crime. The judge had to check the Supreme Court ruling and in the end said that the defendant was only being indicted for the crime of money laundering.



Sidónio Siteo

On the facts charged to him, Sidónio Siteo began by stating that he did not know what to say: "I can just say that I built houses, I sold them to Ângela Leão, she paid the agreed amount and, because of that, I am here". The defendant said that he began working in the construction area in 2003. In 2006, he says he had a move-in ready house and it was for sale. "Mrs Angela Leão appeared and was interested in buying the house and I sold it to her for USD360,000. She paid in cash and in instalments". Asked if he knew the defendant Gregório Leão, he said he only met him at LÍngamo prison facility, when he was detained. Before his arrest, he had seen him in Ponta D'Ouro, at the houses he sold to Angela Leão. "It was in the late 2013. I paid a courtesy visit and ended up greeting him".

To a question from the Public Prosecutor, he replied that he came to know the M Mozambique Construções company, owned by Fabião Mabunda, during the trial and said that he never had relationships with it. Meanwhile, he confirmed that the houses he sold to Ângela Leão were paid for through transfers made by M Moçambique Construções. Asked which properties he sold to her were paid for through M Moçambique Construções bank accounts, he mentioned the semi-detached houses located at Ponta D'Ouro beach and the villa located at Costa do Sol area. He confirmed the prices of the three properties, namely USD 300,000 for each house in Ponta D'Ouro, and USD 900,000 for the villa at Costa do Sol area. The amount was paid in meticaís, the equivalent of USD 1,500,000.

Sidónio Siteo said that he never built a single house financed by Ângela Leão. He said he built the villa at Costa do Sol area with his own money, to which the Prosecutor questioned if he had any way to prove this to the court. In response, the defendant said that his bank accounts "speak for itself". The Prosecutor faced him with bank information showing that before the payments made by M Moçambique Construções began in 2013, he had a negative balance of 1,586,000 meticaís. "I had a term deposit," the defendant replied. Questioned when he built the property at Costa do Sol, he said it was after finishing the houses in Ponta D'Ouro beach.

Siteo said that he did not enter into any contract of purchase and sale of the property at Costa do Sol because the buyer did not require it until the time of delivery of the house. "She did not demand it from me and there was no room for it." Since Sidónio Siteo said he did not discuss the payment methods for the houses with the defendant Ângela Leão, the Public Prosecutor asked him how he associated the payments made by M Moçambique Construções in the amount of 26.6 million meticaís with those for the sale of houses. In response, he said that Ângela Leão informed him that she had transferred money for the purchase of houses to his account and he confirmed receiving the amount.

Regarding the houses in Ponta D'Ouro, the defendant also said that he did not enter into any contract of purchase and sale with Ângela Leão. "The only thing I did was to give her the documents for the exchange of names." Asked if the houses were registered in his name, Sidónio Siteo said he never registered them in the Land Registry Office. But he explained that he had a power of attorney that gave him full powers over the properties that was given to him in 2008, when he acquired the plot. He did not declare the income from the sale of the three properties to the Mozambican Tax Authority.

When asked why all the houses he built were bought solely and exclusively by the defendant Angela Leão, he said that she liked them. "I think she likes my houses. She had the right of first refusal: whenever I finished a house and wanted to sell it I would tell first her to come and see. She always liked them and bought them. My houses are nice and well located".

The Public Prosecutor questioned the defendant if he knew the source of the funds that were used by Ângela Leão for the purchase of houses, to which he replied in the negative. "I had no reason to question the source of the funds. I was only interested in seeing money in my account." Questioned about the transfer of more than 29 million meticaís made by Angela Leão to his account, Sidónio Siteo said that the amount was intended for the payment of a house he was selling. However, Sidónio Siteo gave up selling the property and returned the money in instalments, two months after the trans-

fer. "I requested her to return the amount in instalments because I had used some of the money. She accepted my request because she also made payments for my houses in instalments. Most of the money was returned in cheques, more than 23 million meticaís".

When asked how he can prove to the court that the money of over 29 million meticaís that he returned to the defendant Ângela Leão relates to the house he was selling, he replied as follows: "The proof I have is my word. Even in relation to the houses for which we completed the purchase and sale deal I didn't sign any purchase and sale contract. And it wouldn't be for this house for which we didn't complete the purchase and sale deal that we would sign the purchase and sale contract. So I don't have any documents".

To a question from the Public Prosecutor, Sidónio Siteo confirmed that he was threatened and said that he had a "not very good conversation with Ângela Leão". Asked to detail the threats he suffered, he said: "I can summarise that we had a not nice conversation, we argued that day". The Prosecutor made a point of reading the defendant's statement made at the Attorney General's Office in a hearing it requested in January 2019. In that statement, the defendant said that he was suffering psychological threats, cited as evidence was the frequent presence of strangers in front of his residence in a light vehicle.

