

DAY XXVI 26 OF THE "HIDDEN DEBT" SCANDAL TRIAL

## António Carlos do Rosário says the trial is a farce and accuses the General Prosecutor's Office of allowing Kroll spies to enter SISE

- On the second day of António Carlos do Rosário's hearing, the judge threatened him saying the court would not tolerate lack of respect to the court. "Today there will be no tolerance. Today the court will not warn the defendant, will not call his attention, it will only control the defendant's behaviour. And if the defendant repeats the same behaviour he will be taken to jail and the interrogation terminated. The defendant will only return to this room on the day of the reading of the judgement.



António Carlos do Rosário

- Even though he was threatened, the defendant did not hold back when confronted with documents extracted from his computer that was seized from Maputo Shipyard, a subsidiary of MAM. “I have never been to Maputo Shipyard offices. How did you seize my computer in a place where I have never been? I have a history of distrust in relation to the actions of the Public Prosecution. From the moment that an institution is used to allow spies to enter my Country, it loses my respect. We are faced here with a farce”.

The Public Prosecutor began the questioning by asking questions related to the project to protect Mozambique Exclusive Economic Zone. In the first question the Prosecutor wanted to know the kind of studies conducted to identify the threats in the Exclusive Economic Zone, to which the defendant replied that it was him, in the capacity as National Director for International Affairs in the Analysis Division, who coordinated the research. The defendant said that he did not know whether the studies were still at the National Directorate for International Affairs at SISE Analysis Division.

António Carlos do Rosário coordinated, on behalf of SISE, the studies to find solutions to the threats that had been identified, namely piracy and illegal immigration. About the meeting attended by the defendant Cipriano Mutota, at the time SISE Studies and Projects Director, at the Ministry of Science and Technology, where a coastal protection project was presented by the Privinvest group, the defendant said he was not aware of this event and did not even see the alleged brochure that his colleague had presented to the then SISE General Director Gregório Leão.

The Public Prosecution recalled that Gregório Leão stated during his hearing that the brochure handed to him by Cipriano Mutota had proposals for solutions similar to those that had been presented by António Carlos do Rosário. But the defendant explained that SISE General Director receives documents from several directorates and said that Cipriano Mutota was not part of the study group that he was leading. When asked who took part in the study team, the defendant replied that he is not authorized to give SISE staff's names. It was the defendant who made the first presentation of the project for the protection of the Exclusive Economic Zone at the Joint Command, but he said that he only had become aware of the presentation made by Teófilo Nhan-gumele at the Joint Command in 2018, through the Attorney General Office.

António Carlos do Rosário said that the project to protect Mozambique Exclusive Economic Zone presented by his colleague Cipriano Mutota was totally different from the work he was doing. The Public



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Prosecution cited Gregório Leão's words when he stated at the court that the presentation made by António Carlos do Rosário at the Joint Command had incomplete data compared to the proposal he had received from Cipriano Mutota. Following that, the former General Director directed Cipriano Mutota to submit his proposal to the Joint Command. But the defendant Antonio Carlos do Rosario said he did not recall anyone telling him that his proposal had incomplete data. “My project included overt operations, through ProIndicus, and covert operations, through EMATUM. That is the reason why Mutota and Nhan-gumele said they did not know about EMATUM”.

When asked if he could present his project to the court, the defendant explained that he has been in detention for two years and seven months and has no access to documents. “The documents I produced are the property of SISE and for that reason they are classified. I did not take SISE's documents home. I would enter and leave SISE office without documents, computer or flash. I don't know why the

Public Prosecution does not request these documents from SISE”. Asked whether he could prove that the studies done on the protection of the Exclusive Economic Zone were done by SISE, the defendant replied that the nature of the secret services is to hide their identity. “SISE documents do not carry SISE letterhead, they carry another symbol as a cover. If you see a document with SISE letterhead, it is clear that it is not from SISE.”

