

# INVESTIGATIVE JOURNALISM

06<sup>th</sup> December 2023 | Edition nr° 3 | Free Distribution | [www.cipmoz.org](http://www.cipmoz.org)



## ANTI-CORRUPTION AWARENESS WEEK

We have a vision, a world free from corruption

DECEMBER 04th to 09

### For sale: obtain Mozambican nationality as from 40,000 meticais!

- An investigation by CIP (Centre for Public Integrity) has unveiled a scheme which operates from within the Central Registry Office in Maputo and involves other relevant State institutions.

“The violation of our borders by foreign citizens, some of whom are bearing passports and even identity cards issued by the national immigration and civil identification services respectively, with resort to schemes of corruption, contributes to the operations of organized crime, putting at risk the sovereignty of our State”, **Beatriz Buchili, Attorney-General of the Republic, April 2022**

Mozambican nationality is for sale. The scheme begins in the Central Registry Office, and flows into the office of the Minister of the Interior. Along this journey, institutions such as the State Intelligence and Security Service (SISE) and the Ministry of Foreign Affairs (MINEC) are involved and/or bypassed.

This text, which is the result of a journalistic investigation, shows how the scheme works, the amounts charged, and the entities and some of the people involved. 27 cases were analysed in which Mozambican nationality was granted, in the

period from 2011 to 2022. Of these, in three cases, referring to the same number of citizens, Mozambican citizenship was granted without meeting the legal requirements. The three people concerned are businessmen who were originally of Turkish nationality.

“Mozambican nationality may be granted, by naturalisation, to foreigners who, at the date of presenting their request, meet cumulatively the following conditions (...): they have lived habitually and regularly for at least 10 years in Mozambique; they are more than 18 years old; they know Portuguese or a Mozambican language; they have the capacity to govern their own person and to ensure their subsistence; they are of good civic repute...” These are the conditions that the Law lays down for a foreign citizen to obtain Mozambican citizenship. But the reality is different. To obtain Mozambican nationality, there is a monetary cost! That is, Mozambican nationality is for sale. The scheme

begins in the Central Registry Office, and flows to the office of the Minister of the Interior. Along this journey, institutions such as the State Intelligence and Security Service (SISE) and the Ministry of Foreign Affairs (MINEC) are involved and/or bypassed.

This text, which is the result of a journalistic investigation, shows how the scheme works, the amounts charged, and the entities and some of the people involved.

The investigation lasted more than a year. It was undertaken in Maputo and Nampula, between July 2022 and November 2023. 27 cases of the granting of Mozambican nationality were analysed, referring to the period between 2011 and 2022.

Out of the 27 cases analysed, serious irregularities were noted in three, concerning the same number of citizens, who were granted Mozambican citizenship without meeting the legal requirements. The three were originally of Turkish nationality. They bear Mozambican identity cards and passports, but there are no valid dispatches granting them Mozambican nationality. The three are business people, with real estate as their main activity.

## **Formal mechanisms for acquiring Mozambican nationality: slowness and uncertainty**

Anyone wishing to acquire nationality by legal means faces a long process and uncertainty as to its outcome. Requests for acquiring Mozambican nationality wait for years for a favourable dispatch and often end without any outcome. This may be one of the reasons that creates room for clandestine networks selling nationality to prosper.

The Constitution of the Republic of Mozambique (CRM) enshrines two principles of nationality (which may be original or acquired): the principle of territoriality and that of consanguinity.

The legal framework on nationality is envisaged in the Constitution of the Republic and in the Nationality Law (Law No. 3/75 of 8 August, Series I, number 23).

The principle of consanguinity is envisaged in article

23 of the CRM which establishes that the children of a Mozambican father or mother, the children of parents who are stateless or of unknown nationality, Mozambicans born abroad, or the children of a Mozambican father or mother working for the Mozambican state outside the country, and also those domiciled in Mozambique at the date of Mozambican independence are all Mozambicans.

The principle of territoriality, enshrined in article 24 of the CRM, states that citizens born in Mozambique after independence are Mozambicans, as are citizens born of a foreign father or mother, when either of them is in Mozambique at the service of the state to which they belong, as long as they have declared, by themselves or through their legal representatives that they wish to be Mozambican.

The Constitution also provides that original nationality may be acquired, on reaching the age of majority, envisaged in article 25 of the CRM, applied to citizens who meet the requirements for original nationality but had not yet acquired nationality for reasons not restricted by law as long as they are over 18 years of age.

In addition to original nationality, obtained through the principles of consanguinity and territoriality, there is acquired nationality, which may be by marriage, naturalisation, affiliation and by adoption, as established in articles 26, 27, 28 and 29 of the CRM.

Nationality by marriage (envisaged in article 26 of the CRM) may be acquired by a foreign citizen who has contracted a duly registered civil, religious or traditional marriage at least five years previously, except in the case of a stateless citizen who should declare that he/she wishes to acquire Mozambican nationality, or that he/she at least meets the requirements and guarantees fixed by law.

Nationality by affiliation (article 28 of the CRM) grants nationality to the children of naturalised parents; and nationality is by adoption (article 29 of the CRM) in the case of a foreigner adopted by a Mozambican.

Finally, there is nationality acquired by naturalisation, which is one of those most used in schemes of corruption and falsification of authentic documents in Mozambique.

In the 2022 report from the Attorney-General of the Republic, Beatriz Buchili mentioned frequent cases of illegal granting of national identification and travel documents to foreign citizens, citing cases of identity cards and passports.

