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High Representative of the European Union for Foreign Affairs and Security Policy and Vice-President of the European Commission
Federica Mogherini

Strasbourg, 26 March 2019

Dear Federica,

I have just come from 2 days spent in Maputo, Mozambique, accompanying Mrs. Salomé Sebastião, the wife of Portuguese businessman Américo Sebastião, who was kidnapped in the Mozambican Province of Sofala in July 2016 and was never returned nor found, nor were his captors identified and brought to justice.

This was a visit programmed for weeks, as per my request for support from the EU Delegation in Maputo and as per the Note Verbale sent by the EU Delegation to the Mozambican authorities dated March 14. It coincided with the day of Idai cyclone, which caused the devastation and terrible humanitarian disaster that Beira and Sofala people are now enduring. The tragedy provided an excuse to all the authorities I had requested to see, specified in the EU Delegation Note Verbale, to justify their non availability, despite the fact that most were in the capital. The only member of the Government I was able to meet was the Minister of Justice, Mr. Joaquim Veríssimo. Mrs. Sebastião and the Ambassador of Portugal, Mrs. Maria Amélia Paiva, were also at the meeting.

It was particularly worrying that neither the PGR (Attorney General) nor the SERNIC (Criminal Police) did find time, nor anyone, to receive me and Mrs. Sebastião, despite all our efforts at the Foreign Ministry and with the PGR directly, and also after having spent hours and filled formularies formally requesting authorization from the Home Affairs Minister for the requested meeting with SERNIC National Director. I learned from an inside source that a directive had come from the top leadership that only the Minister of Justice would represent the State in meeting us and no judicial or police authorities would be allowed to see us, in order to avoid any possible contradictions...

That inability to speak with us by the judicial and police authorities, supposed to be in charge of the criminal inquiry on the kidnapping of Mr. Sebastião, is even more unacceptable since we lodged with the Minister of Justice the complaint that the Mozambican State is not doing the minimum to ensure a competent and thorough criminal inquiry, rather is obstructing it. The Minister of Justice line of argument was to send us to the remit of the judicial and criminal authorities responsible for the inquiry, suggesting the lawyers of the Sebastião family could always require any diligences deemed useful. Moreover, to our questions regarding why the offer of assistance made and reiterated by the Portuguese judicial and police authorities was

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never accepted by the Mozambican authorities, contrarily to what always happened in other similar cases, he again referred us to the PGR. Who refused to meet with us at whichever level...

Madam High Representative,

Mr. Sebastião was kidnapped in a Province of the country where the political dispute between ruling Frelimo and opposition Renamo sometimes turns into armed confrontation, but in the district of Maringue, which is under strict military control of the ruling Frelimo forces. And he was kidnapped by State uniformed armed forces, according to witnesses. Several tips, traces and relevant people were never properly followed to find out what happened to Mr. Sebastião. The local PGR department alleges lack of resources to conduct a proper inquiry and decided to close the case last October. A Mozambican lawyer hired by the Sebastião family was not able to request some obviously missing diligences, such is the fear instilled by this case, given the responsibilities at the political level it may uncover. At the vocal protest of the Sebastião family, the National PGR advocated the inquiry in the meantime. But all is blocked and no answer was provided by the PGR to the offer made of assistance in a joint investigation made by Portugal.

There are too many similarities in this case with the obstruction that I have learned that has been met also by the family of Constitutional Law Professor Gilles Cistac, a high regarded French citizen living in Mozambique for long, until he was assassinated in 2015. It is not by incompetence or lack of resources from the PGR or the SERNIC that the two inquiries are blocked: paralysis is the result of political obstruction from the top levels of the ruling party, as also evidenced in the major scandal of the "hidden debt" now tormenting the whole Mozambican nation.

As much as I urge the EU to spare no effort and assist the suffering people of Mozambique in emergency assistance and long term reconstruction from the destruction caused by cyclone Idai, in the same vein I urge you to use all opportunities to publicly and privately stress the political responsibilities of the Mozambican top authorities, namely President Nyusi, the Minister of Defence, senior military officials and all Members of the Political Committee of Frelimo. They have now an opportunity to show leadership by ensuring that the judicial and police authorities do their work, or accept Portuguese assistance, and unequivocally account for the disappearance of Mr. Américo Sebastião.

Best regards,

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