The Public Prosecutor promised to attach information provided by SISE showing that the studies on the project to protect the Exclusive Economic Zone that the defendant António Carlos do Rosário says he carried out do not exist at that institution. In the response from the intelligence services to the letter from the Attorney General, the then SISE General Director, General Lagos Lidimo, said that when he took office he was not given any dossier related to the companies ProIndicus, EMATUM and MAM. António Carlos do Rosário reacted immediately: “The answer that General Lagos Lidimo gave was based on the proposal I gave

him, that the information requested by the Attorney General Office was intended for Kroll. I think he understood that he could not share classified information with foreign entities. Some Kroll investigators who were in Mozambique had served as British spies. They were retired secret service personnel. "Kroll is the company that carried out the international audit of the "hidden debts" scandal in Mozambique and was hired by the Swedish Embassy in Mozambique.

António Carlos do Rosário said he does not understand why the Public Prosecution has been asking for this information since 2015, even knowing that it is classified. "The Public Prosecution is the caretaker of legality in this Country, but it is forcing me to break the law. Change the law first." The Public Prosecutor reacted saying that the projects were commercial and they had nothing that could be said to be State secret. And she questioned: "should it be a State secret, why was the information shared with third parties, such as Credit Suisse and Prinvest?" António Carlos do Rosário explained: "We essentially shared the commercial part of the project with banks and the supplier. It is impossible that in the 21st century a bank would accept to finance companies without knowing the projects and feasibility studies. I had no reason to prefer sharing information with external agents rather than with the Public Prosecution. I thought that the Public Prosecution was a State body that defended national institutions against external agents, such as Kroll".

When asked what due diligence steps was taken to identify suppliers of the Exclusive Economic Zone Protection project, the defendant said that several visits were made to supplier companies, but did not name the countries for service reasons. "The only one that accepted what we wanted was Prinvest. Apart from providing boats, they accepted to provide services and transfer technology. What we wanted was not merely to buy means, we wanted to ensure maintenance. We wanted to acquire technology to produce boats like HSI (High-Speed Intersection)".

The defendant said that in 2002 and 2003 he made two trips to the United Arab Emirates looking for Iskandar Safa because he heard that he was a famous supplier of naval assets. "I contacted the local intelligence services to facilitate a contact with Iskandar Safa, but it was not easy. After a few years, I learned that the people I was looking for in the United Arab Emirates were already in Maputo. Then I heard that they had contacted Cipriano Mutota, whom they treated as Rosario". The defendant said that he only knew that

the Prinvest group was working with Cipriano Mutota when Mutota handed him an envelope containing a proposal for the protection of the Exclusive Economic Zone.

On the trips abroad made as part of the project, he said that he made several trips to Germany and that in the first one he was alone, in 2011. In the second trip to Germany, the defendant said he travelled with two staff members of the Ministry of National Defence, appointed by the then Minister, Filipe Nyusi, but he no longer remembers the date and names of the said staff. Questioned whether at SISE level, Cipriano Mutota had been appointed to be part of the Germany delegation, António Carlos do Rosário said he was not aware of that fact. "I was the coordinator of a team and Cipriano Mutota was not part of it, nor was it me who indicated him to travel to Germany".

When questioned with whom he interacted on the trip to Germany, he said that it was with the managers of the Prinvest group's shipyard in Kiel. It is stated in the files that António Carlos do Rosário had been in Germany, from 19 to 21 December 2011, with Armando Ndambi Guebuza, Teófilo Nhangumele and Bruno Langa, but the defendant did not confirm it. Confronted with an email that Teófilo Nhangumele sent to Bruno Langa and the latter, in turn, forwarded to Armando Ndambi Guebuza, with the agenda of the trip to Germany, he reacted by saying that he was not on that trip. Asked if he had an explanation for the fact that people who were not in his team working on the project for the protection of the Exclusive Economic Zone travelled to visit Prinvest group shipyards, the defendant said he had no answer.

He said he always wrote reports on his trips and he informed the court that very few times the SISE General Director read them. "Because of the specificity of our work, we reported verbally to the General Director. He did not have time to read reports. I presented him with the potential of the supplier, he agreed and said we could move forward." Confronted with the report of the trip to Germany in which his name appears, he said he does not know that document. "This is not SISE's report. This is not the way SISE uses to write reports. We do not put names on reports and here it is right on the cover. I see my name on the report, but I don't know the document."