## Acquired Nationality

Nationality acquired by naturalisation (article 27 of the CRM) is granted to foreigners who, at the date of presenting their request, meet cumulatively the requirements listed in article 27, namely:

- a) He/she has lived regularly in Mozambique for at least 10 years;
- b) He/she is more than 18 years old, knows the Portuguese language or an official Mozambican language;
- c) He/she has the capacity to govern his/her own person and ensure his/her subsistence. Applicants should be of good civic repute;
- d) However, in the terms of number 2, when the citizen has provided a relevant service to the Mozambican state, he/she may be dispensed from the obligation to speak a local language or Portuguese, and to have lived habitually in Mozambique for at least 10 years.

The most frequent forms of acquiring nationality in Mozambique are acquisition by marriage and by naturalisation.

For acquiring nationality by marriage (article 26 of the CRM), the Government bodies involved are the Central Registry Office and the Civil Registry Office that registers the marriage.

Nationality by marriage is processed in the Central Registry Office. It is sufficient to present the certificate of the marriage or de facto union, celebrated at least five years earlier, and a declaration by the Mozambican spouse allowing his/her foreign partner to acquire nationality. However, the registrar handling the nationality by marriage should consult the authenticity of the marriage certificate, in the registry office

which registered the marriage.

The complete requirements for the acquisition of Mozambican nationality by marriage are: (i) declaration of intent to acquire nationality; (ii) marriage certificate; (iii) birth certificate issued by the country of origin of the foreign spouse, and birth certificate of the Mozambican spouse; (iv) certificate of residence in Mozambique for the foreign applicant; (v) criminal record certificate issued by the country of origin; (vi) authenticated photocopy of valid identification documents (DIRE); (vii) authenticated photocopy of passport, translated if it is not in Portuguese; (viii) declaration of the Mozambican spouse, addressed to the director of the Central Registry Office, agreeing with the acquisition of nationality by the foreign spouse; (ix) guarantee of subsistence and of civic good repute (authenticated copy of the declaration of start of activities or deed of undertaking; (x) Tax Identification Number (NUIT); (xi) work contract or declaration of subsistence; (xii) certificate of civic repute, issued in the country of origin.

The foreign documents should be translated by an official translator and authenticated by a notary. A fee of 9.500,00 mts is paid for conducting the procedures. Theoretically, the process takes 7 to 15 days to be approved.

## Nationality by naturalisation (article 27 of the CRM)

Acquiring nationality by naturalisation is more complex and takes longer.

The requirements listed in article 27 of the CRM are cumulative, except for the cases mentioned in paragraph 2 of this article. However, in practice some elements have been ignored, such as mastery of the official language, due to the lack of language testing systems.

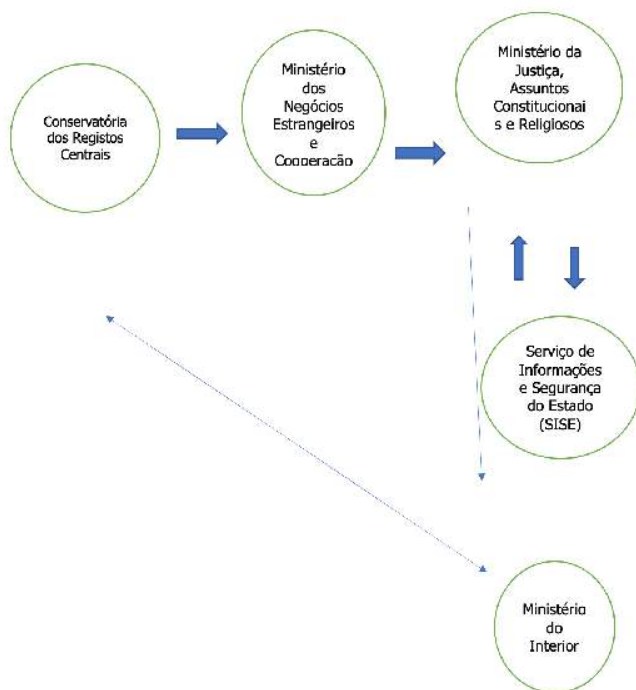
The government bodies involved are the Ministry of Justice, Constitutional and Religious Matters, through the Central Registry Office (which handles the procedure and issues the certificate granting nationality); The Ministry of Foreign Affairs and Cooperation - MINEC (which should stamp the documents, proving it has seen them); the Minister of the Interior (who issues the dispatch attributing nationality;

the State Intelligence and Security Service - SISE (which investigates the suitability of the citizen) and; the Imprensa Nacional (National Printing House) – which publishes the dispatch in the “Boletim da República” (only for the cases of articles 27 and 32 of the CRM);

For this process, the foreigner who wishes to acquire Mozambican nationality must, in addition to the requirements of article 27 of the CRM, present the following documents: (i) request to acquire nationality by naturalisation; (ii) criminal record certificate issued in Mozambique and in his/her country of origin; (iii) birth certificate issued in his/her country of origin (translated officially); (iv) certificate of regular residence in Mozambique for more than 10 years; (v) guarantees of subsistence (declaration of income, commercial certificate of the company, licence and work contract; (vi) authenticated copies of passport and DIRE; (vii) Tax Identification Number (NUIT); (viii) Licence for exercise of commercial activity (ix) proof of payment of Personal Income Tax (IRPS); (x) Work contract or declaration of subsistence and payment of a fee of 5,500.00 mts.

**Figure 1. Route for correspondence and communication between public institutions**

Scheme of correspondence:



Source: Authors

In terms of the nationality law (Decree 3/75, of 16 August,

the decree that regulates the nationality law), the Central Registry Office is the body which processes the naturalization of foreigners. It investigates the case, issues communications between the institutions involved for purposes of issuing an opinion, and transcribes the dispatch attributing nationality from the Minister of the Interior, the body responsible for attribution of nationality by naturalization, by means of a seal called “seal of attribution of nationality”, for the case of acquisition, under the terms of article 27 (nationality by naturalisation).

