

No.244, 2nd December 2002

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Cardoso murder trial - accusations fly

On 18 November the trial began in Maputo of six men accused of murdering Mozambique's top investigative journalist, Carlos Cardoso on 22 November 2000. Five of the six accused have given evidence to the trial, but the sixth defendant, Anibal "Anibalzinho" dos Santos Junior is being tried in absentia, having mysteriously walked out of Maputo's top security jail on 1 September.

The accused men are: two members of the powerful Abdul Satar business family - Momade Assife Abdul Satar (who goes by the nickname of "Nini"), and his brother Ayob Abdul Satar; former bank manager Vicente Ramaya; Anibal "Anibalzinho" dos Santos Junior; Manuel Fernandes; and Carlitos Rashid Cassamo.

The trial is receiving huge attention in the media as it links Cardoso's death to his work on uncovering huge banking frauds in the country. The trial has taken on even greater importance as several of the accused have implicated the son of President Chissano as the ringleader behind the assassination, and the judge, Augusto Paulino, has subpoenaed Nyimpine Chissano.

Nyimpine Chissano implicated by accused

In an interview with the then head of the Maputo branch of the Criminal Investigation Police (PIC), Antonio Frangoulis in November 2001, Momade Assife Abdul Satar "Nini" claimed that Nyimpine's desire to assassinate Cardoso was due to what Cardoso had written about him in the paper he owned and edited, "Metical".

On the witness stand on 28 November, Frangoulis read from his notes of that interview. Nini Satar had told Frangoulis of a series of conspiratorial meetings involving himself,

Nyimpine Chissano, and two of his associates, Nanaio Pateguana, and Maria Candida Cossa, held at Cossa's house.

According to Satar, as mediated through Frangoulis's notebook, "In September 2000, Carlos Cardoso wrote articles that affected Nyimpine and his family, for example on the Chinese apartment block" (the former Chinese embassy that was up for sale.) Because of this Chissano allegedly ordered the killing of Cardoso for the sum of 2.1 billion meticaís (about \$88,000) for the contract killing.

However, AIM has gone through the back copies of "Metical" and has found that no articles written by Cardoso, or by anybody else, attacking Nyimpine Chissano in August, September or October 2000. Of course, Cardoso had made a point of investigating the activities and assets of the Chissano family, but this dates back to the very start of "Metical" in 1997. Nothing extraordinary in this regard happened in mid-2000: indeed, there was less coverage of the Chissano family in 2000 than in previous years.

But there was a sudden explosion in the paper's coverage of another powerful family - the Abdul Satar family, of which Nini is such a prominent member. Nini, his brothers and his parents, were the holders of the accounts through which the country's largest bank, the BCM, was defrauded of the equivalent of \$14 million in 1996, on the eve of its privatisation.

Of course, Nyimpine Chissano still has some explaining to do, in particular how is it that Nini Satar has seven cheques, apparently genuine, and apparently signed by Chissano, totalling 1.29 billion meticaís? Why should a supposedly reputable businessman such as Nyimpine request loans from an unlicensed and illegal money-lender? Since Nyimpine has now been subpoenaed, the country will doubtless hear his answers to these questions within the next few days.

Defence lawyers protest at inhuman treatment

On 29 November the defence lawyers made a formal protest at the treatment of their clients. Defence lawyer Simeao Cuamba said that it was "shocking" and "inhuman" that on the previous day the accused had been brought into the court room in handcuffs. "There are enough police to guarantee protection here", he said. "The police should take the handcuffs off outside".

The presiding judge, Augusto Paulino, found it strange that this protest should come from Cuamba, since the man he is defending, Anibal "Anibalzinho" dos Santos Junior, has not entered the court room at all, with or without handcuffs.

"I see no problem in the accused entering the court room in handcuffs", said Paulino. "Nobody claims that just because a person is handcuffed, he has already been tried and

sentenced". Paulino noted that at the start of the trial the accused had marched in jauntily, smiling, shaking hands with their lawyers, and "acting as if this is just a show".

He was determined to end such behaviour. "These are preventive measures", said Paulino. "It was necessary to discipline the accused. I have had to keep reminding the accused about their deportment, since they keep on smiling, as if this case was nothing serious".

