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87509E SIBA-SIBA MURDER: BACK TO SQUARE ONE

Maputo, 25 May (AIM) – A Maputo judge on Friday ordered the release of the only two people arrested in connection with the 2001 murder of Antonio Siba-Siba Macuacua, the interim chairperson of the scandal-ridden Austral Bank, on the grounds that there was insufficient evidence for the case to go to trial.

Jose Passaje was a security guard at the bank headquarters, and Benigno Parente Junior had been director of credit, and then, when the Bank of Mozambique intervened in April 2001 to save Austral from collapse, he was appointed to the three member interim board led by Siba-Siba.

Both had been held in the Maputo Civil Prison since December 2008 while investigations continued. For Passaje, this was his second detention. He was arrested immediately after the murder, on 11 August 2001, and held for 12 days, before he was released.

In 2008 there was a list of 24 suspects. But the Public Prosecutor's Office felt there were insufficient grounds for charging 21 of them. A 22nd, Carlos Siteo, also a security guard, was briefly jailed and then granted provisional freedom. That left just Parente and Passaje behind bars.

On Friday the investigating magistrate, Paulo Cinco Reis, dismissed the case against the two, ruling that the Public Prosecutor's Office has not proved its case against them. According to a report in Monday's issue of the newsheet "Canal de Mocambique", Cinco Reis said there was not sufficient proof that Passaje, after accompanying Siba-Siba to his office on the 15th floor on the day of the murder, had waited on the 16th floor for others to join him, and carry out the assassination.

In particular, the prosecution had said he was waiting for Luis Cabeça Viegas, a Portuguese official at Austral, who was always a suspect in the murder but who, against the wishes of the Criminal Investigation Police (PIC), was allowed to go on holiday in Lisbon. He never came back.

Unlike a trial, this phase in the investigation is held behind closed doors, and so it is difficult for the press or public to judge how strong the prosecution case was. The defence lawyers, of course, loudly declared that there had never been a serious case against their clients.

Parente's lawyer, Abdul Gani, said the charge against Parente was "groundless, unjustified and immoral", and suggested that Parente might have grounds to sue the state for wrongful imprisonment.

Nomier Banzo, the lawyer for Passaje, (and who also defended Siteo) made similar declarations, claiming that the detention was "without grounds, insidious and unjustified".

These are exactly the kind of statement one would expect from the defence lawyers. So far the prosecution has not reacted. It can appeal against the judge's decision. Such an appeal would go to the Supreme Court, where it could take many months to be heard.

One interesting remark by the judge was that it had been “sufficiently proved” that, in the days immediately before and after the murder, from 9 to 12 August 2001, there were a considerable number of phone calls between Octavio Muthemba and Nyimpine Chissano.

Muthemba, a former Minister of Industry, was appointed chairman of the Austral Board when the bank was privatised in 1997, with 60 per cent of its shares sold to a Malaysian-Mozambican consortium. Under Muthemba’s management Austral embarked on a wave of reckless lending. Four years after privatization the bank was collapsing under the weight of bad loans – rather than recapitalize the bank, the private owners simply handed their shares back to the state.

In 1998 Muthemba employed Nyimpine Chissano, the oldest son of the then President of the Republic, Joaquim Chissano, as a consultant on a fee of 3,000 US dollars a month. In April 2001, three weeks after he was appointed interim chairperson of Austral, Siba-Siba cancelled Chissano Jr’s contract, and said that any money still owing to him would be set off against the loan he had taken from the bank.

Nyimpine Chissano cannot tell prosecutors what he discussed with Muthemba at the time of the murder, since he died of a heart attack in November 2007.

Siba-Siba’s short reign at Austral was marked by a determined effort to ascertain the true financial situation of the bank, and to pursue the bank’s debtors, through the courts if necessary. He even published a list of the names of some 1,200 debtors in the Maputo daily paper “Noticias”.