In the case of naturalization, the Central Registry Office organizes the process and sends it to the Ministry of Foreign Affairs and Cooperation, for its opinion. After giving its opinion, the Ministry of Foreign Affairs and Cooperation sends the process to the Ministry of Justice, which in turn sends it to SISE (which investigates). SISE then sends it back to the Ministry of Justice, which sends it on to the Ministry of the Interior which makes the decision.

After the favourable decision of the Ministry of the Interior, the dispatch granting nationality to the foreigner is published in the Boletim da República, 1<sup>st</sup> Series. The process is then sent to the Central Registry Office, for purposes of registration in the book of naturalists. Finally, the Registry Office sends the dispatch of authenticity to the Civil Identification Directorate (DIC) for issuing the identity card.

Pending cases wait in the Ministry of the Interior for purposes of correction, if possible. Publication in the “Boletim da República” is indispensable.

## Weaknesses in the naturalization of foreigners

There are several weaknesses. They range from the documental process, to coordination between institutions and countries, the applicable legislation and procedures, and even the system of payment at the registry offices, particularly the Central Registry Office.

The Nationality Law and the Decree that regulates it were approved in 1975, at the time of Mozambican independence. 48 years have passed, and the same law remains in force without any updating. This situation opens room for

manipulation by the public officials in charge and for schemes of corruption.

According to the procedures used in the conduct of the procedure to grant Mozambican nationality, the bodies involved are SISE, MINEC, MJACR, SENAMI, the Civil Registry Office of the country of origin, the body responsible for the declaration of suitability of the applicant, and the body responsible for issuing the criminal record certificate of the foreign citizen. Also involved, indirectly, is the Directorate of Finance, to present proof of payment of the IRPS.

The law gives no time limits for how long the process may last. This could open the door to arbitrary behavior, making the processes long for some people, and short for others.

Verifying the authenticity of the various documents required for granting nationality is one of the great weaknesses. Some cases of naturalisation by marriage are processed using false documents, such as false marriage certificates, and false documents from the country of origin, among others.

The fact is that marriage is a willing and bilateral agreement, according to the family law, with the goal of forming a family. However, there are marriages which are undertaken to facilitate the acquisition of nationality in exchange for money, thus allowing the foreign citizen, after a divorce, and when he/she is already a Mozambican national, to attribute nationality to other foreigners in terms of the nationality law, such as his children and spouse.

The other weakness concerns the payments. The registry offices often have the habit of demanding that payments be made in cash, and there are even banking means for doing this. These practices facilitate acts of corruption and connected crimes such as embezzlement, forgery, and unjustified enrichment, for example.

Based on this study, there is clearly a lack of transparency and manipulation in the acquisition of nationality and the weaknesses of the legislation.

## **Scheme to sell Mozambican nationality: quicker and cheaper**

About 40,000 meticais and two months are needed to acquire Mozambican nationality fraudulently in the capital of the country, or at least some authentic documents which prove that the person is a Mozambican citizen. However the amount of money may vary in accordance with the number of people involved in the scheme. In some cases, acquiring nationality can cost two or three times this amount.

A large part of the sum is shared among the members of the network responsible for the negotiation. Another part is used to bribe staff at the Central Registry Office and the Civil Identification Directorate, for issuing the full narrative certificate, for speeding up the signing of documents, and for issuing the identity card, among other measures.

The sale of nationality involves a network of public officials working for the Central Registry Office, which is a body that falls under the remit of the Ministry of Justice, and Constitutional and Religious Matters, and middlemen who have no connection with the state apparatus, including some local jurists or lawyers.

During the investigation, CIP researchers (pretending to be middlemen for a foreigner who wanted to acquire Mozambican citizenship) interacted with public officials who are part of the network that sells nationality, and they heard, in the first person, the details of the scheme.

As the members of the network explained, in most cases the clients (foreign citizens) prefer to pay large sums to acquire nationality rather than to pay regularly the fee of 35,000 meticais to renew the Identification Document for Foreign Residents (DIRE).

The amount paid to purchase nationality is not fixed. It varies, depending on whether the operation to buy nationality is undertaken in a province outside of Maputo, because this implies involving more people in the procedure. During preliminary research done by CIP in Nampula, it was found that acquiring Mozambican citizenship is more expensive in that province, costing an average of 150,000 meticais, since the sum is later distributed among a broad network, some of

whose members are based in the Nampula registry office, while others are based in Maputo, where the procedure is concluded.

To join the network selling nationality, the CIP researchers pretended to be middlemen working for a foreign client who wanted to acquire nationality. The sum charged for acquiring nationality was 40,000 meticaís. This sum would be shared by three members of the network, who took part in the negotiations, and other staff who might intervene during the process. But this amount served only to issue the certificate of attribution of Mozambican nationality. Afterwards, the beneficiary of this certificate will have to pay more bribes so that the civil identification services issue him with an identity card, ignoring the fact that the certificate used as the basis for this is a forgery.

According to the members of the network, the value is much lower than what is charged on the market for similar services. When the CIP researchers tried to negotiate a reduction in the sum, the members of the network said this was not possible, because “it already came with discounts”.

## **45 days and a passport are needed**

The acquisition of Mozambican nationality by naturalization implies that the foreigner has lived habitually in the country for at least 10 years, and implies compliance with particular requirements such as, for example, mastery of the Portuguese language. Even when they meet all the legal requirements, many foreigners take more than a decade to obtain Mozambican nationality.

But on the parallel market, the procedure takes less than two months. All that is necessary are 45 days and a passport for the foreign citizen to acquire Mozambican nationality fraudulently.

