

DAY LII OF THE "HIDDEN DEBTS" SCANDAL TRIAL

## **Márcia Namburete: she was arrested, indicted, pronounced, dismissed, returned to freedom, notified of a civil claim and in the end asked not to be a declarant**

- In February 2019, the Public Prosecutor's Office promoted her arrest for having received, in her account, 50,000 euros transferred by her husband (the defendant Sérgio Namburete). She was presented to the criminal instruction judge and he legalised her pre-trial detention.



Márcia Namburete

- The Public Prosecutor's Office indicted her of money laundering and the Judicial Court of Maputo City upheld the indictment. She was detained for a year and four months, until in June 2020, and in response to the appeal filed by the defense, the High Court of Appeal of Maputo dismissed Marcia Namburete and ordered her return to freedom.

- When she was enjoying her freedom, she was again notified by the Judicial Court of Maputo City of the civil claim of the Public Prosecutor's Office to compensate the State. Yesterday, Judge Efigénio Baptista acknowledged that it was by mistake that the declarant was notified after she was dismissed. The fact is that the request for compensation is based on a punishable fact, and as the victim has been dismissed, the request is empty, as there is no basis to hold her responsible.

- With so many public managers and private entities (the Frelimo Party is, at this level, a model and paradigmatic example) who received millions of dollars directly from the companies of the Prinvest group and were never investigated, it is worth asking: Is Marcia Namburete a victim of "justice"?

**M**árcia Namburete, wife of the defendant Sergio Namburete, was in court yesterday to be heard as a witness in a case in which she was once a defendant. Before the questioning began, Judge Efigénio Baptista announced that Márcia Namburete requested, through her lawyer, her excusal from the duty to give statements in the case now on trial. Namburete would be questioned for facts imputed to the defendant Sergio Namburete and, being his wife, she has the prerogative to refuse to make statements before the court.

Another argument presented by the lawyer is that, despite having been dismissed by the High Court of Maputo, Marcia Namburete was notified of the civil claim of the Public Prosecutor's Office to compensate the State. The representative of the Public Prosecutor's Office said that it could only have been by mistake that Márcia Namburete's name was included in the list of defendants notified of the civil claim. "The request for compensation is based on a punishable fact, and since the declarant Márcia Namburete was dismissed, the request is empty, because there is no basis to hold her responsible.

Judge Efigénio Baptista admitted that it was by mistake that the court notified Márcia Namburete of the civil claim. "When the civil petition was entered, the officers were directed to notify all the defendants in Case No. 18/2019-C. And by default they included the name of the declarant Márcia Namburete." Both the Public Prosecutor and the Assistant in the Case (Mozambique Bar Association) promoted the application of Márcia Namburete's lawyer and the court decided to dismiss the declarant, calling Friday's hearing session over.



Márcia Namburete

Other declarants who had been listed to be heard on day 52 of the trial have a connection to facts imputed to defendant Angela Leão, who is absent from court due to illness. Therefore, the declarants Italma Ariane Costa Simões Pereira and Fernando Jorge de Carvalho Pacheco Pereira should return to court on Monday to be heard in the presence of the defendant Angela Leão, duly summoned for the purpose.

Recall that Márcia Namburete was detained between February 2019 and June 2020 for having received 50,000 euros transferred by SEN Consultoria e Investimentos, a company owned by her husband Sérgio Namburete. That amount is part of the total of 127,500 euros that Sérgio Namburete received for

the intermediation services he provided to his friend, the defendant Maria Inês Moiane Dove, in receiving the 877,500 euros paid by the Prinvest group.

That is, the only "crime" of Marcia Namburete was to have received, in her account, 50,000 euros transferred by her husband. Moreover, because there were doubts about her involvement in the financial scandal of the "hidden debts", the High Court of Appeal of Maputo dismissed her through the judgment of 5 June 2020, and she was immediately and unconditionally returned to freedom. And just when she thought she was free from the "hidden debts" process, she receives a notification from the court about the civil claim. Yesterday, the court eventually admitted its error.



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