"I see nothing in the law which says that the accused cannot enter court in handcuffs", he declared. "In some countries, the accused are put in cages".

Much of the day's session was taken up with accusations from the defence lawyers that the initial confession to the crime from Manuel Fernandes ("Escurinho") had been forced out of him by police threats.

Judge Augusto Paulino did not see how this line of questioning could be at all productive. Fernandes was on record as confessing to taking part in the crime, and then retracting his confession. But when he was interrogated in court he freely confessed for a second time.

But the lawyers insisted, and Paulino admitted questions on the matter to both Frangoulis and to Joaquim Dungano, the PIC officer who had first interrogated Fernandes.

The day also heard the defence of "Nini" Satar, which is that he paid for the murder, but did not realise that the money was being used for a contract killing. He claims that Nyimpine Chissano asked him for a loan of 1.2 billion meticaiss - but the money was to be given, not to Nyimpine, but to Anibal "Anibalzinho" dos Santos Junior. The previous week Satar had given the court four uncashed cheques from Chissano Jr, each for 165 million meticaiss (about \$6,930).

Nyimpine Chissano was to repay the money with a series of post- dated cheques for 1.29 billion meticaiss. Since the cheques fell due between 24 October 2000 and 30 January 2001, one can work out that the extra 90 million meticaiss, which Satar describes as his "commission", is in fact an interest rate of over 45 per cent per annum.

Satar claimed that most of the money was never repaid: he says Nyimpine asked him not to cash the cheques, because he was in "financial difficulties".

Accused still have mobile phones

Although prisoners are banned from using mobile phones, those accused of murdering Cardoso still have no difficulty in acquiring phones and ringing up whoever they like.

Antonio Frangoulis, former head of the Maputo branch of the Criminal Investigation Police (PIC), on 28 November told the Maputo City Court that he had received two phone calls on 19 November, the day after the trial started, from Nini Satar.

He had taped the calls and they were played in court. In the calls made at 07.45 and 08.17 that morning, Satar said "I had nothing to do with the murder of Carlos Cardoso. I only paid out the money". "Those who committed the crime know who ordered it", he said, before telling Frangoulis that "Anibalzinho has three cassettes and was willing to hand them over". The cassettes are believed to be of meetings that planned the execution.

Frangoulis wondered whether it was worth listening to anything Satar said. "I've had so many different versions from you and from the others", he said. "The true version is what I've told you", Satar insisted. "I have the cheques and they're signed".

The presiding judge, Augusto Paulino, asked Satar if he had made these calls, and Satar confirmed that the tape was authentic. But where had the mobile phone he used come from? "I asked a policeman to lend me one", said Satar.

This confirms claims made earlier in the week of a racket in the prison whereby policemen rent out mobile phones to inmates for 100,000 meticaís an hour, or 300,000 meticaís a day.

BCM fraud at the forefront

The 1996 fraud, which removed the equivalent of \$14 million from Mozambique's largest bank, the BCM, occupied centre stage on 27 November.

One of the accused, Vicente Ramaya, the former manager of the BCM branch where the fraud occurred, claimed that the fraud could have had nothing to do with Cardoso's death, because "neither Cardoso, nor any other Mozambican journalist, knew anything about the fraud".

This was a breathtaking claim: all the more so because, as Ramaya was speaking, journalists in the audience were reading photocopies of several of Cardoso's articles on the fraud, which revealed Cardoso's detailed knowledge of the BCM's workings, and of the various illicit activities of the Abdul Satar family, whose accounts at Ramaya's BCM branch were the conduit through which the money was syphoned out.

Ramaya took every opportunity to attack the old BCM board of directors, whom he claimed were the genuine beneficiaries of the fraud, working in league with Asslam Abdul Satar (currently a fugitive, believed to be living in Dubai).

Ramaya claimed that Asslam Satar had been told to deposit the fraudulent cheques "in the accounts of companies, but instead he used the accounts of relatives and friends" (accounts which just happened to have been opened at Ramaya's branch).

He alleged there were a series of other frauds in the BCM. "Mozambican journalists thought it was \$14 million, but the true amount was \$302 million", he said.