The process starts with the issuing of a full narrative certificate by the Central Registry Office. This stage lasts 10 days at most. Once the certificate has been issued, processing the Identity Card (BI) begins. Processing a BI for a foreigner is a sensitive matter. First, because it is the crucial stage for obtaining a passport; and second, due to the risk that the foreigner might be identified as someone who does not meet

the legal requirements for granting Mozambican nationality.

To minimize these risks, in the event that the client does not speak Portuguese fluently and does not know the country reasonably well, the members of the network send him to the Civil Identification Services, where an official who is also a member of the network is stationed. This official facilitates the issuing of the BI without too many questions, to avoid identification of the foreigner.

After the issuing of the BI, the members of the network ensure that the foreigner has a national passport and any other document. After 45 days, the procedure is completed, and the foreigner legally becomes a Mozambican citizen, at least in terms of authentic documents.

CIP has identified at least three public officials involved in the sale of nationality. Apparently they are well positioned people, displaying expensive clothing, cell phones and watches. This lets it be understood that they are leading a stable life style, which contrasts with that of a simple member of staff of the public administration. In addition to the sale of Mozambican nationality to foreigners, they are involved in various other corrupt schemes in which local jurists and lawyers act as middlemen.

## **Turkish business people with Mozambican nationality obtained in a doubtful manner**

The CIP investigation which, as mentioned above, consisted of interviewing people involved in the scheme of attributing nationality and verifying the documents referring to the granting of nationality, allowed us to ascertain that, of the 27 cases analysed, three concern the granting of nationality in a way suspected of being fraudulent. These are the cases of the Turkish business people Devrin Sahutoglu, with Identity Card number 110108027076Q and Mozambican passport number AB0893822, Hakan Aleattin Yalçin, with Identity Card number 110100092490C and Mozambican passport, number AB1198809, and Semseddin Gaznevi, with Identity Card number 110109015100A and passport number AB0460744.

Below we present the details of each of these cases.

## Devrin Sahutoglu

Devrin Sahutoglu is a businessman of Turkish original nationality. He is a partner in various companies registered in Mozambique. These are the companies Blocos Catembe, Limitada; VQ Corner, Limitada; Devcon, Limitada; Zara Imobiliária, Limitada; Grupo Turquarry, Limitada; Devsha, Limitada; Alda Betão, Limitada; Turquarry, Limitada; and TLM, Limitada.

According to the nationality attribution seal, in the case file of the businessman Devrin Sahutoglu, he obtained Mozambican nationality in 2013. However, documents consulted show that in 2013, this citizen had no Mozambican entry visa. The first company he opened was set up in 2014, and is the company named TLM, Limitada.<sup>1</sup>

When the procedure for granting nationality was analysed, some inconsistencies were noted in the documents that are in his case file.

The following documents are in the case file: Birth certificate no. 72/2013; Certificate showing the granting of nationality no. 95/2013; Copy of the Boletim da República No. 6, 1st series of 9 February

### **Birth certificate no. 72/2013;**

Under the terms of the Civil Registry Code (line g of article 64), the birth certificate is an act recorded by transcription, when referring to facts that occurred and were performed abroad before the local authorities concerning people's civil status. In this specific case, foreign citizens who wish to acquire Mozambican nationality should request a birth certificate in their country of origin, and it should be translated into the official language by a sworn official translator.

The birth certificate should be submitted to the Ministry of Foreign Affairs and Cooperation (MINEC) to be stamped. In this case, there was no stamp from MINEC.

### **Certificate on the granting of nationality, number 95/2013;**

According to the certificate on the granting of nationality, Mr Devrin Sahutoglu acquired Mozambican nationality, under article 26 of the CRM (nationality by marriage). This contradicts the BR which grants nationality under the terms of article 27. This is the case in which the ministerial dispatch and publication in the BR are obligatory. The case file does not contain the marriage certificate, or documents of the spouse to confirm the attribution by marriage.

The certificate should refer to the number of the Ministerial dispatch that grants nationality, since only after the Minister's dispatch is the certificate on granting nationality issued. However, there is no dispatch. The stamps on the document also seem forged.

## **Boletim da República no. 6, 1st Series of 9 February 2013**

According to article 14 of the Nationality Law, the BR should publish the ministerial diploma which grants nationality in cases of acquiring nationality in terms of article 27, and in cases of the re-acquisition of nationality (article 32 of the CRM). This means that anyone who wishes to obtain Mozambican nationality should request a dispatch from the Minister of the Interior which should be published in the BR.

In the case of Mr Devrin Sahutoglu, the BR in question (no. 6, 1st Series of 9 February 2013), which grants him nationality, is clearly false. The genuine BR, with the indicated serial number, refers to a presidential dispatch identified as no. 1/2013, of January (see **appendix I**). According to the Imprensa Nacional, in February 2013 no BR was published on any matter.

There is a genuine BR, manipulated to grant nationality to the citizen Devrin Sahutoglu, but it refers to 2011. Its serial number is no. 6, 1st Series, of 9 February, and contains the same names as the BR which grants nationality to Devrin Sahutoglu. This diploma grants nationality to 7 citizens and does not include the name of Devrin (see Appendix II).

The BR that the Imprensa Nacional does not recognise bears a stamp which it is believed is as fake as the BR itself.

