

DAY LVI OF THE "HIDDEN DEBTS" SCANDAL TRIAL

Imran Issa is the lawyer who handled António Carlos do Rosário's millionaire business deals and he says that at the end he was insulted and threatened

- It was precisely 00h00 (midnight) when the declarant Imran Issa declared to the Court: "I can no longer stand it, Honourable". Judge Efigénio Baptista admitted that the complaint was legitimate, especially since most of the defendants were asleep in their chairs. But by legal imperative, the judge had a duty to conclude the recording of the declarant's answers in the minutes. "We cannot leave it for another session, we have to finish. The law states that." And the session only ended when it was two o'clock in the morning



Imran Issa

- The hearing of Imran Issa, the lawyer who was an employee of the State Intelligence and Security Service (SISE) between 2013 and 2019, began yesterday. Before he started answering questions, Imran Issa was asked whether he was not a defendant in a case related to the “hidden debts”. He only confirmed that he is a defendant in judicial proceedings pending before the Maputo City Prosecutor’s Office, which is not related to the facts under discussion in this trial

Imran Issa told that he collaborated with the intelligence services under the proposal of the former Director of Economic Intelligence of SISE, António Carlos do Rosário. He met him in 2013, when Imran Issa was working in a law firm. On an unspecified date in 2013, Imran Issa said that he was contacted, as a lawyer, by the defendant Zulficar Ali Ahmed, who has known him since childhood and with whom he has some family ties, to assist in a business deal described as secret

After receiving documents, he prepared a draft promissory contract for the purchase and sale of a property located in Maputo City. “They then requested my presence at the meeting that took place at the offices of SA Câmbio (an Exchange House), on Mao Tse Tung Avenue, to help them in the event of any doubts. When I arrived at the meeting, I was introduced as a lawyer to the seller of the property, whose name was Adriano Manuel Weng. Minutes later a citizen who identified himself as the buyer of the property; that was Mr António Carlos do Rosário. It was at this meeting that I met António Carlos do Rosário and then I started working for him”.

The property, a duplex located in the Caracol Condominium, was paid for by the Privinvest group, in the amount of USD 1,250,000; money which was transferred to the account of the owner, Adriano Manuel Weng, domiciled in Millennium BCP, in Portugal. “I was the one who handled the process and submitted it to the 3rd Notary Office (3^o Cartório notarial). Mr António Carlos do Rosário and Mr Adriano Manuel Weng were there on 5 June 2013 and signed the public deed”.

Asked by the Public Prosecutor to provide documents related to the purchase of the property, the declarant said that in 2020 he was contacted by lawyer Alexandre Chivale asking him to deliver all the documentation related to António Carlos do Rosário business, including from Txopela Investments.

Regarding the former SISE General Director, Gregório Leão, the declarant said he met him in late 2018, at the meeting that took place at the Varanda restaurant on Vladimir Lenine Avenue, where António Carlos do Rosário and Ângela Leão were present. “When Fabião

Mabunda was notified by the Attorney General’s Office that he was indicted, António Carlos do Rosário requested my support as a lawyer. He asked me to accompany Fabião Mabunda to be heard at the Attorney general Office”.

After accompanying the defendant Mabunda to the Attorney General’s Office, Imran Issa was again contacted by António Carlos do Rosário, who told him that he should give the report of the hearing to the Leãos (Gregório Leão and Ângela Leão). The declarant said that before the hearing, he had several meetings with the defendant Fabião Mabunda at his office with the aim of obtaining detailed explanations about what might have happened.

“He appeared with several documents about the amounts he had received from the Privinvest group, amounting to USD 9 million. He explained the reasons for receiving the amounts and I asked him to provide me with supporting documents, such as bank statements and contracts. He brought two contracts that his company M Moçambique Construções signed with Logistc International SAL. Only one contract made reference to the amount to be paid for the work, which was USD 3,500,000. He provided me with statements from his bank account at Millennium BIM, where a total of USD 9,100,000 had been transferred, in several instalments ranging from one million to one million seven hundred thousand dollars”.

Imran Issa asked Fabião Mabunda whether he had carried out the object of the contracts, to which he replied that no work had been done. “I also asked if he knew Mr Fauzi, the Privinvest manager who signed the contracts. He replied that he had never seen or been with him and that he only saw his name on the contracts he received for the purpose of justifying the receipt of the amount at the bank”.