Ramaya claimed that in 1996 BCM's lawyer, Albano Silva, had urged him to take the full blame for the fraud, and exonerate the board of directors. Ramaya added that this year Silva had met with prosecution witness Oswaldo Muianga and had bribed him to incriminate both Ramaya and Nyimpine Chissano, the oldest son of President Joaquim Chissano.

Judge Augusto Paulino demanded some proof for this accusation. "In this prison you get to know everything", claimed Ramaya. "It's an absolute certainty". But prison chatter does not meet Paulino's standards of evidence, and he demanded something more substantial. "I will have to speak to the prisoners first", said Ramaya. "I will have to collect the data".

Ramaya has denied all involvement in the murder. On 26 November he had told the Court that he did not know any of the three members of the death squad who carried out the assassination - Anibal dos Santos Junior, Carlitos Rashid Cassamo and Manuel Fernandes "Escurinho". Ramaya said the first time he had met any of them was in prison.

Ramaya said he was not a friend of Nini Satar, and their relations were restricted to BCM matters, As for Nini's brother, Ayob Abdul Satar, also on trial for Cardoso's murder, Ramaya denied knowing him.

He was clearly surprised when Judge Paulino asked him if he had ever borrowed a mobile phone from his mother-in-law, Zubaida Abdullah, or had registered a mobile phone in her name. "As far as I know she doesn't have a cell phone", he said.

So how was it, the judge asked, that the phone records showed that in November 2000, the month of the murder, "there were phone calls from Nini to your mother-in-law, from Anibalzinho to your mother-in-law, and from Ayob to your mother- in-law".

"I don't believe it", said Ramaya. "She never had any relations with these people". Paulino insisted. "On 22 November (the date of the murder) there were many calls from your co-accused to your mother-in-law. So we want to know if you used her cell-phone, or registered a phone in her name".

Ramaya continued to insist that there was no such phone. But the records of the M-Cel mobile phone company, released to the court, are powerful tools for the prosecution case.

Ramaya admitted that he had underwritten a loan of \$450,000 to Zulfika Sulemane, a businessman from his native province of Cabo Delgado. He said he was "the

intermediary" between Sulemane and Maria Candida Cossa, who put up the money. Ramaya was the guarantor: he would repay if Sulemane defaulted.

This was the second time Candida Cossa's name has been mentioned in this trial. Nini Satar alleged that it was she who introduced him to Nyimpine Chissano, eldest son of President Joaquim Chissano, who asked him to pay 1.2 billion meticaís to Anibalzinho, which he claims was payment for the murder. Ramaya did not explain where Candida Cossa, who once worked for customs, might have obtained \$450,000. But a survey of January 2001 from the auditing company KPMG, on the state of the crisis-ridden Austral Bank, listed the bank's many non-performing loans, and two of them were in the name of Maria Candida Cossa.

Sulemane's project in Cabo Delgado depended on funding from the International Finance Corporation (IFC), the private sector lending arm of the World Bank. But this funding fell through, Ramaya claimed, because "South African experts" rejected the project on environmental grounds. This produced "a critical situation", he said, with Candida Cossa demanding her money back, and Sulemane unable to pay.

"Candida said I had to deal with the problem", Ramaya said, and eventually "an out-of-court solution was reached".

Nothing about this story makes much sense, and Ramaya stonewalled Paulino's efforts to decipher it.

Anibalzinho's mother to testify

Judge Augusto Paulino has ordered Teresinha Mendonca, the mother of the fugitive Anibal "Anibalzinho" dos Santos Junior, to take the witness stand.

On 27 November, the public prosecutor, Dr Mourao, requested that a Mozambican TV news interview with Mendonca be shown as evidence.

One of the defence lawyers, Eduardo Jorge, representing Nini Satar, objected. He claimed that the interview could be classified as a "private conversation" between Mendonca and the TV reporter, and such conversations were not admissible as evidence.

Paulino dismissed this argument. "Statements made to the media are not, and never have been, private in nature", he said. "These statements were made with the intention of being broadcast by Mozambican Television".