In the case file supposedly granting nationality to Devrin

<sup>1</sup> See BR nº 88, III Series, Supplement of 3 November 2014 - page. 3448-(24)

Sahutoglu, the following documents are missing: the original birth certificate issued by the country of origin, translated by a sworn official translator and bearing a stamp from MINEC; the criminal record certificate, also translated; proof of payment of IRPS; proof of habitual residence in Mozambique and declaration of good repute from the country of origin. According to immigration information, consulted in 2013, Mr Devrin Sahutoglu has not been living for more than 10 years in Mozambique. Furthermore, after he was granted nationality in 2013, only in 2019 did he decide to obtain his Identity Card, which leads one to believe that 2019 was the year in which he did manage to obtain Mozambican nationality.

The case of granting nationality Devrin Sahutoglu was signed and processed by the registrar Anabela Junqueira and confirmation of the authenticity of the certificate, requested by DIC for purposes of issuing the identity card, was provided by a registrar and senior notary named Arlinda de Lurdes Nhaquila.

## Hakan Aleattin Yalçin

The second citizen naturalised on the basis of a suspect scheme is the businessman Hakan Aleattin Yalçin. He is of Turkish original nationality and later acquired British nationality. Now in Mozambique, he has obtained Mozambican nationality.

Hakan Yalçin is a partner in the Willow International School. He has holdings in real estate companies. He is the general manager of the companies Deco Construction, Lda, Paraíso de Férias, Lda, (companies which did business with citizens involved in the hidden debts through the project Deco Assos and Deco Residence) Deco Stone, Lda, and Black Sea, Lda, which are all companies of the same group. He also manages ATLAS, although this is not official.

The case file on granting nationality to Hakan Aleattin Yalçin was consulted during the present investigation. It was found to be missing the dispatch granting nationality, signed by the Minister of the Interior and published in the Boletim da República and the certificate granting nationality. One of the most serious findings is that this citizen does not meet the requirement fixed in paragraph 1, line a) of article 27

of the CRM. He has not lived in Mozambique for at least 10 years. According to information obtained from the National Immigration Service, Hakan had his first entry visa to Mozambique in 2017. Also missing are the MINEC stamp on the birth certificate, the criminal record certificate, translated and authenticated, and the declaration of good repute.

In analysing the case file, one notes that various documents may have been falsified, including the birth certificate, the certificate on the granting of nationality, and the stamps, or seals, and signatures of the Central Registry Office.

Just as in the case of Mr Devrin Sahutoglu, the registrar responsible for signing the certificate on granting nationality to Hakan Yalçin is the same Dr. Anabela Junqueira, and on the request to issue the Identity Card, the registrar and senior notary Arlinda de Lurdes Nhaquila signed the letter confirming the authenticity of the certificate.

## Semseddin Gaznevi

He is a partner in the companies Deco Construction, Lda, Deco Stone, Lda, and Paraíso de Férias Lda. He also possesses Mozambican nationality. From the case file consulted during the present investigation, it was found that the birth certificate presented seems to be false. There is no dispatch granting him Mozambican nationality published in the Boletim da República. However, he possesses a BI and a Mozambican passport with the number AB1198809.

Once again, the registrar responsible for signing the certificate on granting nationality is the same Dr Anabela Junqueira and the registrar and senior notary Arlinda de Lurdes Nhaquila signed the letter confirming the authenticity of the certificate, when asked by the DIC for purposes of issuing the Identity Card.

It seems clear that the naturalisation of the three Turkish citizens was manipulated within the schemes that exist in the Central Registry Office.



## Crimes they can be charged with

The citizens in question can be charged with several crimes against public faith and against the Mozambican State, namely crimes of forging documents, the use of false documents, corruption and connected crimes, all envisaged and typified in the Penal Code (C.P), approved by Law no. 24/2019 of 24 December).

Case of the citizen **Devrin Sahutoglu**:

- a) Forgery of documents, a crime envisaged and punished under article 322 of the C.P.;
- b) Use of a false document, a crime envisaged and punished under article 324 of the C.P.;
- c) Falsification of a seal, envisaged and punished under article 333 of the C.P.;
- d) Use of false seals, envisaged and punished under article 334 of the C.P.;
- e) And active corruption, envisaged and punished under article 445 of the C.P.;

## Hakan Aleattin Yalçin

- a) Forgery of documents, a crime envisaged and punished under article 322 of the C.P.;
- b) Use of a false document, a crime envisaged and punished under article 324 of the C.P.;
- c) Falsification of a seal, envisaged and punished under article 333 of the C.P.;
- d) Use of false seals, envisaged and punished under article 334 of the C.P.;

## Semseddin Gaznevi

- e) Forgery of documents, a crime envisaged and punished under article 322 of the C.P.;
- f) Use of a false document, a crime envisaged and punished under article 324 of the C.P.;

- g) Falsification of a seal, envisaged and punished under article 333 of the C.P.;
- h) Use of false seals, envisaged and punished under article 334 of the C.P.;

These citizens have in common the fact that to acquire nationality in an apparently fraudulent manner, they forged documents (the certificates on granting nationality, at the Registry Office, the Boletim da República, with a false seal and information to process the Mozambican Identity Card and passport). The most aggravating factor in these crimes is that they were committed in collusion with public officials.

The Ministry of the Interior has not yet said anything about the case, after receiving a letter from CIP, on 14 November 2023, requesting information about the citizens who were granted Mozambican nationality by marriage and by naturalization.

To exercise the right of reply, CIP contacted the three businessmen during normal working hours. It was not possible to contact **Devrin Sahutoglu** on his habitual contact numbers.

**Semseddin Gaznevi** confirmed he had acquired Mozambican nationality and promised to share the documents with CIP by e-mail.

**Hakan Aleattin Yalçin** did not return the call, after CIP had communicated with his secretary.

### 14 years waiting for Mozambican nationality

Among the list of 27 cases concerning the granting of nationality, which were consulted by CIP, there is the case of a citizen called Joana (fictitious name), who has waited for 14 years to be granted Mozambican nationality. Joana agreed to tell us in detail the vicissitudes of her struggle to obtain Mozambican nationality.