(AIM)

Pf/ (733)

Despronunciados suspeitos do assassinato de Siba-Siba

BENIGNO Parente Júnior e José Figueiro Passage, que vinham sendo acusados de envolvimento no assassinato de António Siba-Siba Macuácuca, então presidente interino do conselho de administração do antigo Banco Austral, foram sexta-feira últimos restituídos à liberdade, depois que o juiz da causa decidiu despronunciá-los por insuficiência de provas. Os dois indiciados foram conduzidos, em Dezembro último, à Cadeia Civil, por ordens da Procuradoria da República da Cidade de Maputo.

Maputo, Segunda-Feira, 25 de Maio de 2009:: Notícias

Benigno Parente Júnior foi, entre outros, director de Crédito. Posteriormente foi nomeado administrador do Banco Austral. José Figueiro Passage estava adstrito à segurança do banco. Estes tinham sido os primeiros detidos com relação a este caso, sete anos depois da sua ocorrência. Em face da decisão do juiz, o Ministério Público dispõe de cinco dias úteis para recorrer. Caso isso não se concretize, advinha-se a “morte” deste processo que se arrasta anos.

António Siba-Siba Mucuácuca foi nomeado pelo Banco de Moçambique PCA interino do Banco Austral a 4 de Abril de 2001, tendo sido assassinado no dia 11 de Agosto do mesmo ano, aos 33 anos de idade.

Segundo os autos em poder do tribunal, António Siba-Siba Macuácuca teria sido obrigado a abandonar o seu gabinete de trabalho, situado no 15º andar do banco e conduzido para o terraço do edifício donde terá sido imobilizado e depois atirado pelo vão.

A sua nomeação tinha, entre outros objectivos, promover o apuramento rigoroso da real situação do banco. Tinha, entre outras atribuições, a missão de proceder à reestruturação da instituição. Também gozava da prerrogativa de recorrer, sempre que a situação o

aconselhasse, a consultorias especializadas. Na altura o banco debatia-se com problemas de vária ordem, com a má gestão e os créditos mal parados no topo das preocupações. O exercício da recuperação do crédito mal parado resultou na publicação na Imprensa moçambicana de nomes de 1200 mutuários que eram exortados a liquidar as suas contas, facto que terá desagrado a alguns visados.

O Banco Austral foi privatizado em 1997 mas foi alvo de fraudes e de créditos mal parados na ordem dos 150 milhões de USD. Em 2001 a instituição voltou ao controlo do Estado e António Siba-Siba Macuáqua indicado para retirar o banco dessa situação.

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64509E MEDIA WATCHDOG DEMANDS APOLOGY FROM TETE GOVERNOR

Maputo, 19 May (AIM) – The regulatory body for the Mozambican media, the Higher Mass Media Council (CSCS), has found that the governor of the western Mozambican province of Tete, Ildefonso Muanantatha, did indeed make death threats against a journalist on the daily paper “Noticias”, and has advised the governor to make a public retraction and apology.

The incidents occurred on 16 and 17 March, when the reporter concerned, Bernardo Carlos, was one of the journalists who accompanied Muanantatha on a visit to the district of Magoe.

Articles written by Carlos had not shown the Tete provincial government in a good light, and even though Carlos’s sources included Finance Minister Manuel Chang, the governor warned him that he might meet the same fate as Carlos Cardoso, the investigative journalist who was murdered in Maputo in November 2000.

The CSCS sent a delegation to Tete, spoke to the witnesses, and concluded that Carlos’s version of events was essentially correct.

The CSCS considered it as proven that, at dinner, on 16 March, in the presence of other reporters, Muanantatha told Carlos “you’re shoving me. Eventually I might react”.

He added “you have a family who might suffer because of the articles you’re writing. Because one day you might wake up without that elbow you’re using to shove me around”.

At lunch the following day, the governor continued in the same vein. He told all the journalists “You should be careful when you write your articles. You shouldn’t just hear one thing and write it down without consulting sources so that the information reaches your listeners and readers in a complete fashion”.