Regarding the trip to Abu Dhabi, between 16 and 21 January 2012, as part of the verification of the potentialities of the Prinvest group, it is stated in the files that the defendant travelled with Teófilo Nhangumele, Bruno Langa and Armando

Ndambi Guebuza. Confronted with these facts, he denied having travelled with the three ones. He said that on the first trip he made to Abu Dhabi as part of the verification of the supplier's capabilities he met with managers of the Prinvest group, including Jean Boustani. On the second trip to Abu Dhabi he was accompanied by two Defence officials, the same ones who accompanied him on the second trip to Kiel, Germany. I was in charge of the mission because I was a member of the Operational Command. I think the two Defence staff members were heads of departments in their respective institutions".

When asked if he knew who authorized Teófilo Nhangumele, Bruno Langa and Armando Ndambi Guebuza to travel, and who requested the per diem payment for them, António Carlos do Rosário replied negatively. On the trips to Abu Dhabi, António do Rosario said that he interacted with Jean Boustani and visited the Prinvest group's shipyards. "The first trip is always exploratory. Apart from meetings with the managers of the Prinvest group, I also interacted with the local intelligence services to find out whether the group was recommendable or not. That is why we did not integrate staff from other institutions that were not sensitive to intelligence matters". Confronted with the photos in which he appears alongside Armando Ndambi Guebuza, Bruno Langa, Iskandar Safa and the Prince of Abu Dhabi, he said that that photo has nothing to do with him. "I ask for a clearer image. I don't recognize myself here."

Asked if he is aware of the role that defendants Teófilo Nhangumele, Armando Ndambi Guebuza and Bruno Langa played in the project to protect the Exclusive Economic Zone, he said that, in relation to Nhangumele, he only learned about it through the press. Regarding the defendants Ndambi Guebuza and Bruno Langa, he said he is not aware. Confronted with an email containing project financing documents (contract and guarantee) that Teófilo Nhangumele sent on 5 February 2013 to Isaltina Lucas, Raúlfo Irá and António Carlos do Rosário and he, in turn, forwarded it to Armando Ndambi Guebuza, the defendant replied in the following terms: "I do not use personal emails to deal with official matters. The email is mine, but I don't remember using it for work purposes. And I did not have Armando Ndambi Guebuza's email".

He was also confronted with an email related to the Exclusive Economic Zone protection project sent by Teófilo Nhangumele, on 6 February 2013, to Isaltina Lucas, Raúlfo Irá and António Carlos do Rosário, and the latter, once again, forwarded it to Armando Ndambi Guebuza. But

the answer was the same: “I did not receive those emails and I did not even send them to Ndambi Guebuza. My electronic devices are with the Public Prosecutor’s Office and it would be fair for them to confront me with documents extracted from those devices. It is extremely curious that I only receive emails and forward them to Armando Ndambi Guebuza. After all Nhangumele has access to Ndambi Guebuza, why he did not send it directly to him?” The Public Prosecutor’s Office representative told the defendant that she only brought two emails to show him the role of Teófilo Nhangumele and Armando Ndambi Guebuza in the project to Protect

Mozambique’s Exclusive Economic Zone. The Public Prosecutor referred to the court documents related to the project for the Protection of the Exclusive Economic Zone extracted from António Carlos do Rosário’s computer that was seized from the Maputo Shipyard company, a subsidiary of MAM, as part of the autonomous process. These documents include reports of trips to Germany and Abu Dhabi made by Teófilo Nhangumele, as part of the project. But the defendant said he has never been to Maputo Shipyard company. “I have a history of distrust regarding the actions of the Public Prosecutor’s Office. Once an institution is used to allow spies

to enter my country it loses my respect. We are facing a farce here”. The judge had to call the defendant’s attention.

It is stated in the files that after a certain moment defendant Teófilo Nhangumele became the focal point between the Privinvest group representatives and the Mozambican authorities. The Public Prosecutor’s Office once again used an email dated 9 October 2012 extracted from Teófilo Nhangumele’s computer that was sent to Jean Boustani, informing him of a meeting with the Minister of Finance, Manuel Chang, in which the latter asked whether the Privinvest group would accept the State guarantees.



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

**CDD\_moz**  
**E-mail:** info@cddmoz.org  
**Website:** http://www.cddmoz.org

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