And on 3 December 2018, Sidónio Siteo and a friend were at a restaurant in Matola City, a vehicle with dark windows appeared and its occupants began photographing them, and left the scene when they realised they had been discovered. After being heard at the Attorney General's Office, Ângela Leão called Sidónio Siteo for a meeting at Malhangelane area, at her sister Mbanda Henning's house. She told Sidónio Siteo that he "had talked too much", that "he didn't have to talk about the houses". Ângela Leão also said that at her hearing she denied having bought the houses at Costa de Sol and Ponta D'Ouro Beach, so it would be Sidónio's word against hers. Asked by the court if he confirmed his statement made at the Attorney General's Office, defendant Sidónio Siteo said confirmed the facts reported to be true.

## The Judge irritates Sidónio Siteo: “I have nothing more to answer, the court has already issued its order”

When he was dictating defendant Sidónio Siteo’s answers to questions posed by the Prosecutor, the judge questioned him about the source of the amount he used to build the houses that he later sold to the defendant Angela Leão for USD1,500,000. For the court, it makes no sense that Sidónio Siteo invested in real estate valued at USD 1,500,000 while in his bank account he had a negative balance. The defendant tried to explain to the judge that he built the houses little by little and that part of the money used in the works resulted from the sale of the first house to Angela Leão, in 2006, paid for in cash. He also said that despite having a negative balance of 1,586,000 meticaís in his account, he had a deposit of over four million meticaís. In addition, this information is contained in the

bank statement attached to the case file.

But the judge insisted that Sidónio Siteo’s explanation didn’t make sense, implying that he believed more in the version presented by Ângela Leão, according to which he received money from her to build the houses. Ângela Leão told the court that she had never bought a finished property from Sidónio Siteo, as she gave money to him to complete the houses she bought. But Sidónio Siteo said that only the house located at Costa do Sol area was given to Angela Leão before it was finished.

Sidónio Siteo became emotional and said that the court had already issued its order regarding him, so he had nothing more to say. “I have nothing more to answer, the court has already issued the

order; it seems that it has already taken a decision”. He remained silent when faced with questions from the assistant prosecutor, OAM, and the defence. Sidónio Siteo refrained from answering even when questioned by his own lawyer. The court gave him the floor again and he said: “This is a very difficult time for me, for my family. Many years of sacrifice have been thrown away today because of this problem to which I am not a part”. The defendant reaffirmed that he built houses and sold them to the defendant Angela Leão before 2013 and was paid in cash. That is the money he used to go on building other houses that he sold to Angela Leão in 2013. “There is no other truth than that. I am selling a product, I see no need to ask the buyer where he got money”.

## The court is accused of degrading treatment of defendants, but judge denies and says he won’t change anything



Juiz Efigénio Baptista



João Nhampossa, Mozambican Lawyers Association

Credits: O País

At the beginning of the Friday’s session, at around 10.15am, the court gave the floor to the assistant in the case, the Mozambique Bar Association (OAM), to resume the questioning that had been interrupted on Thursday night. But before putting its posing, the OAM, represented by João Nhampossa, presented a preliminary question that has to do with the duration of the questioning of the defendants. He referred to the questioning of the defendant Ângela Leão which lasted over 11 hours on Thursday, they considered that it went well

beyond reasonable time.

João Nhampossa said that the OAM understands that the court has a schedule that must be adhered to, but they do not agree and do not perceive situations where the same defendant is questioned for more than nine (9) consecutive hours. “This may embody degrading treatment and psychological torture of the defendants. We feel that the defendants are not being subjected to fair treatment. We may be working here for 11 hours, but let it not be the same defendant being questioned. Let it be two or

three defendants. The defendants’ position is not the same as the judge’s, Prosecution’s and the defence’s. They are in a stressful position,” he said, adding that the treatment of the defendants may constitute a violation of the Constitution of the Republic of Mozambique and other international instruments for the defence and protection of human rights to which Mozambique is a signatory.

Meanwhile, the judge, Efigénio Baptista, made it clear that the court will not change its decision and the questioning will be carried out in the same way. “Whether has

to end at 10pm, it will, whether it has to end at dawn, it will as well". "The Court does not think that the defendants are being subjected to degrading treatment, psychological torture and injustice. Unjust trial is one in which the defendant is not gi-

ven all the guarantees of defence. But here the defendant speaks whenever they want. Whenever they want to clarify anything, they are allowed to; whenever they have documents to present, they are allowed to. The hearing is continuous, that is the prin-


ciple". The court further justified upholding its decision with the need to abide by the principle of procedural celerity. "We have to be expeditious, without overlooking it, so that the trial ends and sentence is handed down".



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