The declarant denied Fabião Mabunda’s words according to which he, as the lawyer who accompanied him at the hearing at the Attorney General’s Office, had been threatened by Prosecutor Alberto Paulo. “The hearing lasted for over 10 hours and at no time was I threatened by Prosecutor Alberto Pau-

lo”. Imran Issa also denied that he gave up defending Fabião Mabunda because his name was linked to the “hidden debts” financial scandal.

To a question from the Public Prosecutor, the declarant said that Fabião Mabunda recounted that he received the money of just over nine million dollars at the request of his clients for construction contracting work. “At the time he said the money was Ângela Leão’s. He also said that he had never had contact with Privinvest and that he never carried out any work for that group. For the work he did for Ângela Leão, he received 10 million meticaís in compensation.

Asked who paid the declarant for the assistance he provided to the defendant Fabião Mabunda, Imran Issa said he had a monthly fee of 110 thousand meticaís for the work he provided to António Carlos do Rosário. “I provided legal support to all of António Carlos do Rosário’s entities and businesses. Sometimes, depending on the work, he would pay me more than 110,000 meticaís”.

To a question from the Public Prosecutor whether he knew about the relationship between defendants Zulficar Ali Ahmed and António Carlos do Rosário, the he said that he was aware that the two had known each other for quite some time. “When Mr Zulficar was notified and was made a defendant in the hidden debts case, he sought me out to explain what was happening. I advised him to contact António Carlos do Rosário. A meeting was arranged and I was present and a Defense strategy was discussed.

At the same meeting, António Carlos do Rosário asked the declarant to accompany Zulficar Ahmed to the Attorney General’s Office for him to be heard in questioning. “In the interaction I had with Zulficar, he explained to me that the USD 100,000 he received from the Privinvest group pertained to the commission to which he was entitled in the deal for the property acquired by António Carlos do Rosário. Some of the money was shared with his partners, Mr Nordine Aboobacar and Mr Ossman”, he explained, and then asked the Court to consider the decision in relation to the defendants Fabião Mabunda and Zulficar Ali Ahmed.

Imran Issa says that António Carlos do Rosário has always been the owner of Txopela Investments

After the property deal, Imran Issa said he was asked by defendant António Carlos do Rosario to set up three companies, Txopela Investments, Anlaba Investments and Pantera Investments, in 2013. "These are the first three companies he asked me to set up. He provided me with the documentation and I did the work, namely the registration, publication and minutes. I remember that Txopela already had the name reservation made by Nordine Aboobacar. António Carlos do Rosário told me that the companies were linked to the State and that it was necessary to keep secrecy. After the three companies, António Carlos do Rosário asked me to set up other companies".

After the incorporation of Txopela Investments, Anlaba Investments and Pantera Investments, Mr. António Carlos do Rosário asked him to hand over all the original documents related to the companies, namely the share certificates, the share register book, the memorandum of association, the Republic Gazette and the certificate of incorporation, under the allegation that these were confidential entities.

According to the declarant, Txopela Investments was a real estate company and that he was never informed that it was an operating vehicle of SISE. "I was only told that I should maintain secrecy in relation to the shareholders. The entire process was under the exclusive direction of the defendant António Carlos do Rosário."

The constituent shareholders of Txopela Investments was António Carlos do Rosario, who held 98%, and Tayob da Silva Cadango and Nordine Aboobacar, who held 1% each. But in 2015, António Carlos do Rosario to control the 100% of Txopela, with the withdrawal of shareholders Tayob da Silva Cadango and Nordine Aboobacar. Asked whether the transfer of shares was onerous or gratuitous, the declarant responded by stating that Tayob Cadango and Nordine Aboobacar were as shareholders only for compliance with commercial legislation. He went on to say that until his disengagement from Txopela, the company was solely and exclusively owned by António Carlos do Rosario.

In February 2015, António Carlos do Rosário informed the declarant that IRS, a Lebanon-based company, was about to enter the shareholder structure of Txopela Investments. "We received from IRS's lawyer, Aroun Haddad, who by the way was a majority shareholder of the company, with 98%, all the documentation on the establishment of this company. The information I had was that IRS was an offshore company that António



António Carlos do Rosário bought 40 apartments in this building



Carlos do Rosário asked to be set up in Lebanon and that in the future would be 100% owned by him."