In the TV clip, played to the court, Mendonca admitted that she knows where her son is, and maintains regular contact with him. (She has, however, given other media contradictory answers, at times saying Anibalzinho is in London, and at other times, in South Africa).

Mendonca said that everything revealed in court about her son receiving money from Nyimpine Chissano, the oldest son of President Joaquim Chissano, "is a pure lie. My son never had any business with Nyimpine". She said it was Momade Satar "better than anyone else" who knew all about the murder. "I have proof of this", she said. "I am not afraid of any Pakistani coming to kill me" (The Abdul Satar family originated in Pakistan.) Repeatedly Mendonca claimed she had proof against Satar, and proof that Nyimpine Chissano was not involved. "I have proof, and It will be shown at the appropriate time", she said.

Paulino thought the appropriate time was straightaway - but Mendonca was not in court, but he ordered that Mendonca be notified to give evidence from the witness stand.

Rashid claims meetings with Nyimpine

Confessed assassin Carlitos Rashid Cassamo on 26 November repeated his claim that he witnessed three meetings between Nyimpine Chissano and Anibal "Anibalzinho" dos Santos Junior.

Under questioning from the prosecution, Rashid told the Maputo City Court that the first such meeting took place in September 2000 behind the Xenon cinema in central Maputo. He made clear that it was at this meeting that Nyimpine Chissano gave Anibalzinho a plastic bag containing 100 million meticaais (about \$4,200).

The second meeting between the two that Rashid witnessed was in December 2000, shortly after the assassination, on the Maputo coast road. By then Rashid was anxious about the rest of the money he had been promised for the murder - 750 million meticaais in all. So far he had only received 50 million. But no money changed hands, and Rashid recalled Anibalzinho telling him "the boss says the money will come".

Rashid says the third meeting was again near the Xenon, in February 2001. Again, Anibalzinho came back empty-handed. On all these occasions, Rashid had to stay in the car: Anibalzinho did not want him to meet Nyimpine, allegedly because he had promised to recruit a South African assassin, not a Mozambican one.

Anibalzinho did make a couple of additional payments to Rashid, but he claimed the total was only 77 million meticaais, or slightly more than ten per cent of what he had been promised. Rashid said Anibalzinho had also promised him a new house.

He said that, in the months preceding the murder, the hit squad had stalked Cardoso, following him from his office to his home "many times", but had not struck on any of these earlier occasions "because there were always police about".

Once again, he told the court that Anibalzinho's mother Mendonca had urged him to flee, so that he could not incriminate her son. He said she offered Rashid's wife 500,000

meticais (about \$20). His retort was that there was nowhere he could flee to with such a small sum. "What am I going to do with 500,000? You've got lots of money from your son", he told her.

Rashid also claimed that Anibalzinho's father had intervened, by deleting all of his son's mobile phone numbers from the memory of Rashid's phone. He had told Rashid that the record of these numbers "will be dangerous if the police ever find this phone".

Anibalzinho claims innocence

Despite all his denials, there is strong evidence linking Anibal "Anibalzinho" dos Santos Junior with the red Citi-Golf used in the murder of Carlos Cardoso.

Anibalzinho escaped from prison on 1 September and so was not available to give evidence on 20 November, the third day of the Cardoso murder trial.

During police interrogations, Anibalzinho denied that he was the same person as Carlos Pinto da Cruz, the man who had driven the Citi-Golf into South Africa the day after the murder, and had come back into Mozambique on foot a few hours later. He admitted that the it was his photograph in Pinto da Cruz's Mozambican passport, but had no idea how it had got there.

But Pinto da Cruz had crossed the border in another car, a Mercedes-Benz, several times in December. The license plates of this car identified it as a vehicle that Anibalzinho admitted buying (though he claimed to have bought it for his father).

The records on border movements, provided by both the South African and the Mozambican authorities, proved that a man holding a passport in the name of Carlos Pinto da Cruz had driven this car, which Anibalzinho had admitted owning.

Even more convincing, one temporary export licence for the Mercedes issued at the Ressano Garcia border post named its owner as Carlos da Cruz, while another a few weeks later named the owner as Anibal dos Santos. The prosecution believes the only conclusion to be drawn is that da Cruz and Anibalzinho are one and the same person.