Joana is a Rwandan refugee who came to Mozambique seeking asylum due to the instability in her country. She came to the country with her husband in 1997. The years passed and the family grew. The couple had children. The youngest was born in 2003, in Maputo city. So that their

daughter might have Mozambican nationality, they requested Mozambican nationality at the registry office.

Since they had already been in the country for more than 10 years, the family decided to request Mozambican nationality. They submitted the request for the entire family in May 2007. The case files were sent by the registry office to the institutions that deal with the granting of nationality. For Joana's family, the wait took 4 years – that is the dispatches on granting nationality were published in 2011, Joana said. Adding together the 10 years since arrival in Mozambique and the 4 years spent dealing with the procedure, Joana had to wait for 14 years to obtain Mozambican nationality.

Although she was born in Mozambique (in 2003), Joana's daughter does not enjoy all the civil rights attributed to original Mozambicans. Joana's daughter always dreamed of being a soldier. With the granting of Mozambican nationality, she hoped to make this dream a reality. The young woman entered a military career and did her compulsory military service. But afterwards she was refused the possibility of continuing in a military career. It was alleged that those who acquire nationality cannot follow a military career.

### **Meeting all the requirements is not enough: “these things work on a basis of cronyism”**

José Martins is a citizen of Portuguese nationality who has lived in Mozambique for more than 20 years. He arrived in Mozambique in 1997. From then until now, he has renewed his DIRE and his work visa. José Martins is a communications professional. He was involved in the creation of some private television channels in Mozambique, such as Miramar, in 1997, and STV, in 2002.

In 2015, tired of spending so much money and so much red tape in renewing his DIRE, plus the fact that he harboured a special feeling for Mozambique, and had been living here for more than 10 years, Martins thought the time had come to request Mozambican nationality. In March 2015 he delivered all the documents requested for submitting a nationality request in the light of the Mozambican legislation.

The papers were submitted in the hope that there would be a verdict on his request within six months. However, that is

not what happened. Tired of waiting without receiving any satisfaction from the Ministry of the Interior, José Martins, every now and then went to the Ministry and asked how his situation was. But he says he never received a favourable response.

In late 2021, the applicant José Martins received a message from the Ministry of the Interior, according to which he should go to PIC, so that PIC could take his fingerprints and he should then go to the Imprensa Nacional to pay the fee for publication of the dispatch on the granting of nationality in the Boletim da República. However, the change of ministers undermined his case in 2022. Tired of all that bureaucracy, and with the lack of honesty of the people who were there, he decided to seek an audience with the new Minister of the Interior, Arsênia Massingue.

On 3 January 2023, in response to his request for an audience, his request for nationality was turned down. The Ministry gave no explanation for refusing his request, as appendix III shows.

Nine months after the rejection, a team of PIC agents went to the home of José Martins, supposedly to finalise the pending process of granting nationality. In response, the applicant told them there was no nationality case pending since he had received the dispatch in January.

Asked if he had been reimbursed for the amount paid to the Imprensa Nacional for publication of the dispatch on granting nationality, his reply could not have been colder: “I have not received it, and I do not want any reimbursement!” What shocked him most was the excess of red tape, the inertia of the institutions responsible, and the lack of communication.

Asked if he will again apply for Mozambican nationality, this time on the basis of marriage, his reply was: “Since I have been refused, it's because the Mozambican state does not want me to be a Mozambican. So be it!”

Assessing the process for granting nationality, José Martins described it as “opaque” and added “it works by cronyism”. This specialist in communication will leave the country with his wife and his 7 children adopted in Mozambique, as soon as his current work visa ends.

## References

Attorney-General of the Republic of Mozambique (2023). Annual Report to the Assembly of the Republic. PGR: available on <https://www.pgr.gov.mz/por/Media/Files/Informacao-Anual-do-PGR-a-AR.2022> (consulted on 11 May 2023 at 14h58);

### Legislation

Constitution of the Republic of Mozambique (2004) amended by Law no. 1/2018, of 12 June, 1st Series, no. 115, Tuesday, 12 June;

Law no. 16/87: Amends the Nationality Law, B.R., 21 December 1987, Series, no. 50;

Decree no. 3/75: Regulates the Nationality Law, B.R., 16 August 1975, Series I, no. 23;

TLM, Limitada, BR no. 88, 3rd Series, Supplement of 3 November 2014 - pp. 3448-(24);

### List of interviewees

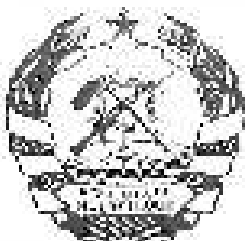
José Martins, interviewed on 27 October 2023 in Maputo.

Semseddin Gaznevi, interviewed on 5 December 2023, by telephone.

The real BR with the indicated serial number refers to a presidential order identified by no. 1/2013, from January

Sexta-feira, 18 de Janeiro de 2013

I SÉRIE Número 6



# BOLETIM DA REPÚBLICA

PUBLICAÇÃO OFICIAL DA REPÚBLICA DE MOÇAMBIQUE

IMPRENSA NACIONAL DE MOÇAMBIQUE, E.P.

PRESIDÊNCIA DA REPÚBLICA

Decreto Presidencial nº 1/2013

### AVISO

A Imprensa Nacional de Moçambique, E.P., informa que o presente Boletim da República, nº 1/2013, de 18 de Janeiro de 2013, encontra-se disponível para consulta e aquisição no endereço eletrónico [www.inm.gov.mz](http://www.inm.gov.mz) e no endereço físico [www.inm.gov.mz](http://www.inm.gov.mz).