The protocol for IRS' entry into Txopela Investments was signed in February 2015, but it did not materialize, because it did not comply with the agreement under which it was supposed to invest up to €100 million in Mozambique, the first tranche of which was supposed to be €25 million, of which €2.5 million related to the acquisition of 25% of Txopela's share capital. "IRS only transferred €10 million. I asked António Carlos do Rosário about the completion of the subscription of 25% of Txopela's capital by IRS, but the answer I got was that we should wait."

In 2019, when his name started to appear in the newspapers, Imran Issa went to the Civil

Prison to speak to António Carlos do Rosário to understand what was happening. "He reassured me by saying that everything was under control and in a few days he would be free. He also said that the General Director of SISE and the President of the Republic, Filipe Nyusi, had been to the Civil Prison to visit him. And he mentioned one more name of the son of the President of the Republic who had been there".

After a month, Imran Issa was being sought by the Lebanese judicial authorities, indicted of having received and laundered the money that the IRS sent to Txopela Investments. "I went to the Civil Prison to speak with António Carlos do Rosario about the matter, but he said not to worry and that I should only hand over the Txopela documents to the IRS."

After some time, the declarant received a second notification from the Lebanese judicial authorities. "I spoke to the consul of Lebanon and he helped me hire a lawyer in Lebanon to provide assistance. The lawyer found that there was a criminal case against me, Bilal Sidat, Tayob Cadango and Nordine Aboobacar filed by the IRS."

Imran Issa said he later learned, through the Lebanese Consulate in Mozambique, that the criminal case filed by the IRS was part of the strategy to pass the idea that Txopela was owned by the IRS. "This process was being manipulated by the nephew of the owner of Privinvest, Iskasndar Safa, by the name of Iskandar El Samaran, who at the date of the facts was residing in Maputo City."

The declarant said he called Iskandar Safa's nephew, who already knew him through António Carlos do Rosário. "I called him to understand what was happening, but we did not understand each other. He recorded the call and sent it to António Carlos do Rosário and António Carlos do Rosário sent me the audio of the conversation and insulted me. He called me a son of a bitch, a fucking dog, and that I was going to see blood. I never spoke to António Carlos do Rosário again.

Imran Issa said he had already been with Jean Boustani at Maputo International Airport, where he was asked by António Carlos do Rosário to do a job. "It was to help in the process of the entry of the company JB Management (of Jean Boustani) into the shareholder structure of Quilua Holding, a company that was owned by António Carlos do Rosário. All physical documents related to the entry of JB Management into Quilua were given to Iskandar Safa's nephew. The declarant also worked on the process of Vivre Consultoria (of the late Valentina Guebuza, daughter of former President Armando Guebuza) joining another company



owned by António Carlos do Rosário.

The declarant confirmed that it was him who drew up the purchase and sale contract of 40 one bedroom flats, a shop on the ground floor, a meeting room and an auditorium on the first floor and 44 parking spaces in the Xenon Urban building on Julius Nyerere Avenue, Maputo City. Txopela paid over seven (7) million dollars for the deal to the developers of the Xenon Urban real estate project. "When the contract was signed, construction had not yet started. I believe the deal has moved forward."

Due to changes made to the contract, the amount paid by Txopela Investments to the promoters of the Xenon Urban real estate project increased from seven to thirteen million dollars. On a personal note, António Car-

los do Rosario also paid about USD 1.8 million for a duplex and the terrace at Xenon Urban. "This contract was changed to USD 2,875,000, and of this amount USD 1,881,733 was paid, plus 520,000 euros paid in Portugal."


Imran Issa also said he had dealt with processes related to the Mabassa Hotel, built in Tete City, owned by António Carlos do Rosário. The five-storey hotel included 42 suites and its construction is said to have cost just over two million dollars. The declarant said that he was asked by António Carlos do Rosário to change the ownership of the DUAT to Txopela Investments, "He wanted the DUAT of the space where it was built to be in the name of Txopela Investments to prevent the name António Carlos do Rosário from appearing on the nameplate of the construction site".



EDITORIAL INFORMATION

Property: CDD – Centro para Democracia e Desenvolvimento
Director: Prof. Adriano Nuvunga
Editor: Emídio Beula
Author: Emídio Beula
Team: Emídio Beula, Julião Matsinhe, Dimas Sinoa, Américo Maluana
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

PROGRAMMATIC PARTNER



FINANCING PARTNERS