When interrogated by the then head of the Maputo Criminal Investigation Police (PIC), Antonio Frangoulis, in April 2001, Anibalzinho denied everything. He denied knowing any of the co-accused, any of the witnesses who have testified against him, and anybody in the interior ministry. He denied knowing Cardoso, though he said he had once gone to the offices of Cardoso's paper, "Metical", to buy a copy.

As for the property he had suddenly acquired in the weeks following Cardoso's death, Anibalzinho denied buying a house in the central Maputo suburb of Malhangalene, and

said that the Volvo attributed to him in fact belongs to his mother. He said it had been purchased in South Africa by somebody called John, whose address he did not know.

As for his associates, he could only mention a Tanzanian named Dausse, who brought in cars from Swaziland and South Africa for sale. Anibalzinho told Frangoulis he did not know how to contact this Tanzanian, because he had lost his address book on the beach.

When Frangoulis asked what he had done on the day of the murder, Anibalzinho claimed he had been at home all day suffering from a fever. He went to hospital the following day for a malaria test. Could he prove that? Did the hospital record his visit? No, Anibalzinho explained, because he slipped in illicitly to jump the queue "and solve the problem quickly".

Did he know Mario Matola (the man with whom he allegedly stole the Citi-Golf)? Anibalzinho then launched into a story about nearly getting into a fight with Matola at a Maputo restaurant where he had been dining with a girlfriend. Could the girlfriend confirm this story? Unfortunately not - Anibalzinho said he had forgotten her name. She had been "passing through" from Beira, he claimed.

This litany of denial, read out to the court continued for a long time - and was completely undone by one brief statement from the South African police, who are looking for Anibalzinho. They regard him as a member of a gang of car thieves.

The South African statement listed a dozen cars stolen by this gang in Mozambique, sometimes at gunpoint, and taken across the border. When Frangoulis confronted Anibalzinho with this, he said he knew nothing about it.

Ayob Satar denies charges

On 19 November Ayob Abdul Satar denied that he had any part in the assassination. Ayob Abdul Satar owns the Unicambios chain of foreign exchange bureaux. Members of his family (his parents, two brothers, Momade Assife and Asslam, and a sister, Farida) are among those accused of defrauding BCM of \$14 million in 1996.

This was a case that Cardoso had followed tenaciously, demanding that those responsible for the fraud be brought to justice. He had also investigated other illicit activities involving Ayob Satar, including loansharking and illegal wire-tapping.

Satar said he bore Cardoso no grudges because of this. He regarded the accusations against him published in Cardoso's paper, "Metical", as "lies fabricated by the Magid family". (This is another Moslem business family of Asian descent, against whom the Abdul Satars have been waging a vendetta.) He said "there might have been ill-feeling between us and the Magid family, but not between us and "Metical"".

Satar claimed he never had any dealings with Anibalzinho, and the first he knew of the murder was from a Radio Mozambique news bulletin.

Much of the court's questioning hinged on the relationship between Ayob and his younger brother Nini. Ayob said that Nini is not a shareholder in Unicambios, but works as its "commercial supervisor", for which he does not draw a salary. He repeatedly described Nini as "a businessman in his own right".

But when asked what businesses Nini owns, Ayob Satar declined to answer. When the court insisted, he replied "He has his businesses, he can answer for himself".

The court was also fascinated by a series of cheques issued to Ayob Satar by the Polana Casino and totalling some seven billion meticaís (almost \$300,000). These cheques had been entered in evidence by Satar himself, as part of his defence.

The defence claim is that Gary Rouper, the South African who was then managing the casino, owed Nini vast sums of money. He paid with cheques that were "pre-dated" (i.e. they could not be cashed before a certain date). Rouper then allegedly paid a man named Oswaldo Muianga to incriminate both Satar brothers in the murder of Cardoso, placing them at meetings where the crime was discussed.

The defence argument is that these meetings, supposedly held in the Rovuma Hotel in central Maputo, never took place, and the sole point of Muianga's story was to ensure that the Satars were locked up before the cheques could be cashed.

<http://www.poptel.org.uk/mozambique-news/newsletter/aim244.html>