18 de Janeiro de 2013

Na presença dos membros do Conselho de Administração da Imprensa Nacional de Moçambique, E.P., a Comissão de Administração da Imprensa Nacional de Moçambique, E.P., em sessão pública, deliberou e decidiu por unanimidade aprovar o presente Decreto Presidencial nº 1/2013, de 18 de Janeiro de 2013, que aprova o Regulamento de Organização e Funcionamento da Imprensa Nacional de Moçambique, E.P.

### SUMÁRIO

Presidência da República

Participação

Decreto Presidencial nº 1/2013

Regulamento de Organização e Funcionamento da Imprensa Nacional de Moçambique, E.P.

Maputo, Sexta-Feira, 18 de Janeiro de 2013, 101.º Presidente da República, 2094.º da Era da Independência.

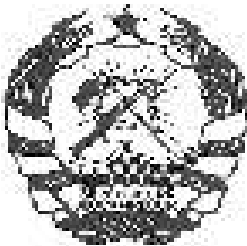
Preço: 3,02 MT

Imprensa Nacional de Moçambique, E.P.

This diploma assigns nationality to 07 citizens and Devrin's name is not included

Quarta-feira, 9 de Fevereiro de 2011

I SÉRIE — Número 6



# BOLETIM DA REPÚBLICA

PUBLICAÇÃO OFICIAL DA REPÚBLICA DE MOÇAMBIQUE

## SUMÁRIO

### Ministério do Interior

#### Diploma Ministerial n.º 182011:

Concede a nacionalidade moçambicana, por naturalização, a António Manuel Rodrigues Paulo Magalhães.

#### Diploma Ministerial n.º 183011:

Concede a nacionalidade moçambicana, por naturalização, a António Figueira.

#### Diploma Ministerial n.º 212011:

Concede a nacionalidade moçambicana, por naturalização, a António de Melo Magalhães.

#### Diploma Ministerial n.º 217011:

Concede a nacionalidade moçambicana, por naturalização, a Afonso Kumbela Rato Dito.

#### Diploma Ministerial n.º 225011:

Concede a nacionalidade moçambicana, por naturalização, a António Carlos Rodrigues Faria Lopes.

#### Diploma Ministerial n.º 232011:

Concede a nacionalidade moçambicana, por naturalização, a António Manuel Ramos Lumbico.

#### Diploma Ministerial n.º 242011:

Concede a nacionalidade moçambicana, por naturalização, a António Manuel Dito.

### Ministério da Educação

#### Diploma Ministerial n.º 252011:

Exerce a função, prevista no artigo 2.º do Regulamento do Estatuto do Docente III do Regulamento do Estatuto do Ensino Secundário, de docente de matemática, a qual se encontra inscrita no Registo Nacional de Funcionários do Sistema Educativo n.º 12694, de José Duarte.

### Ministério dos Recursos Humanos

#### Despacho:

Isabela Murguía de Figueira Pereira (1997).

### Ministério das Funções Públicas

#### Despacho:

Cláudia Figueira de Almeida de Almeida de Almeida, Delegada Regional de Insuportação Social do Centro de Estatísticas de Moçambique.

## MINISTÉRIO DO INTERIOR

### Diploma Ministerial n.º 182011

de 9 de Fevereiro

O Viterme de Interio, verificado e autorizado com o intuito de disposto no artigo 14.º do Decreto n.º 3075, de 16 de Agosto, no uso da autoridade que lhe é conferida pelo artigo 12.º da Lei da Nacionalidade, de 2009.

É concedida a nacionalidade moçambicana, por naturalização, a António Manuel Rodrigues Paulo Magalhães, nascido a 17 de Junho de 1967, em Porto — Portugal.

Ministério do Interior, em Maputo, 25 de Dezembro de 2010.  
O Ministro do Interior, José Carlos Ramos Lumbico.

Concedido a nacionalidade moçambicana, por naturalização, a António Figueira, nascido a 15 de Janeiro de 1970, em Portugal.

### Diploma Ministerial n.º 183011

de 11 de Fevereiro

O Viterme de Interio, verificado e autorizado com o intuito de disposto no artigo 14.º do Decreto n.º 3075, de 16 de Agosto, no uso da autoridade que lhe é conferida pelo artigo 12.º da Lei da Nacionalidade, de 2009.

É concedida a nacionalidade moçambicana, por naturalização, a António Figueira, nascido a 15 de Janeiro de 1970, em Portugal.

Ministério do Interior, em Maputo, 25 de Dezembro de 2010.  
O Ministro do Interior, José Carlos Ramos Lumbico.