But then Muanantatha addressed Carlos specifically with the chilling words “Don’t you know how your colleague Carlos Cardoso disappeared?”

The 11 member CSCS met on 30 April to receive the report from the delegation that visited Tete and concluded that “under the circumstances, the words spoken by the governor were a threat to the physical integrity of Bernarndo Carlos”.

The CSCS called on Muanantatha “to make a retraction by publicly apologising to Bernardo Carlos, to the class of journalists, and to society as a whole”. The governor’s statements were “a serious threat to the independence of the media, to the freedom of the press and to the right to information”.

The CSCS also recommended that the leadership of the National Union of Journalists (SNJ) and of the Mozambican chapter of the regional press freedom body MISA (Media Institute of Southern Africa) should “encourage a spirit of solidarity and cohesion among colleagues in cases of this nature”.

This is a veiled reference to the failure of other Tete journalists to support Carlos. Four other journalists witnessed the governor’s behaviour. But immediately afterwards, three of them - Amarildo Romao and Rosario Saide of Mozambique Television (TVM), and Alberto Camacho of Radio Mozambique – signed a letter saying that at no time did they hear the governor threatening Carlos.

However, the fourth witness, Domingos Pascoal of the Beira daily paper “Diario de Mocambique”, fully backed up the version of events as told by Carlos, and the CSCS evidently decided that he and Carlos were telling the truth.

The CSCS also advised MISA-Mozambique “in future to listen to all sides involved before issuing public statements”.

There were, in fact, two contradictory positions taken by MISA in March. The Maputo head office of MISA-Mozambique condemned “unreservedly” the governor’s threats, and said his attitude reflected the spirit of those public servants “who are averse to public accountability for their performance”.

But the chairperson of the Tete provincial nucleus of MISA, Jossefa Macadona, denied that any threats were made against Bernardo Carlos. Macadona’s impartiality is open to question – he happens to be the press attaché of the Tete provincial government.

The CSCS also noted that “in much of the country there is still a lack of knowledge about media legislation, among journalists, government members and civil society organisations”, and so it promised to undertake a campaign to publicise the Mozambican press law.

The CSCS statement on the governor’s threats is dated 30 April, but only now, almost three weeks later, has it been published. There has been no retraction and no apology from Muanantatha.

When AIM spoke to Carlos on Friday, he said the governor has not spoken to him since the March incidents.

The CSCS is a body enshrined in the Mozambican constitution, which states that its tasks are “to ensure the independence of the mass media, in the exercise of the right to information, freedom of the press, the right to political broadcasting time, and the right of reply”.

It must also be consulted over the licensing of private radio and television states and over the appointment and dismissal of directors of the publicly owned media.

(AIM)
Pf/ (785)

Alegadas ameaças a jornalistas: CSCS aconselha Muanantatha a retractar-se

O CONSELHO Superior da Comunicação Social (CSCS) acaba de emitir uma deliberação através da qual aconselha o Governador da província de Tete, Ildefonso Muanantatha, a retractar-se face a alegadas ameaças reportadas por alguns órgãos de comunicação social, que terão sido proferidas contra o Jornalista Bernardo Inácio Carlos, correspondente do “Notícias” em Tete. Dada a pontualidade da mesma, transcrevemo-la na íntegra:

Maputo, Terça-Feira, 19 de Maio de 2009:: Notícias

O Conselho Superior da Comunicação Social, no uso das competências que lhe são conferidas pela Constituição da República e pela Lei 18/91, de 10 de Agosto, decidiu, na sua 6ª Sessão Ordinária, realizada a 2 de Abril de 2009, levar a cabo uma investigação para o apuramento dos factos e circunstâncias em que terão ocorrido as alegadas ameaças, reportadas em alguns órgãos de comunicação social, que terão sido proferidas por Sua Excelência o Governador da província de Tete, Ildefonso Muanantatha, contra o jornalista Bernardo Inácio Carlos, correspondente do Jornal Notícias em Tete.