### Diploma Ministerial n.º 212011

de 9 de Fevereiro

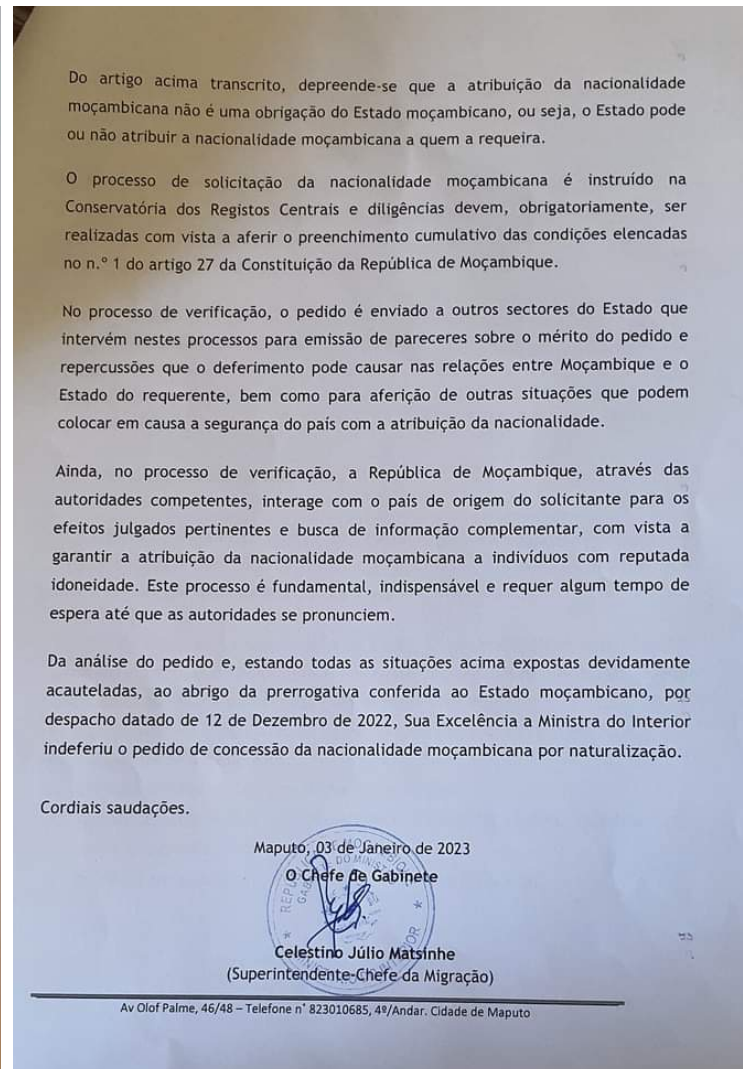
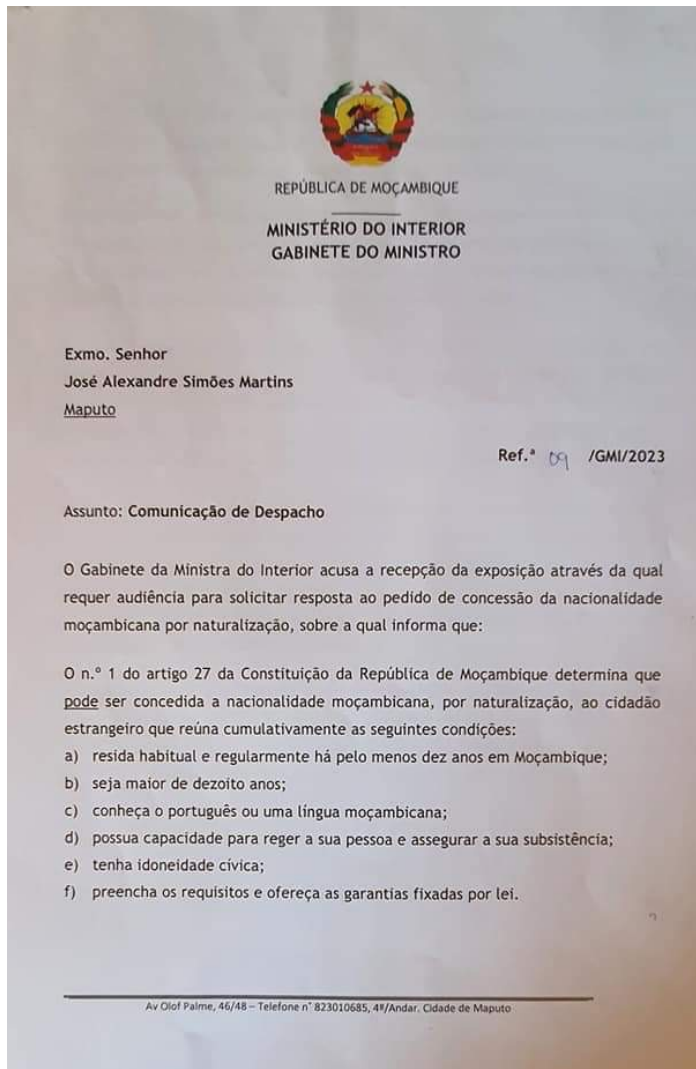
O Viterme de Interio, verificado e autorizado com o intuito de disposto no artigo 14.º do Decreto n.º 3075, de 16 de Agosto, no uso da autoridade que lhe é conferida pelo artigo 12.º da Lei da Nacionalidade, de 2009.

É concedida a nacionalidade moçambicana, por naturalização, a António de Melo Magalhães, nascido a 15 de Junho de 1964, em Lisboa — Angola.

Ministério do Interior, em Maputo, 25 de Dezembro de 2010. — O Ministro do Interior, José Carlos Ramos Lumbico.

## ANNEX 3

### Order refusing to grant nationality





CENTRO DE INTEGRIDADE PÚBLICA  
Anticorrupção - Transparência - Integridade

Partners:



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

Embaixada da Suíça em Moçambique



Norwegian Embassy



Suécia  
Sverige



Reino dos Países Baixos



## Editorial Information

**Director:** Edson Cortez

**Authors:** CIP Journalistic Investigation Team

**Peer Review:** Edson Cortez and Baltazar Fael

**Propriety:** Centro de Integridade Pública

Rua Fernão Melo e Castro,  
Bairro da Sommerschild, nº 124  
Tel: (+258) 21 499916 | Fax: (+258) 21 499917  
Cel: (+258) 82 3016391  
[f](https://www.facebook.com/CIP.Mozambique)@CIP.Mozambique [i](https://www.instagram.com/CIPMoz)@CIPMoz  
[www.cipmoz.org](http://www.cipmoz.org) | Maputo - Moçambique