O Conselho Superior da Comunicação Social decidiu fazer deslocar uma equipa à cidade de Tete para melhor entender no terreno o que se terá passado.

Dos depoimentos recolhidos e analisados os factos, o Conselho Superior da Comunicação Social constatou o seguinte:

Em visita efectuada ao distrito de Mágoè, em 16 e 17 de Março de 2009, sua Excelência o Governador da Província de Tete no dia 16, durante o jantar, em conversa com o jornalista Amarildo Romão da Televisão de Moçambique, Domingos Pascoal do Jornal Diário de Moçambique, e Bernardo Inácio Carlos, Jornalista do Notícias, dirigiu-se particularmente a este último e referiu *“estás a acotovelar-me”. “Eventualmente poderei reagir sobre isso”. “Tem família que pode vir a sofrer por causa dos artigos que escreve, porque um dia pode acordar sem o cotovelo com o qual me acotovela”*.

No dia 17, Sua Excelência o Governador da província de Tete dirigiu-se à mesa onde se encontravam a almoçar os jornalistas Amarildo Romão, da Televisão de Moçambique, Domingos Pascoal, do Jornal Diário de Moçambique, Alberto Camacho, da Rádio Moçambique, e Bernardo Inácio Carlos, Jornalista do Notícias e, continuando a conversa havida na noite do dia anterior, referiu: *“vocês devem ser cautelosos quando escrevem os vossos artigos, não devem ouvir só uma coisa e depois pegar e escrever sem ter alguma atenção e sem consultar as fontes de forma a aqui a informação chegue aos ouvintes ou leitores de uma forma completa”*. Mais uma vez, dirigindo-se particularmente ao jornalista Bernardo Inácio Carlos, perguntou: *“Sabes como é que desapareceu o colega Carlos Cardoso?”*.

O Conselho Superior da Comunicação Social, reunido em sessão ordinária aos 30 de Abril de 2009, analisou os factos descritos e considerou que as palavras proferidas por Sua Excelência o Governador da província de Tete nas circunstâncias concretas, assumem a natureza de ameaça à integridade física do jornalista Bernardo Inácio Carlos.

Em face da situação, o Conselho Superior da Comunicação Social delibera:

1. Aconselhar Sua Excelência o Governador da província de Tete a retractar-se relativamente ao caso, pedindo publicamente desculpas ao jornalista Bernardo Inácio Carlos, à classe jornalística e à sociedade em geral, pois as afirmações que lhe são imputadas – e que terão sido pronunciadas – constituem um atentado grave *“(…) à independência dos órgãos de informação, à liberdade de imprensa e ao direito à informação (...)”* (artigo 35, ponto 1 da Lei 18/91, de 10 de Agosto).
2. Recomendar ao Misa-Moçambique a ouvir, em futuras ocasiões, todas as partes envolvidas num caso antes de emitir comunicados públicos.
3. Recomendar as lideranças do Sindicato Nacional de Jornalistas e do Misa-Moçambique, em particular, a necessidade de incutirem o espírito de solidariedade e de coesão entre colegas em casos desta e de outra natureza.
4. Apelar aos jornalistas, entidades públicas e privadas e cidadãos em geral a participarem ao Conselho Superior da Comunicação Social todos os casos de violação da Lei de Imprensa e outros que ocorram na área de comunicação social.

Constatando-se que em grande parte do país se verifica ainda um desconhecimento da legislação sobre a imprensa, especialmente entre jornalistas, governantes e membros de organizações da sociedade civil, o Conselho Superior de Comunicação Social, em colaboração com parceiros nacionais e internacionais, compromete-se a levar a cabo em todo o país acções de divulgação e debate destes instrumentos jurídicos tão importantes ao exercício da actividade jornalística.

Maputo, aos 30 de Abril de 2009